

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 1288

5 By: Representative E. Brown
6
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE THE DEPARTMENT OF HEALTH AND
10 HUMAN SERVICES TO PROVIDE NOTICE OF THE STATUS OF
11 A COURT PROCEEDING RELATED TO A MALTREATMENT
12 ADMINISTRATIVE HEARING; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO REQUIRE THE DEPARTMENT OF HEALTH AND
15 HUMAN SERVICES TO PROVIDE NOTICE OF THE
16 STATUS OF A COURT PROCEEDING RELATED TO
17 A MALTREATMENT ADMINISTRATIVE HEARING.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 12-12-512(h) concerning certain court
24 orders filed with and considered by hearing officers in child maltreatment
25 cases, is amended to read as follows:

26 (h)(1) A certified copy of a judgment or an adjudication from a court
27 of competent jurisdiction dealing with the same subject matter as an issue
28 concerned in the administrative hearing may be filed with and considered by
29 the hearing officer ~~in a motion for summary judgment.~~

30 (2)(A) A decision on any identical issue shall be rendered
31 without a hearing.

32 (B) However, if the judgment or adjudication of the court
33 is reversed or vacated and notice of the reversal or vacation is provided to
34 the department, the department shall set the matter for a hearing.
35

36 SECTION 2. Arkansas Code § 12-12-512 is amended to add an additional



1 subsection to read as follows:

2 (i)(1) The department shall notify the hearing officer and the
3 respondent of the status of any juvenile division of circuit court proceeding
4 involving the victim if child maltreatment at issue in the administrative
5 hearing proceeding is also an issue in the juvenile division of circuit court
6 proceeding.

7 (2) Notice from the department under subdivision (i)(1) of this
8 section shall also include whether the department exercised a seventy-two-
9 hour hold on the victim and released the child, or if the department or
10 division of circuit court dismissed a petition for emergency custody or
11 dependency-neglect.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36