

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

SENATE BILL 433

5 By: Senator R. Thompson
6 By: Representatives Fite, Vines
7

For An Act To Be Entitled

9 AN ACT CONCERNING PERMANENCY PLANNING HEARINGS; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 CONCERNING PERMANENCY PLANNING HEARINGS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code § 9-27-337(a) – (c), concerning the six-month
20 review in cases of dependency-neglect or families in need of services, is
21 amended to read as follows:

22 (a)(1) The court shall review every case of dependency-neglect or
23 families in need of services when:

24 (A) A juvenile is placed by the court in the custody of
25 the Department of Human Services or in another out-of-home placement until
26 there is a permanent order of custody, guardianship, or other permanent
27 placement for the juvenile; or

28 (B) A juvenile is returned to the parent from whom the
29 child was removed, another fit parent, guardian, or custodian and the court
30 has not discontinued orders for family services.

31 (2)(A) The first six-month review shall be held no later than
32 six (6) months from the date of the original out-of-home placement of the
33 child and shall be scheduled by the court following the adjudication and
34 disposition hearing.

35 (B) It shall be reviewed every six (6) months thereafter
36 until permanency is achieved.



1 (b)~~(1)~~ The court may require these cases to be reviewed prior to the
2 sixth month review hearing, and the court shall announce the date, time, and
3 place of the hearing.

4 ~~(2)(A) If a court requires a case to be reviewed prior to the~~
5 ~~sixth month, the court shall announce the date, time, and place of hearing.~~

6 ~~(B) In all other cases, it shall be the duty of the~~
7 ~~petitioner at least sixty (60) days prior to date the date of the required~~
8 ~~six month review to request that the court:~~

9 ~~(i) Set the review hearing;~~

10 ~~(ii) Provide reasonable notices; and~~

11 ~~(iii) Serve notice on all parties in accordance with~~
12 ~~the Arkansas Rules of Civil Procedure.~~

13 (c) At any time during the pendency of any case of dependency-neglect
14 or families in need of services in which an out-of-home placement has
15 occurred, any party may request the court to review the case, and the party
16 requesting the hearing shall provide reasonable notice to all parties.

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18 SECTION 2. Arkansas Code § 9-27-338(c)(1) and (2), concerning
19 permanency goals at the permanency planning hearing, is amended to read as
20 follows:

21 (c) At the permanency planning hearing, based upon the facts of the
22 case, the circuit court shall enter one (1) of the following permanency
23 goals, listed in order of preference, in accordance with the best interest of
24 the juvenile:

25 (1) Returning the juvenile to the parent from whom the child was
26 removed, another fit parent, guardian, or custodian at the permanency
27 planning hearing if it is in the best interest of the juvenile and the
28 juvenile's health and safety can be adequately safeguarded if returned home;

29 (2) Authorizing a plan to return the juvenile to the parent from
30 whom the child was removed, another fit parent, guardian, or custodian only
31 if the court finds that: