

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019

# A Bill

SENATE BILL 91

4  
5 By: Senator A. Clark

## For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE RESUMPTION OF  
9 SERVICES FOR CERTAIN PARENTS; AND FOR OTHER PURPOSES.

### Subtitle

12 TO AMEND THE LAW CONCERNING THE  
13 RESUMPTION OF SERVICES FOR CERTAIN  
14 PARENTS.

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code § 9-27-369(a) and (b), concerning motions to  
21 resume services for a parent whose parental rights were previously  
22 terminated, are amended to read as follows:

23 (a) The Department of Human Services ~~or, an attorney ad litem, or an~~  
24 attorney contracted with the Commission for Parent Counsel may file a motion  
25 to resume services for a parent whose parental rights were previously  
26 terminated under this subchapter if:

27 (1) The child:

28 (A) ~~Does not have a legal parent~~ Is currently in the  
29 custody of the department;

30 (B) Is not in an adoptive placement, a pre-adoptive  
31 placement, or under another permanent placement and there is some evidence  
32 that the juvenile is not likely to achieve permanency within a reasonable  
33 period of time as viewed from the child's perspective; or

34 (C) Was previously adopted, appointed a permanent  
35 guardian, or placed in the permanent custody of another individual and the  
36 adoption, guardianship, or custodial placement was disrupted or otherwise



1 dissolved; and

2 (2)(A) The order terminating the parental rights of the parent  
3 who is the subject of a motion filed under this section was entered at least  
4 three (3) years before the date on which the motion to resume services was  
5 filed.

6 (B) The three-year waiting period may be waived if it is  
7 in the best interest of the child.

8 (b)(1) A motion filed under this section shall identify the parent for  
9 whom services would resume.

10 ~~(2) A parent shall not be named as a party to a motion filed~~  
11 ~~under this section.~~

12 ~~(3)(2) The~~ Unless the petition is filed by an attorney  
13 contracted with the commission, the petitioner shall serve the parent who is  
14 the subject of a motion filed under this section with the motion.

15 ~~(4)(3)~~ A parent who is the subject of a motion filed under this  
16 section shall have the right to be heard at a hearing on the motion.

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