2 904 General Assembly IX LDIT 3 Regular Session, 2021 HOUSE BILL 1358 4 By: Representative Barker HOUSE BILL 1358 6 For An Act To Bc Entitled An ACT TO AMEND THE LAW CONCERNING CERTAIN 9 DISCLOSURES OF INFORMATION BY CHILDREN; CONCERNING 10 FOSTER YOUTH TRANSITIONS; AND FOR OTHER PURPOSES. 11 Subtitle 12 1 13 Subtitle 14 TO AMEND THE LAW CONCERNING CERTAIN 15 DISCLOSURES OF INFORMATION PERMITTED 16 UNDER THE CHILD WELFARE AGENCY LICENSING 17 ACT; AND CONCERNING FOSTER YOUTH 18 TRANSITIONS. 20 BE IT ENACTED BY THE GENERAL ASSEMELY OF THE STATE OF ARKANSAS: 21 BE IT ENACTED BY THE GENERAL ASSEMELY OF THE STATE OF ARKANSAS: 22 SECTION 1. Arkansas Code § 9-27-306(a)(1)(B), concerning jurisdiction 23 SECTION 1. Arkansas Code § 9-27-306(a)(1)(B), concerning jurisdiction 24 under the Arkansas Juvenile Code of 1989, is amended to read as follows: 25 (B) Proceedings in which a juvenile is alleged to be 26 dependent or dependent-neglected from birth to ei	1	State of Arkansas	A Bill	
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36 post-secondary or vocational education;		noat accord		<u>Institution providing</u>



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1	(3) Participating in a program or		
2	activity designed to promote or remove barriers to employment;		
3	(4) or is working Employed for at least		
4	eighty (80) hours a per month; or		
5	(5) Incapable of completing school or		
6	work requirements due to a documented medical condition toward gaining self-		
7	sufficiency.		
8	(b) The court shall retain jurisdiction only		
9	if the juvenile remains or has a viable plan to remain in instruction or		
10	treatment, or is working at least eighty (80) hours a month toward gaining		
11	self-sufficiency meets the requirements of subdivision (a)(l)(B)(i)(a) of		
12	this section or has a viable plan to meet the requirements.		
13	(c) The court shall discontinue jurisdiction		
14	only after a hearing to determine whether:		
15	(1) The juvenile <u>:</u>		
16	(A) knowingly Knowingly and		
17	voluntarily is requesting to leave care <u>;</u>		
18	<u>(B)</u> or the juvenile has <u>Has</u> failed		
19	to be engaged in or have a viable plan to participate in a course of		
20	instruction or treatment or is not working at least eighty (80) hours per		
21	month toward gaining self-sufficiency meet the requirements of subdivision		
22	(a)(l)(B)(i)(a) of this section; or		
23	(C) Does not have a viable plan to		
24	meet the requirements; and		
25	(2) The Department of Human Services has		
26	fully complied with §§ 9-27-363 and 9-28-114; or		
27	(ii) A juvenile may contact his or her attorney ad		
28	litem to petition the court to return to the court's jurisdiction to receive		
29	independent living or transitional services if the juvenile:		
30	(a) Was adjudicated dependent or dependent-		
31	neglected;		
32	(b) Was in foster care at eighteen (18) years		
33	of age; <u>and</u>		
34	(c) Left foster care but desires to submit to		
35	the jurisdiction of the court before reaching twenty-one (21) years of age to		
36	benefit from independent living or transitional services; or		

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1	(d) Left foster care and decides to submit to
2	the jurisdiction of the court and return to foster care to receive
3	transitional services;
4	
5	SECTION 2. Arkansas Code § 9-27-363(b)(2), concerning foster youth
6	transitions under the Arkansas Juvenile Code of 1989, is amended to read as
7	follows:
8	(2) The plan shall include without limitation written
9	information and confirmation concerning:
10	(A) The juvenile's right to stay in foster care after
11	reaching eighteen (18) years of age for education, treatment, or work and
12	specific programs and services, A description of the programs and services
13	which will help the juvenile prepare for transition from foster care to a
14	successful adulthood, including without limitation the John H. Chafee Foster
15	Care Program for Successful Transition to Adulthood and other transitional
16	services; and
17	(B) The right of the juvenile to remain in extended foster
18	care after reaching eighteen (18) years of age if the juvenile is:
19	(i) Completing secondary education or a program
20	leading to an equivalent credential;
21	(ii) Enrolled in an institution providing post-
22	secondary or vocational education;
23	(iii) <u>Participating in a program or activity</u>
24	designed to promote or remove barriers to employment;
25	(iv) Employed for at least eighty (80) hours per
26	month; or
27	(v) <u>Incapable of performing the activities described</u>
28	in subdivisions (b)(2)(B)(i)-(iv) of this section due to a documented medical
29	condition; and
30	(C) The juvenile's case, including his or her biological
31	family, foster care placement history, tribal information, if applicable, and
32	the whereabouts of siblings, if any, unless a court determines that release
33	of information pertaining to a sibling would jeopardize the safety or welfare
34	of the sibling.
35	
36	SECTION 3. Arkansas Code § 9-28-114(e), concerning foster youth

l transition, is amended to read as follows:

(e)(1) If a juvenile does not have the capacity to successfully transition into adulthood without the assistance of the Adult Protective Services Unit of the Department of Human Services Office of Public Guardian for Adults, the Division of Children and Family Services shall make a referral to the unit office no later than six (6) months before the juvenile reaches eighteen (18) years of age or upon entering foster care, whichever occurs later. (2) A representative from the unit office shall attend and participate in the transitional youth staffing, and information shall be provided to all of the parties about what services are available and how to access services for the youth after reaching the age of majority. SECTION 4. Arkansas Code § 9-28-114, concerning foster youth transition, is amended to add an additional subsection to read as follows: (j) Nothing in this subchapter prohibits a child in the custody of the department from sharing at his or her discretion information concerning his or her experience with the department after consultation with his or her assigned attorney ad litem.