

Stricken language would be deleted from and underlined language would be added to present law.
Act 329 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S2/11/19 H2/13/19

A Bill

SENATE BILL 7

By: Senator A. Clark

By: Representative Sullivan

For An Act To Be Entitled

AN ACT TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY TO
ATTEND HEARINGS HELD UNDER THE ARKANSAS JUVENILE CODE
OF 1989; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW MEMBERS OF THE GENERAL ASSEMBLY
TO ATTEND HEARINGS HELD UNDER THE
ARKANSAS JUVENILE CODE OF 1989.

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

SECTION 1. DO NOT CODIFY. Legislative intent.

The General Assembly recognizes:

- (1) That it is the duty of the General Assembly to initiate intelligent legislative reform that benefits the citizens of Arkansas;
- (2) That many families in Arkansas are involved in child welfare cases with the Department of Human Services;
- (3) That these families sometimes turn to members of the General Assembly for assistance when their families are negatively affected by certain limitations in the child welfare process;
- (4) That it is important to preserve a family unit when possible;
- (5) That the General Assembly's ability to initiate legislative reform with regard to child welfare is impeded by the nontransparent nature of child welfare proceedings, closed juvenile hearings, and other protections that prevent the General Assembly from adequately observing and reviewing the



child welfare process; and

(6) That in order to intelligently initiate reform, the General Assembly requires an expansion of its ability to observe and review all aspects of the child welfare process.

SECTION 2. Arkansas Code § 9-9-217(a)(1), concerning the confidentiality of hearings and records under the Revised Uniform Adoption Act, is amended to read as follows:

(1)(A) All hearings held in proceedings under this subchapter shall be held in closed court without admittance of any person other than essential officers of the court, the parties, their witnesses, counsel, persons who have not previously consented to the adoption but are required to consent, and representatives of the agencies present to perform their official duties.

(B)(i) A member of the General Assembly may attend an adoption hearing related to a juvenile case that is held under the Arkansas Juvenile Code of 1989, § 9-27-301 et seq., unless the court excludes the member of the General Assembly based on the:

(a) Best interest of the child; or

(b) Court's authority under the Arkansas Rules of Civil Procedure or the Arkansas Rules of Evidence.

(ii) Except as otherwise provided by law, a member of the General Assembly who attends a hearing in accordance with subdivision (a)(1)(B)(i) of this section shall not redisclose information obtained during his or her attendance at the hearing.

SECTION 3. Arkansas Code § 9-27-325(i)(1), concerning hearings held under the Arkansas Juvenile Code of 1989, is amended to read as follows:

(i)(1)(A) All hearings involving allegations and reports of child maltreatment and all hearings involving cases of children in foster care shall be closed.

(B)(i) A member of the General Assembly may attend any hearing held under the Arkansas Juvenile Code of 1989, § 9-27-301 et seq., including a closed hearing, unless the court excludes the member of the General Assembly based on the:

(a) Best interest of the child; or

(b) Court's authority under the Arkansas Rules of Civil Procedure or the Arkansas Rules of Evidence.

(ii) Except as otherwise provided by law, a member of the General Assembly who attends a hearing in accordance with subdivision (i)(1)(B)(i) of this section shall not redisclose information obtained during his or her attendance at the hearing.

/s/A. Clark

APPROVED: 3/7/19