

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 84th General Assembly  
3 Regular Session, 2003  
4

# A Bill

HOUSE BILL 1506

5 By: Representative Martin  
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## For An Act To Be Entitled

9 AN ACT TO REQUIRE WRITTEN NOTICE TO THE BIRTH  
10 PARENT AND THE ATTORNEY AD LITEM IF THE  
11 DEPARTMENT OF HUMAN SERVICES CHANGES THE  
12 PLACEMENT OF A CHILD IN FOSTER CARE; TO ALLOW A  
13 CONTEMPT PROCEEDING TO BE BROUGHT IF NOTICE IS  
14 NOT PROVIDED; AND FOR OTHER PURPOSES.  
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## Subtitle

16 TO REQUIRE WRITTEN NOTICE TO THE BIRTH  
17 PARENT AND THE ATTORNEY AD LITEM IF THE  
18 DEPARTMENT OF HUMAN SERVICES CHANGES THE  
19 PLACEMENT OF A CHILD IN FOSTER CARE.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. Arkansas Code § 9-28-410(b), regarding limitations on the  
26 Department of Human Services, as amended to read as follows:

27 (b)(1) Exceptions to the advance notice requirement shall be made if  
28 the child's health or welfare would be endangered by delaying a change in  
29 placement.

30 (2) In these cases, within twenty-four (24) hours of the change  
31 in placement the ~~child's attorney ad litem and birth parent shall be notified~~  
32 ~~of the change, and the attorney ad litem shall be given the name and address~~  
33 ~~of the new foster care provider~~ Department of Human Services shall:

34 (A) Notify the birth parent of the change;

35 (B) Notify the child's attorney ad litem of the change;

36 (C) Provide the attorney ad litem with the name and



1 address of the new foster care provider;

2 (D) Provide written notice to the attorney ad litem for  
3 the specific reasons justifying the change of placement without advance  
4 notice.

5 (c)(1) If an agent, employee, or contractor of the Department of Human  
6 Services fails to comply with this section, then an action for violation of  
7 this section may be filed by any party to the action against the person who  
8 failed to comply with this section, with the assessment of punishment to be  
9 determined by the court.

10 (2) If the court finds the agent, employee, or contractor of the  
11 Department of Human Services failed to comply with this section, then the  
12 court may order the Department of Human Services or the agent, employee, or  
13 contractor to pay all of the costs of the proceedings brought under this  
14 section.

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