

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

SENATE BILL 18

By: Senator A. Clark
By: Representatives Gates, Hammer

For An Act To Be Entitled

AN ACT TO REQUIRE THE APPOINTMENT OF PARENT COUNSEL
IN A PROCEEDING TO TERMINATE PARENTAL RIGHTS; TO
AMEND THE STATE CENTRAL SERVICES FUND; AND FOR OTHER
PURPOSES.

Subtitle

TO REQUIRE THE APPOINTMENT OF PARENT
COUNSEL IN A PROCEEDING TO TERMINATE
PARENTAL RIGHTS; AND TO AMEND THE STATE
CENTRAL SERVICES FUND.

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

SECTION 1. Arkansas Code § 9-27-316(h)(1)(D), concerning right to counsel, is amended to read as follows:

(D) All parents shall have the right to be appointed counsel in termination of parental rights hearings, and the court shall appoint counsel if the court makes a finding that the parent is ~~indigent~~ not represented by an attorney and counsel is requested by the parent.

SECTION 2. Arkansas Code § 9-27-341(a), concerning termination of parental rights, is amended to add an additional subdivisions to read as follows:

(5)(A) Under § 9-27-316, at the request of the parent, the court shall appoint counsel for the parent when the parent is not represented by an attorney in a proceeding to terminate parental rights under this section.



(B) The court shall inform the parent in subdivision (5)(A) of this section that he or she may request counsel to be appointed by the court.

SECTION 3. Arkansas Code § 19-5-205(e)(1)(B), concerning the sources of funds for the State Central Services Fund, is amended to add an additional subdivision to read as follows:

(xviii)(a) Grants made available by a person or federal government or any other funds made available to the Administrative Office of the Courts to be used exclusively for parent counsel for termination of parental rights proceedings as provided in §§ 9-27-316(h)(1)(D) and 9-27-341(a)(5)(A).

(b) Moneys remaining at the end of each fiscal year in the State Central Services Fund that were provided for parent counsel for termination of parental rights proceedings shall carry forward and be made available for the purposes stated in §§ 9-27-316(h)(1)(D) and 9-27-341(a)(5)(A).