

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

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: S3/11/21

A Bill

SENATE BILL 166

By: Senator A. Clark

For An Act To Be Entitled

*AN ACT TO ALLOW CERTAIN INDIVIDUALS TO ATTEND
HEARINGS CONCERNING MATTERS HEARD UNDER THE ARKANSAS
JUVENILE CODE OF 1989; AND FOR OTHER PURPOSES.*

Subtitle

*TO ALLOW CERTAIN INDIVIDUALS TO ATTEND
HEARINGS CONCERNING MATTERS HEARD UNDER
THE ARKANSAS JUVENILE CODE OF 1989.*

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

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

(i)(1)(A) ~~All~~ Except as provided by this section, all hearings involving allegations and reports of child maltreatment and all hearings involving cases of children in foster care shall be closed.

SECTION 2. Arkansas Code § 9-27-325(i)(1), concerning hearings under the Arkansas Juvenile Code of 1989, is amended to add additional subdivisions to read as follows:

(D)(i) A relative, fictive kin, or individual with a connection to the family involved in a dependency-neglect proceeding may attend a hearing unless the court determines:

(a) The best interest of the child requires the relative, fictive kin, or individual with a connection to the family involved in the dependency-neglect proceeding to be excluded from the hearing; or



(b) It is within the authority of the court under the Arkansas Rules of Civil Procedure or the Arkansas Rules of Evidence to exclude the relative, fictive kin, or individual with a connection to the family involved in the dependency-neglect proceeding from the hearing.

(ii) The court shall confirm the identity of each relative, fictive kin, or individual with a connection to the family involved in the dependency-neglect proceeding to determine if the relative, fictive kin, or individual with a connection to the family involved in the dependency-neglect proceeding should be excluded from the hearing.

(iii) A relative, fictive kin, or individual with a connection to the family involved in the dependency-neglect proceeding who is permitted to attend a hearing shall not disclose any information obtained during the hearing.

(E)(i) The court may allow an individual with an interest in attending a closed hearing in a dependency-neglect proceeding to attend the hearing if:

(a) It is in the best interest of the child;

and

(b) The individual demonstrates a sincere and legitimate need to attend the hearing as determined by the court.

(ii) An individual who attends a hearing in accordance with subdivision (i)(1)(E)(i) of this section shall not disclose any information obtained during the hearing.

(F) An individual who discloses information in violation of subdivisions (i)(1)(D)(iii) and (i)(1)(E)(ii) of this section is guilty of a Class C misdemeanor.

/s/A. Clark