

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021  
4

As Engrossed: S3/11/21

# A Bill

SENATE BILL 166

5 By: Senator A. Clark  
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## For An Act To Be Entitled

8 AN ACT TO ALLOW CERTAIN INDIVIDUALS TO ATTEND  
9 HEARINGS CONCERNING MATTERS HEARD UNDER THE ARKANSAS  
10 JUVENILE CODE OF 1989; AND FOR OTHER PURPOSES.  
11

### Subtitle

12 TO ALLOW CERTAIN INDIVIDUALS TO ATTEND  
13 HEARINGS CONCERNING MATTERS HEARD UNDER  
14 THE ARKANSAS JUVENILE CODE OF 1989.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 9-27-325(i)(1)(A), concerning hearings  
22 under the Arkansas Juvenile Code of 1989, is amended to read as follows:

23 (i)(1)(A) ~~All~~ Except as provided by this section, all hearings  
24 involving allegations and reports of child maltreatment and all hearings  
25 involving cases of children in foster care shall be closed.  
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27 SECTION 2. Arkansas Code § 9-27-325(i)(1), concerning hearings under  
28 the Arkansas Juvenile Code of 1989, is amended to add additional subdivisions  
29 to read as follows:

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

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



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

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

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

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

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

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

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

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

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28 /s/A. Clark

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31 **APPROVED: 4/16/21**  
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