

2014

**Statutory Responses to Domestic
Minor Sex Trafficking Victims**

Arkansas



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Identification

Initial Custody

Process Following Initial Custody

Dependent-Neglected Juvenile

Authority for Initial Custody:

- Child may be taken into custody:
- Pursuant to a court order
 - By law enforcement or the Department if child is in immediate danger

Placement:

- Return home
- Shelter care
- Foster home

Where is child referred after initial custody?

The department, the intake officer of the court, and the custodial parent must be notified right away

When and how does court assume jurisdiction?

With a petition filed with the court. Any adult can file the petition

Family in Need of Services

Authority for Initial Custody:

- Child may be taken into custody:
- Pursuant to a court order
 - By law enforcement or the Department if child is in immediate danger

Placement:

- Return home
- Shelter care

Where is child referred after initial custody?

The department, the intake officer of the court, and the custodial parent must be notified right away

When and how does court assume jurisdiction?

With a petition filed with the court. Any adult or child of the family who is 10 or older can file the petition

Delinquent Juvenile

Authority for Initial Custody:

- Child may be taken into custody if:
- There is a warrant
 - Offense is committed in officer's presence
 - Reasonable cause to believe felony occurred

Placement:

- Juvenile detention
- Release home, with citation for appearance

Where is child referred after initial custody?

Referral made to the juvenile court intake officer

When and how does court assume jurisdiction?

A prosecuting attorney must file the petition within 24 hours of the detention hearing, or within 96 hours of custody

Trafficking Victims in Arkansas

Placement Process Pending Adjudication/ Investigation

When must placement hearing be held after initial custody?

Within 5 business days

What are the placement options?

- Licensed or approved foster home
- Shelter, facility
- Exempt child welfare agency

Adjudication or Referral to Alternate Process

Adjudication:

Within 60 days of removal

Or Alternate Process

N/A

Placement Following Adjudication

Dispositional Outcomes

- Placement by the Department in a foster home, shelter, facility, or licensed child welfare agency
- Placement with a relative or other individual

Dispositional Outcomes

N/A

When must placement hearing be held after initial custody?

Within 72 hours, or the next business day after the 72 hours

What are the placement options?

- Return home
- Shelter care

Adjudication:

Proof by a preponderance of the evidence

Or Alternate Process

- Diversion if:
- In best interests of the child
 - Child admits act
 - Diversion agreement is entered voluntarily

Dispositional Outcomes

- Family services
- Foster care
- Residential detention with monitoring
- Supervision
- Fines

Dispositional Outcomes

- Referral to a public or private agency for services not to exceed 6 months
- Other terms not to exceed 9 months
- Dismissal if successfully completed

When must placement hearing be held after initial custody?

Within 72 hours, or the next business day after the 72 hours

What are the placement options?

- Continued detention
- Release with or without bond

Adjudication:

Within 14 days of detention hearing if child is detained, proof beyond a reasonable doubt

Or Alternate Process

- Diversion if:
- In best interests of the child
 - Child admits act
 - Diversion agreement is entered voluntarily

Dispositional Outcomes

- Commitment to Division of Youth Services for treatment, detention, or community-based programs
- Probation
- Electronic monitoring

Dispositional Outcomes

- Nonjudicial probation
- Education or other services
- Teen court or drug court
- Enrollment in alternative school