



ARKANSAS JUDICIARY

Published on *Arkansas Judiciary* (<https://courts.arkansas.gov>)

Description of the AAL Program

Dependency- Neglect Attorney ad Litem Overview

History: In 1995, the Supreme Court conducted an assessment with Arkansas Advocates for Children and Families to determine how our courts could improve child abuse cases. The Supreme Court issued a report in 1997 and found that children were not adequately represented in dependency-neglect cases and, even when they were represented, the quality of representation was minimal or poor. Arkansas law required the appointment of a guardian ad litem to represent the best interests of a child and to advocate for the child's articulated wishes. Across the state there were some court appointed guardians ad litem and, in some areas, the public defenders filled this role. Yet, there were no standards or requirements for training or experience in order to be appointed.

Act 708 of 1997 of the Arkansas Legislature called for the establishment of a statewide system of employment or contracts for AALs to represent children in all dependency-neglect proceedings. The Act established a Division of Dependency-Neglect Representation (Dependency-Neglect Division) within the AOC to oversee and implement the program. The Act further instructed the Arkansas Supreme Court to adopt standards of practice and qualifications for attorneys receiving contracts, or being employed, to represent children. A Representation Subcommittee of the Ad Hoc Committee was established and developed the standards. The subcommittee identified prerequisite qualifications, standards of practice, and caseload standards for AALs. These recommendations were adopted by the Committee and provided to the Arkansas Supreme Court. In June 1999, the Supreme Court issued a Per Curiam Order adopting the Committee's standards. The qualifications, standards of practice, and contracts for AAL services became effective on January 1, 2000 and were revised per Administrative Order No. 15 in September 2001. (See attached Supreme Court Administrative Order No. 15).

In January 2000, the state implemented contracts for AALs to ensure that every child in a dependency-neglect proceeding received representation by a qualified AAL. The standard practice is that the judges appoint an attorney ad litem in each dependency-neglect case at the time they sign the emergency order placing the child into the custody of the DCFS or when a dependency-neglect petition is filed. During the first year of implementation, the AOC contracted with attorneys to represent children in every judicial circuit. This program presently provides attorneys for an average of 5,438 abused and neglected children in an average of 3,275 cases. Every child who is abused or neglected and has a dependency-neglect case is appointed a qualified attorney when a petition is filed or an emergency ex parte order is filed. To serve the best interest of the child some of our attorneys are full-time and some are part-time on contract. We have 32 full-time attorneys and 53 part-time contractor attorneys

providing state wide legal representation.

Updated: 04/08/2010

Source URL: <https://courts.arkansas.gov/administration/juvenile/aal>