

Arkansas Public Defender Commission

Dependency Neglect Attorneys

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October 28, 2008

Parent Counsel Attorney:

The Arkansas Supreme Court issued a Per Curiam on September 25, 2008, amending Arkansas Supreme Court Rules 6-9 and 6-10. These rules became effective immediately. In an effort to keep the transfer of appeals running smoothly, the Arkansas Public Defender Commission (hereinafter "APDC") has summarized the significant changes, as they pertain to trial counsel, to the rules below.

Significant changes to Rule 6-9:

1. No Reunification Orders are now appealable.
2. Time to file a Notice of Appeal has been extended to 21 days.
3. You must file a Motion for Indigency within 14 days.
4. What must be designated in the record has been modified. (See the handout.)

Significant changes to Rule 6-10:

1. Parent Counsel now has 3 business days to serve the Notice of Appeal and order(s) being appealed upon the APDC. The documents must be received by our office by the end of the 3rd business day. You can serve the APDC via facsimile, e-mail, by hand delivery, and/or by mail. If you are sending via facsimile or e-mail, please ensure that you have confirmation of sending your documents to our office. Should you hand deliver your documents, we will be glad to sign an acknowledgment of receipt. We do NOT recommend using mail as a delivery method. However, should you choose to mail your documents, you should do so in a manner that guarantees the documents being sent to us will be received by the APDC on the 3rd business day. This is the most risky method in serving us. Again, we do NOT recommend it.
2. Parent Counsel is required to timely provide to the APDC an Appeal Questionnaire. The APDC deems that a questionnaire is timely received if received within 2 weeks of timely serving the Notice of Appeal and order(s) being appealed by the APDC.
3. Any amended Notice of Appeal should also be served on the APDC within 3 business days of being filed.

We hope this summary has been helpful to you. Please feel free to contact our office with any questions.

Paralegal