



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

Senate: JUD DP 7-0-1-0 | 3rd Read DPA 27-0-3-0

House: JUD DP 8-0-0-2

SB1069: juvenile dependency; child placement

Sponsor: Senator Barto, LD 15

House Engrossed

Overview

Revises procedures relating to juvenile dependency and child placement.

History

The court restricts the attendance of adoption hearings to individuals who have a direct interest in the case. An attendee of an adoption hearing is prohibited from disclosing any information about the hearing ([A.R.S. § 8-115](#)).

The court appoints an attorney for a child in all delinquency, dependency or termination of parental rights proceedings. In a dependency proceeding, the attorney represents the child through permanency. If a juvenile or guardian is found to be indigent and entitled to counsel, the juvenile court appoints an attorney unless the individual waives counsel ([A.R.S. § 8-221](#)).

The statements or conduct of a child are admissible in any adoption, dependency or termination of parental rights proceeding ([A.R.S. § 8-237](#)). An individual who files an initial termination of a parent-child relationship motion or a permanent guardianship motion must send the notice to the relevant parties via registered mail ([A.R.S. §§ 8-535, 8-872](#)).

The court may establish a permanent guardianship if, among other conditions, a child has not been adjudicated dependent, all parties consent to the permanent guardianship ([A.R.S. § 8-871](#)).

Provisions

1. Expands the individuals who can attend an adoption hearing to include guests of the adoptive family. (Sec. 1)
2. Prohibits attendees from disclosing the content of testimony provided at the hearing. (Sec. 1)
3. Retains the ability of the juvenile court to communicate relevant case information with the family court. (Sec. 1)
4. Establishes that the court appoints an attorney for a child in delinquency proceedings commencing with a petition or detention. (Sec. 2)
5. States the out-of-court statements from a minor about conduct perpetrated on the minor are admissible in a *guardianship* proceeding. (Sec. 3)
6. Establishes open court proceedings relating to dependent children, permanent guardianship and termination of parental rights, except as provided by statute regarding termination adjudication hearings. (Sec. 4)
7. Allows the court to order the closure of a proceeding to the public except as provided by statute regarding termination adjudication hearings. (Sec. 4)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note

8. Includes that an individual who files an initial termination of a parent-child relationship motion or a permanent guardianship motion must send the notice to the relevant parties via certified mail. (Sec. 5, 7)
9. Strikes the requirement that all parties involved in a permanent guardianship proceeding consent to the permanent guardianship. (Sec. 6)
10. Allows the court to grant a permanent guardianship if all parties have been served notice of the permanent guardianship hearing and no party objects. (Sec. 6)
11. Outlines procedure once a child is the subject of a pending dependency petition. (Sec. 6)
12. Makes technical and conforming changes. (Sec. 1-7)