

2010

State Law Report Card



Minors' Access to Sensitive Services⁷

- All minors can consent to:
- Contraceptive services
 - STI testing and treatment*
 - Prenatal care
 - Medical care for minor child(ren)

*A physician may inform the minor's parents.

State law requires parental consent for abortion services.

School Response to Dating Violence

Arkansas law does not provide for a school response to dating violence.

Recommendations for Immediate Policy Change

In order to improve Arkansas' response to teen dating violence, the following changes are recommended:

- Allow minors to petition for OPs on their own behalf and explicitly describe the procedure for doing so.
- Allow individuals to access orders of protection if they are victims of intimate partner stalking or harassment.
- Allow minors to access all sensitive services, including adoption, without parental involvement.

Access to Orders of Protection

In Arkansas, minors can obtain Orders of Protection (OPs),¹ but the law does not specify whether OPs can be granted against minor abusers. Arkansas also allows people in dating relationships to seek OPs against their abusers.²

Procedure

State law does not allow minors to petition for an OP on their own behalf. An adult family/household member, among others, must petition for the order on the minor's behalf.³ Arkansas law does not specify whether the parent or guardian of the minor will be notified about the OP.

Definition of Abuse

A judge may issue an OP if the respondent has physically abused, threatened to physically abuse or sexually abused the petitioner. The statute fails to explicitly recognize stalking and harassment as qualifications for relief.⁴ The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order⁵ the respondent to:

- stay away from the petitioner (including petitioner's school);
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- pay spousal support;
- pay attorneys' fees; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Order of Protection is modifiable.⁶



For more information about state law and policy, visit www.breakthecycle.org or email policy@breakthecycle.org.

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References

¹ ARK. CODE ANN. § 9-15-201(d)(12) (2009).

² *Id.* § 9-15-103(4).

³ *Id.* § 9-15-201(d).

⁴ *Id.* § 9-15-103(3).

⁵ *Id.* § 9-15-205.

⁶ *Id.* § 9-15-209.

⁷ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

Break the Cycle

Empowering Youth to End
Domestic Violence

For more information about state law
and policy, visit www.breakthecycle.org
or email policy@breakthecycle.org.