

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

772Q0103

HOUSE BILL NO. 1084

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to permit the appointment of a special advocate to represent
2 the best interests of an apparent or alleged abused or neglected child.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 26-8A-20 be amended to read as follows:

5 26-8A-20. If a child is an apparent or alleged abused or neglected child, the court may
6 appoint a special advocate to represent the best interests of the child and to assist the child's
7 attorney. If a child has been adjudicated an abused or neglected child and is removed from the
8 child's home with the child's parents, guardian or custodian, the court shall appoint a guardian
9 ad litem or a special advocate to represent the best interests of the child and to assist the child's
10 attorney. The guardian ad litem or special advocate is an officer of the court for the purpose of
11 representing the child's best interests. The guardian ad litem or special advocate shall receive
12 all reports concerning the child and may cause the case to be reviewed by the court pursuant to
13 § 26-8A-23.

