

REFERENCE TITLE: juvenile court proceedings; appointment; attorney

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1234

Introduced by
Senators Werner: Angius

AN ACT

AMENDING SECTION 8-221, ARIZONA REVISED STATUTES; RELATING TO JUVENILE COURT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-221, Arizona Revised Statutes, is amended to
3 read:

4 8-221. Counsel right of juvenile, parent or guardian;
5 appointment; guardian ad litem

6 A. The court shall appoint an attorney for a child in all
7 delinquency proceedings that commence with a petition or that may involve
8 detention, dependency proceedings or termination of parental rights
9 proceedings that are conducted pursuant to this title. IN A DELINQUENCY
10 PROCEEDING, the court shall appoint the CHILD'S attorney before the first
11 hearing. The CHILD'S attorney shall represent the child at all stages of
12 the proceedings ~~and, in a dependency proceeding, through dismissal.~~

13 B. If a parent or guardian is found to be indigent and entitled to
14 counsel, the juvenile court shall appoint an attorney to represent the
15 person or persons unless the person knowingly, intelligently and
16 voluntarily waives counsel.

17 C. Before any court appearance that may result in
18 institutionalization or mental health hospitalization of a juvenile, the
19 court shall appoint counsel for the juvenile if counsel has not been
20 previously appointed or retained by or for the juvenile.

21 D. The county board of supervisors may fix a reasonable sum to be
22 paid by the county for the services of an appointed attorney.

23 E. In a county where there is a public defender, the public
24 defender may act as attorney in either:

25 1. A delinquency or incorrigibility proceeding when requested by
26 the juvenile court.

27 2. Any other juvenile proceeding that is conducted pursuant to this
28 title if the board of supervisors authorizes the appointment of the public
29 defender.

30 F. In all ~~juvenile court proceedings in which the dependency~~
31 ~~petition includes an allegation that the juvenile is abused or neglected~~
32 DEPENDENCY PROCEEDINGS OR TERMINATION OF PARENTAL RIGHTS PROCEEDINGS THAT
33 ARE CONDUCTED PURSUANT TO THIS TITLE, the court ~~may~~ SHALL appoint a
34 guardian ad litem to protect the juvenile's best interests. ~~This~~ THE
35 guardian ad litem shall be an attorney. ~~The guardian ad litem is not the~~
36 ~~child's~~ DEPENDING ON THE CHILD'S AGE AND ABILITY TO EXPRESS AN OPINION,
37 THE COURT MAY ALSO APPOINT AN attorney FOR THE CHILD.

38 G. Any guardian ad litem or attorney appointed for a juvenile shall
39 meet with the juvenile before the preliminary protective hearing, if
40 possible, or within fourteen days after the preliminary protective
41 hearing. The guardian ad litem or THE CHILD'S attorney ~~appointed for the~~
42 ~~juvenile~~ also shall meet with the juvenile before all substantive
43 hearings. On a showing of extraordinary circumstances, the judge may
44 modify this requirement for any substantive hearing.