

**2015/2016 CASA Reference Sheet of  
'Abuse' and 'Neglect' Definitions from  
Arkansas Children and Family Laws Annotated  
Lexis/Nexis**

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**2010 Arkansas Code  
Title 9 - Family Law  
Subtitle 3 - Minors  
Chapter 27 - Juvenile Courts And  
Proceedings  
Subchapter 3 - Arkansas Juvenile Code  
§ 9-27-303 - Definitions.**

**9-27-303. Definitions.**

As used in this subchapter:

(1) "Abandoned infant" means a juvenile less than nine (9) months of age whose parent, guardian, or custodian left the child alone or in the possession of another person without identifying information or with an expression of intent by words, actions, or omissions not to return for the infant;

(2) "Abandonment" means:

(A) Failure of the parent to provide reasonable support and to maintain regular contact with a juvenile through statement or contact when the failure is accompanied by an intention on the part of the parent to permit the condition to continue for an indefinite period in the future and support or maintain regular contact with a juvenile without just cause; or

**(B)** An articulated intent to forego parental responsibility;

**(3) (A)** "Abuse" means any of the following acts or omissions by a parent, guardian, custodian, foster parent, person eighteen (18) years of age or older living in the home with a child, whether related or unrelated to the child, or any person who is entrusted with the juvenile's care by a parent, guardian, custodian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person legally responsible for the juvenile's welfare:

**(i)** Extreme or repeated cruelty to a juvenile;

**(ii)** Engaging in conduct creating a realistic and serious threat of death, permanent or temporary disfigurement, or impairment of any bodily organ;

**(iii)** Injury to a juvenile's intellectual, emotional, or psychological development as evidenced by observable and substantial impairment of the juvenile's ability to function within the juvenile's normal range of performance and behavior;

**(iv)** Any injury that is at variance with the history given;

**(v)** Any nonaccidental physical injury;

**(vi)** Any of the following intentional or knowing acts, with physical injury and without justifiable cause:

**(a)** Throwing, kicking, burning, biting, or cutting a child;

**(b)** Striking a child with a closed fist;

**(c)** Shaking a child; or

**(d)** Striking a child on the face; or

**(vii)** Any of the following intentional or knowing acts, with or without physical injury:

- (a)** Striking a child six (6) years of age or younger on the face or head;
- (b)** Shaking a child three (3) years of age or younger;
- (c)** Interfering with a child's breathing;
- (d)** Urinating or defecating on a child;
- (e)** Pinching, biting, or striking a child in the genital area;
- (f)** Tying a child to a fixed or heavy object or binding or tying a child's limbs together;
- (g)** Giving a child or permitting a child to consume or inhale a poisonous or noxious substance not prescribed by a physician that has the capacity to interfere with normal physiological functions;
- (h)** Giving a child or permitting a child to consume or inhale a substance not prescribed by a physician that has the capacity to alter the mood of the child, including, but not limited to, the following:
  - (1)** Marijuana;
  - (2)** Alcohol, excluding alcohol given to a child during a recognized and established religious ceremony or service;
  - (3)** Narcotics; or
  - (4)** Over-the-counter drugs if a person purposely administers an overdose to a child or purposely gives an inappropriate over-the-counter drug to a child and the child is detrimentally impacted by the overdose or over-the-counter drug;
- (i)** Exposing a child to chemicals that have the capacity to interfere with normal physiological functions, including, but not limited to, chemicals used or generated during the manufacturing of methamphetamine; or

**(j)** Subjecting a child to Munchausen syndrome by proxy, also known as factitious illness by proxy, when reported and confirmed by medical personnel or a medical facility.

**(B) (i)** The list in subdivision (3)(A) of this section is illustrative of unreasonable action and is not intended to be exclusive.

**(ii)** No unreasonable action shall be construed to permit a finding of abuse without having established the elements of abuse.

**(C)** "Abuse" shall not include:

**(i)** Physical discipline of a child when it is reasonable and moderate and is inflicted by a parent or guardian for purposes of restraining or correcting the child; or

**(ii)** Instances when a child suffers transient pain or minor temporary marks as the result of a reasonable restraint if:

**(a)** The person exercising the restraint is an employee of an agency licensed or exempted from licensure under the Child Welfare Agency Licensing Act, 9-28-401 et seq.;

**(b)** The agency has policies and procedures regarding restraints;

**(c)** No other alternative exists to control the child except for a restraint;

**(d)** The child is in danger of hurting himself or herself or others;

**(e)** The person exercising the restraint has been trained in properly restraining children, de-escalation, and conflict resolution techniques;

**(f) (1)** The restraint is for a reasonable period of time; and

**(2)** The restraint is in conformity with training and agency policy and procedures.

**(iii)** Reasonable and moderate physical discipline inflicted by a parent or guardian shall

not include any act that is likely to cause and that does cause injury more serious than transient pain or minor temporary marks.

**(iv)** The age, size, and condition of the child and the location of the injury and the frequency or recurrence of injuries shall be considered when determining whether the physical discipline is reasonable or moderate;

**(4)** "Adjudication hearing" means a hearing to determine whether the allegations in a petition are substantiated by the proof;

**(5)** "Adult sentence" means punishment authorized by the Arkansas Criminal Code, 5-1-101 et seq., subject to the limitations in 9-27-507, for the act or acts for which the juvenile was adjudicated delinquent as an extended juvenile jurisdiction offender;

**(6)** "Aggravated circumstances" means:

**(A)** A child has been abandoned, chronically abused, subjected to extreme or repeated cruelty, or sexually abused, or a determination has been made by a judge that there is little likelihood that services to the family will result in successful reunification; or

**(B)** A child has been removed from the custody of the parent or guardian and placed in foster care or in the custody of another person three (3) or more times in the last fifteen (15) months;

**(7)** "Attorney ad litem" means an attorney appointed to represent the best interest of a juvenile;

**(8)** "Caretaker" means a parent, guardian, custodian, foster parent, or any person ten (10) years of age or older who is entrusted with a child's care by a parent, guardian, custodian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person responsible for a child's welfare;

**(9)** "Case plan" means a document setting forth the plan for services for a juvenile and his or her family, as described in 9-27-402;

**(10) (A)** "Cash assistance" means short-term financial assistance.

**(B)** "Cash assistance" does not include:

**(i)** Long-term financial assistance or financial assistance that is the equivalent of the board payment or adoption subsidy; or

**(ii)** Financial assistance for car insurance;

**(11)** "Commitment" means an order of the court that places a juvenile in the physical custody of the Division of Youth Services of the Department of Human Services for placement in a youth services facility;

**(12)** "Court" means the juvenile division of circuit court;

**(13)** "Court-appointed special advocate" means a volunteer appointed by the court to provide services to juveniles in dependency-neglect proceedings;

**(14)** "Custodian" means a person other than a parent or legal guardian who stands in loco parentis to the juvenile or a person, agency, or institution to whom a court of competent jurisdiction has given custody of a juvenile by court order;

**(15)** "Delinquent juvenile" means any juvenile:

**(A)** Ten (10) years old or older who has committed an act other than a traffic offense or game and fish violation that, if the act had been committed by an adult, would subject the adult to prosecution for a felony, misdemeanor, or violation under the applicable criminal laws of this state or who has violated 5-73-119; or

**(B)** Any juvenile charged with capital murder, 5-10-101, or murder in the first degree, 5-10-102, subject to extended juvenile jurisdiction;

**(16) (A)** "Department" means the Department of Human Services and its divisions and programs.

**(B)** Unless otherwise stated in this subchapter, any reference to the department shall

include all of its divisions and programs;

**(17)** "Dependent juvenile" means:

**(A)** A child of a parent who is in the custody of the department;

**(B) (i)** A child whose parent or guardian is incarcerated and the parent or guardian has no appropriate relative or friend willing or able to provide care for the child.

**(ii)** If the reason for the incarceration is related to the health, safety, or welfare of the child, the child is not a dependent juvenile but may be dependent-neglected;

**(C)** A child whose parent or guardian is incapacitated, whether temporarily or permanently, so that the parent or guardian cannot provide care for the juvenile and the parent or guardian has no appropriate relative or friend willing or able to provide care for the child;

**(D)** A child whose custodial parent dies and no appropriate relative or friend is willing or able to provide care for the child;

**(E)** A child who is an infant relinquished to the custody of the department for the sole purpose of adoption;

**(F)** A safe haven baby, 9-34-201 et seq.; or

**(G)** A child who has disrupted his or her adoption, and the adoptive parents have exhausted resources available to them;

**(18) (A)** "Dependent-neglected juvenile" means any juvenile who is at substantial risk of serious harm as a result of the following acts or omissions to the juvenile, a sibling, or another juvenile:

**(i)** Abandonment;

**(ii)** Abuse;

**(iii)** Sexual abuse;

**(iv)** Sexual exploitation;

**(v)** Neglect;

**(vi)** Parental unfitness; or

**(vii)** Being present in a dwelling or structure during the manufacturing of methamphetamine with the knowledge of his or her parent, guardian, or custodian.

**(B)** "Dependent-neglected juvenile" includes dependent juveniles;

**(19)** "Detention" means the temporary care of a juvenile in a physically restricting facility other than a jail or lock-up used for the detention of adults prior to an adjudication hearing for delinquency or pending commitment pursuant to an adjudication of delinquency;

**(20)** "Detention hearing" means a hearing held to determine whether a juvenile accused or adjudicated of committing a delinquent act or acts should be released or held prior to adjudication or disposition;

**(21)** "Deviant sexual activity" means any act of sexual gratification involving:

**(A)** Penetration, however slight, of the anus or mouth of one (1) person by the penis of another person; or

**(B)** Penetration, however slight, of the labia majora or anus of one (1) person by any body member or foreign instrument manipulated by another person;

**(22)** "Disposition hearing" means a hearing held following an adjudication hearing to determine what action will be taken in delinquency, family in need of services, or dependency-neglect cases;

**(23)** "Extended juvenile jurisdiction offender" means a juvenile designated to be subject to juvenile disposition and an adult sentence imposed by the court;

**(24)** "Family in need of services" means any family whose juvenile evidences behavior that includes, but is not limited to, the following:

**(A)** Being habitually and without justification absent from school while subject to compulsory school attendance;

**(B)** Being habitually disobedient to the reasonable and lawful commands of his or her parent, guardian, or custodian; or

**(C)** Having absented himself or herself from the juvenile's home without sufficient cause, permission, or justification;

**(25) (A)** "Family services" means relevant services provided to a juvenile or his or her family, including, but not limited to:

**(i)** Child care;

**(ii)** Homemaker services;

**(iii)** Crisis counseling;

**(iv)** Cash assistance;

**(v)** Transportation;

**(vi)** Family therapy;

**(vii)** Physical, psychiatric, or psychological evaluation;

**(viii)** Counseling; or

**(ix)** Treatment.

**(B)** Family services are provided in order to:

**(i)** Prevent a juvenile from being removed from a parent, guardian, or custodian;

**(ii)** Reunite the juvenile with the parent, guardian, or custodian from whom the juvenile has been removed; or

**(iii)** Implement a permanent plan of adoption, guardianship, or rehabilitation of the juvenile;

**(26)** "Fast track" means that reunification services will not be provided or will be terminated before twelve (12) months of services;

**(27) (A)** "Forcible compulsion" means physical force, intimidation, or a threat, express or implied, of death, physical injury to, rape, sexual abuse, or kidnapping of any person.

**(B)** If the act was committed against the will of the juvenile, then "forcible compulsion" has been used.

**(C)** The age, developmental stage, and stature of the victim and the relationship of the victim to the assailant, as well as the threat of deprivation of affection, rights, and privileges from the victim by the assailant shall be considered in weighing the sufficiency of the evidence to prove compulsion;

**(28)** "Guardian" means any person, agency, or institution, as defined by 28-65-101 et seq., whom a court of competent jurisdiction has so appointed;

**(29) (A)** "Home study" means a written report that is obtained after an investigation of a home by the department or other appropriate persons or agencies and that shall conform to regulations established by the department.

**(B) (i)** An in-state home study, excluding the results of a criminal records check, shall be completed and presented to the requesting court within thirty (30) working days of the receipt of the request for the home study.

**(ii)** The results of the criminal records check shall be provided to the court as soon as they are received.

**(C) (i)** The person or agency conducting the home study shall have the right to obtain a criminal background check on any person in the household sixteen (16) years of age and older, including a fingerprint-based check of national crime information databases.

**(ii)** Upon request, local law enforcement shall provide the person or agency conducting the home study with criminal background information on any person in the household sixteen (16) years of age and older;

**(30)** "Indecent exposure" means the exposure by a person of the person's sexual organs for the purpose of arousing or gratifying the sexual desire of the person or any other person, under circumstances in which the person knows the conduct is likely to cause affront or alarm;

**(31)** "Independence" means a permanency planning hearing disposition known as Another Planned Permanent Living Arrangement (APPLA) for the juvenile who will not be reunited with his or her family and because another permanent plan is not in the juvenile's best interest;

**(32)** "Juvenile" means an individual who is:

**(A)** From birth to eighteen (18) years of age, whether married or single; or

**(B)** Adjudicated delinquent, a juvenile member of a family in need of services, or dependent or dependent-neglected by the juvenile division of circuit court prior to eighteen (18) years of age and for whom the juvenile division of circuit court retains jurisdiction;

**(33)** "Juvenile detention facility" means any facility for the temporary care of juveniles alleged to be delinquent or adjudicated delinquent and awaiting disposition, who require secure custody in a physically restricting facility designed and operated with all entrances and exits under the exclusive control of the facility's staff, so that a juvenile may not leave the facility unsupervised or without permission;

**(34)** "Law enforcement officer" means any public servant vested by law with a duty to maintain public order or to make arrests for offenses;

**(35)** "Miranda rights" means the requirement set out in *Miranda v. Arizona*, 384 U.S. 436 (1966), for law enforcement officers to clearly inform an accused, including a juvenile taken into custody for a delinquent act or a criminal offense, that the juvenile has the right to remain silent, that anything the juvenile says will be used against him or her in court, that the juvenile has the right to consult with a lawyer and to have the lawyer with him or her during interrogation, and that, if the juvenile is indigent, a lawyer will be appointed to represent him or her;

**(36) (A)** "Neglect" means those acts or omissions of a parent, guardian, custodian, foster parent, or any person who is entrusted with the juvenile's care by a parent, custodian, guardian, or foster parent, including, but not limited to, an agent or employee of a public or private residential home, child care facility, public or private school, or any person legally responsible under state law for the juvenile's welfare, that constitute:

**(i)** Failure or refusal to prevent the abuse of the juvenile when the person knows or has reasonable cause to know the juvenile is or has been abused;

**(ii)** Failure or refusal to provide the necessary food, clothing, shelter, and education required by law, excluding failure to follow an individualized education program, or medical treatment necessary for the juvenile's well-being, except when the failure or refusal is caused primarily by the financial inability of the person legally responsible and no services for relief have been offered;

**(iii)** Failure to take reasonable action to protect the juvenile from abandonment, abuse, sexual abuse, sexual exploitation, neglect, or parental unfitness when the existence of this condition was known or should have been known;

**(iv)** Failure or irremediable inability to provide for the essential and necessary physical, mental, or emotional needs of the juvenile, including failure to provide a shelter that does not pose a risk to the health or safety of the juvenile;

**(v)** Failure to provide for the juvenile's care and maintenance, proper or necessary support, or medical, surgical, or other necessary care;

**(vi)** Failure, although able, to assume responsibility for the care and custody of the juvenile or to participate in a plan to assume the responsibility; or

**(vii)** Failure to appropriately supervise the juvenile that results in the juvenile's being left alone at an inappropriate age or in inappropriate circumstances, creating a dangerous situation or a situation that puts the juvenile at risk of harm.

**(B) (i)** "Neglect" shall also include :

**(a)** Causing a child to be born with an illegal substance present in the child's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child; or

**(b)** At the time of the birth of a child, the presence of an illegal substance in the mother's bodily fluids or bodily substances as a result of the pregnant mother's knowingly using an illegal substance before the birth of the child.

**(ii)** For the purposes of this subdivision (36)(B), "illegal substance" means a drug that is prohibited to be used or possessed without a prescription under the Arkansas Criminal Code, 5-1-101 et seq.

**(iii)** A test of the child's bodily fluids or bodily substances may be used as evidence to establish neglect under subdivision (36)(B)(i)(a) of this section.

**(iv)** A test of the mother's bodily fluids or bodily substances or the child's bodily fluids or bodily substances may be used as evidence to establish neglect under subdivision (36)(B)(i)(b) of this section;

**(37) (A)** "Notice of hearing" means a notice that describes the nature of the hearing, the time, date, and place of hearing, the right to be present, heard, and represented by counsel, and instructions on how to apply to the court for appointment of counsel, if indigent, or a uniform notice as developed and prescribed by the Supreme Court.

**(B)** The notice of hearing shall be served in the manner provided for service under the Arkansas Rules of Civil Procedure;

**(38)** "Order to appear" means an order issued by the court directing a person who may be subject to the court's jurisdiction to appear before the court at a date and time as set

forth in the order;

**(39) (A)** "Out-of-home placement" means:

**(i)** Placement in a home or facility other than placement in a youth services center, a detention facility, or the home of a parent or guardian of the juvenile; or

**(ii)** Placement in the home of an individual other than a parent or guardian, not including any placement when the court has ordered that the placement be made permanent and ordered that no further reunification services or six-month reviews are required.

**(B)** "Out-of-home placement" shall not include placement in a youth services center or detention facility as a result of a finding of delinquency;

**(40)** "Parent" means a biological mother, an adoptive parent, or a man to whom the biological mother was married at the time of conception or birth or who has signed an acknowledgment of paternity pursuant to 9-10-120 or who has been found by a court of competent jurisdiction to be the biological father of the juvenile;

**(41)** "Paternity hearing" means a proceeding brought pursuant to bastardy jurisdiction to determine the biological father of a juvenile;

**(42)** "Pornography" means:

**(A)** Pictures, movies, and videos lacking serious literary, artistic, political, or scientific value that when taken as a whole and applying contemporary community standards would appear to the average person to appeal to the prurient interest;

**(B)** Material that depicts sexual conduct in a patently offensive manner lacking serious literary, artistic, political, or scientific value; or

**(C)** Obscene or licentious material;

**(43) (A)** "Predisposition report" means a report concerning the juvenile, the family of the juvenile, all possible disposition alternatives, the location of the school in which the juvenile is or was last enrolled, whether the juvenile has been tested for or has been

found to have any disability, the name of the juvenile's attorney and, if appointed by the court, the date of the appointment, any participation by the juvenile or his or her family in counseling services previously or currently being provided in conjunction with adjudication of the juvenile, and any other matters relevant to the efforts to provide treatment to the juvenile or the need for treatment of the juvenile or the family.

**(B)** The predisposition report shall include a home study of any out-of-home placement that may be part of the disposition;

**(44)** "Prosecuting attorney" means an attorney who is elected as district prosecuting attorney, the duly appointed deputy prosecuting attorney, or any city prosecuting attorney;

**(45)** "Protection plan" means a written plan developed by the department in conjunction with the family and support network to protect the juvenile from harm and which allows the juvenile to remain safely in the home;

**(46)** "Putative father" means any man not deemed or adjudicated under the laws of the jurisdiction of the United States to be the biological father of a juvenile who claims or is alleged to be the biological father of the juvenile;

**(47) (A) (i)** "Reasonable efforts" means efforts to preserve the family prior to the placement of a child in foster care to prevent the need for removing the child from his or her home and efforts to reunify a family made after a child is placed out of his or her home to make it possible for him or her to safely return home.

**(ii)** Reasonable efforts shall also be made to obtain permanency for a child who has been in an out-of-home placement for more than twelve (12) months or for fifteen (15) of the previous twenty-two (22) months.

**(iii)** In determining whether or not to remove a child from a home or return a child back to a home, the child's health and safety shall be the paramount concern.

**(iv)** The department or other appropriate agency shall exercise reasonable diligence and care to utilize all available services related to meeting the needs of the juvenile and the family.

**(B)** The juvenile division of circuit court may deem that reasonable efforts have been made when the court has found that the first contact by the department occurred during an emergency in which the child could not safely remain at home, even with reasonable services being provided.

**(C)** Reasonable efforts to reunite a child with his or her parent or parents shall not be required in all cases. Specifically, reunification shall not be required if a court of competent jurisdiction, including the juvenile division of circuit court, has determined by clear and convincing evidence that the parent has:

**(i)** Subjected the child to aggravated circumstances;

**(ii)** Committed murder of any child;

**(iii)** Committed manslaughter of any child;

**(iv)** Aided or abetted, attempted, conspired, or solicited to commit the murder or the manslaughter;

**(v)** Committed a felony battery that results in serious bodily injury to any child;

**(vi)** Had the parental rights involuntarily terminated as to a sibling of the child; or

**(vii)** Abandoned an infant as defined in subdivision (1) of this section.

**(D)** Reasonable efforts to place a child for adoption or with a legal guardian or permanent custodian may be made concurrently with reasonable efforts to reunite a child with his or her family;

**(48)** "Residence" means:

**(A)** The place where the juvenile is domiciled; or

**(B)** The permanent place of abode where the juvenile spends an aggregate of more than six (6) months of the year;

**(49) (A)** "Restitution" means actual economic loss sustained by an individual or entity as a proximate result of the delinquent acts of a juvenile.

**(B)** Such economic loss shall include, but not be limited to, medical expenses, funeral expenses, expenses incurred for counseling services, lost wages, and expenses for repair or replacement of property;

**(50)** "Safety plan" means a plan ordered by the court to be developed for an adjudicated delinquent sex offender under 9-27-356 who is at moderate or high risk of reoffending for the purposes of 9-27-309;

**(51)** "Sexual abuse" means:

**(A)** By a person ten (10) years of age or older to a person younger than eighteen (18) years of age:

**(i)** Sexual intercourse, deviant sexual activity, or sexual contact by forcible compulsion;

**(ii)** Attempted sexual intercourse or deviant sexual activity or sexual contact by forcible compulsion;

**(iii)** Indecent exposure; or

**(iv)** Forcing the watching of pornography or live human sexual activity;

**(B)** By a person eighteen (18) years of age or older to a person who is younger than sixteen (16) years of age and is not his or her spouse:

**(i)** Sexual intercourse, deviant sexual activity, or sexual contact; or

**(ii)** Attempted sexual intercourse, deviant sexual activity, or sexual contact;

**(C)** By a caretaker to a person younger than eighteen (18) years of age:

**(i)** Sexual intercourse, deviant sexual activity, or sexual contact; or

**(ii)** Attempted sexual intercourse, deviant sexual activity, or sexual contact;

**(iii)** Forcing or encouraging the watching of pornography;

**(iv)** Forcing, permitting, or encouraging the watching of live sexual activity;

**(v)** Forcing listening to a phone sex line; or

**(vi)** An act of voyeurism;

**(D)** By a person younger than ten (10) years of age to a person younger than eighteen (18) years of age:

**(i)** Sexual intercourse, deviant sexual activity, or sexual contact by forcible compulsion;  
or

**(ii)** Attempted sexual intercourse, deviant sexual activity, or sexual contact by forcible compulsion;

**(52) (A)** "Sexual contact" means any act of sexual gratification involving:

**(i)** Touching, directly or through clothing, of the sex organs, buttocks, or anus of a juvenile or the breast of a female juvenile;

**(ii)** Encouraging the juvenile to touch the offender in a sexual manner; or

**(iii)** Requesting the offender to touch the juvenile in a sexual manner.

**(B)** Evidence of sexual gratification may be inferred from the attendant circumstances surrounding the investigation of the specific complaint of child maltreatment.

**(C)** This section shall not permit normal, affectionate hugging to be construed as sexual contact;

**(53)** "Sexual exploitation" includes:

**(A)** Allowing, permitting, or encouraging participation or depiction of the juvenile in:

**(i)** Prostitution;

**(ii)** Obscene photographing; or

**(iii)** Obscene filming; or

**(B)** Obscenely depicting, obscenely posing, or obscenely posturing a juvenile for any use or purpose;

**(54)** "Shelter care" means the temporary care of a juvenile in physically unrestricting facilities pursuant to an order for placement pending or pursuant to an adjudication of dependency-neglect or family in need of services;

**(55)** "Trial placement" means that custody of the juvenile remains with the department, but the juvenile is returned to the home of a parent or the person from whom custody was removed for a period not to exceed sixty (60) days;

**(56)** "UCCJEA" means the Uniform Child-Custody Jurisdiction and Enforcement Act, 9-19-101 et seq.;

**(57)** "UIFSA" means the Uniform Interstate Family Support Act, 9-17-101 et seq.;

**(58)** "Victim" means any person or entity entitled to restitution as defined in subdivision (49) of this section as the result of a delinquent act committed by a juvenile adjudicated delinquent;

**(59) (A)** "Voyeurism" means looking for the purpose of sexual arousal or gratification into a private location or place in which a juvenile may reasonably be expected to be nude or partially nude.

**(B)** This definition does not apply to delinquency actions;

**(60)** "Youth services center" means a youth services facility operated by the state or a

contract provider; and

**(61)** "Youth services facility" means a facility operated by the state or its designee for the care of juveniles who have been adjudicated delinquent or convicted of a crime and who require secure custody in either a physically restrictive facility or a staff-secured facility operated so that a juvenile may not leave the facility unsupervised or without supervision.