

COURT OF APPEALS OF ARKANSAS, DIVISION IV

Stephen Jones v. William Parnell and Lindsey Parnell

Jones, 2026 Ark. App. 117 (Ark. Ct. App. 2026) · No. CV-25-123 · Decided February 25, 2026

SUMMARY

The Arkansas Court of Appeals reversed and remanded a relative-adoption order involving the biological father’s objection. The court held that the father’s consent was required because his repeated attempts to communicate and seek visitation were thwarted by the child’s mother, providing justifiable cause for any lack of communication; the court therefore did not reach the child’s best-interest issue.

CASE DETAILS

COURT	Court of Appeals of Arkansas, Division IV
WRITING FOR THE COURT	Raymond R. Abramson; Thyer; Brown
JURISDICTION	Arkansas Court of Appeals, Division IV
DECIDED	February 25, 2026
DOCKET	CV-25-123
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Stephen Jones appealed a Benton County Circuit Court order granting William and Lindsey Parnell's petition for relative adoption of M.C. over Jones's objection.
STANDARD OF REVIEW	Adoption cases are reviewed de novo, and the circuit court's decision will not be reversed unless clearly erroneous. A finding is clearly erroneous when, despite evidence supporting it, the appellate court is left with a firm conviction that a mistake has been made. The appellate court gives deference to the circuit court's superior opportunity to observe the parties and judge witness credibility.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Stephen Jones v. William Parnell, Lindsey Parnell

TOPICS

- adoption
- parental rights
- family law procedure
- appellate procedure
- standard of review

PRACTICE AREAS

family law

adoption

parental rights

appellate procedure

QUESTIONS PRESENTED

1. Whether Stephen Jones's consent was unnecessary under Arkansas Code section 9-9-207(a)(2) because he failed significantly, without justifiable cause, to communicate with M.C. for at least one year.
2. Whether the adoption by Tyler was in M.C.'s best interest.

HOLDINGS

1. The circuit court clearly erred in finding that Stephen's consent was not required. The evidence showed that Stephen never went longer than four months without attempting to communicate with M.C., repeatedly requested visitation, and was consistently rebuffed by Lindsey. Those thwarted efforts supplied justifiable cause for any lack of communication.
2. The court did not reach the merits of the best-interest issue because the circuit court could not grant the adoption without first properly dispensing with Stephen's required consent.

KEY QUOTATIONS

“The question is not “whether a parent could have done more; rather, it is whether the parent’s efforts to establish a significant relationship, despite the other parent thwarting his or her efforts, were sufficient such that consent was not required.”” (at 7)

“This court is cognizant of the difficulty that may occur with the reintroduction of Stephen into M.C.’s life; however, Lindsey cannot create the alienation and then use this alienation as support to remove Stephen from M.C.’s life permanently.” (at 8)

FACTUAL BACKGROUND

M.C. is the biological child of Lindsey and Stephen Jones. After the parents divorced, Stephen was awarded supervised visitation conditioned on completing a hair-follicle drug test and parenting classes, and he was ordered to pay child support. Although Lindsey allowed Stephen to care for M.C. largely unsupervised for nearly a year, she later terminated visitation and repeatedly rebuffed Stephen's requests to see M.C.; Stephen continued paying child support and made repeated attempts to communicate. William and Lindsey then sought relative adoption, and the circuit court found that Stephen's delayed completion of the required testing and classes justified dispensing with his consent.

PROCEDURAL HISTORY

Lindsey and William Parnell filed a petition for relative adoption on February 1, 2024. After a September 20, 2024 hearing, the circuit court ruled that Jones's consent was unnecessary because he had failed significantly, without justifiable cause, to communicate with M.C. for a one-year period, and found the adoption to be in M.C.'s best interest. Jones appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The adoption order was reversed and the case was remanded for further proceedings consistent with the opinion. The court did not reach the best-interest issue.

CASES CITED

- In re Adoption of A.P., 2021 Ark. App. 440, at 8-9, 638 S.W.3d 293, 299
- Brumley v. Ark. Dep't of Hum. Servs., 2015 Ark. 356
- Gordon v. Draper, 2013 Ark. App. 352, at 6, 428 S.W.3d 543, 546
- In re Adoption of J.N., 2018 Ark. App. 467, at 7-8, 560 S.W.3d 806, 812
- Posey v. Ark. Dep't of Health & Hum. Servs., 370 Ark. 500, 262 S.W.3d 159
- Rodgers v. Rodgers, 2017 Ark. 182, at 4, 519 S.W.3d 324, 327
- In re Adoption of K.F.H., 311 Ark. 416, 844 S.W.2d 343 (1993)
- In re Adoption of Minor Child, 2024 Ark. App. 202, at 5, 686 S.W.3d 858, 862
- In re Adoption of Minor Child, 2022 Ark. App. 408, at 8, 653 S.W.3d 544, 549
- Goldman v. Walker, 2025 Ark. App. 451, at 11, 722 S.W.3d 797, 804