

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION**

IN THE MATTER OF D J C , ., a Minor

CASE NO: _____

EMERGENCY PETITION FOR WITHDRAWAL OF TREATMENT

Comes now, Arkansas Children’s Hospital (“ACH”), by and through its attorneys,
MALLARD GARDNER, PLLC and for its Emergency Petition, states:

1. ACH is an Arkansas nonprofit corporation with its principal place of
business at 1 Children’s Way, Little Rock, AR 72202.

2. D J C , . (“Patient”) is a Minor, DOB:
and is currently a patient at ACH.

3. Upon information and belief, Patient’s parents, D C and
P C , are both citizens and residents of North Little Rock, Arkansas.

4. This Court has jurisdiction of the parties and subject matter of this
Petition pursuant to A.C.A. §20-6-115(a) and A.C.A. §20-9-605(e). This Petition is for
injunctive and declaratory relief ordering and directing a healthcare decision be
rendered for the Patient.

5. Pursuant to A.C.A §20-6-115(a) “a court of competent jurisdiction may
enjoin or direct a healthcare decision or order other equitable relief on a petition of ... a
healthcare provider of healthcare institution involved with the principal’s care...”.

6. Pursuant to A.C.A. §20-9-605(e) “This section does not require a
healthcare institution or healthcare provider to provide or continue any treatment that
would be medically inappropriate because, in the reasonable medical judgment of the

healthcare institution or healthcare provider, providing the treatment would ... potentially harm or cause unnecessary pain, suffering or injury to the minor.”

7. Venue is proper in this Court.

8. ACH moves this Court for an Order allowing ACH to institute a Do Not Resuscitate Order for this Patient for the reasons set out in the Affidavit attached.

9. D J C, . (“Patient”) is receiving medical treatment at ACH and has been a patient at ACH since he was first admitted following his birth on or about January 1, 2023. There is no scheduled discharge date.

10. Patient was born prematurely with multiple complications including under-developed lungs.

11. In February 2025, Patient required a prolonged period of cardiopulmonary resuscitation resulting in a global brain injury resulting in further complications.

12. Patient is not expected to ever walk, talk, or have meaningful interactions.

13. Patient is currently maintained on sedation and pain-relieving medications for comfort measures.

14. The care team at ACH has consulted with the ACH Ethics Committee and Patient’s parents on multiple occasions to discuss the information as set out in the Affidavit, including that continued resuscitation efforts are medically inappropriate and likely to result in unnecessary pain and suffering to the Patient as well as the potential for long-term injury from such efforts.

15. Despite these discussions and the education provided to parents they have refused to consent to the implementation of a Do Not Resuscitate (“DNR”) Order, as recommended by the Care Team, to the detriment of the Patient.

16. Parents failure to consent to the DNR requires the ACH Care Team to continue to provide medically inappropriate care and treatment to Patient.

17. It is the opinion of the Care Team that continued resuscitative efforts are medically inappropriate and will only result in unnecessary pain and suffering to the Patient.

18. No other persons are immediately available who are authorized, empowered, or capable of consenting to the DNR Order.

19. Parents have indicated that they disagree with the proposed order and fail to heed the information provided on the probable consequences of their continued refusal to consent.

20. In support of this Petition, ACH offers a true and correct copy of the Affidavit of Ronald C. Sanders, Chief of Critical Care Medicine at ACH, attached hereto and incorporated herein as **Exhibit 1**.

21. To protect Patient from the pain and suffering and potential harm from resuscitative efforts, ACH moves for an Order as the Patient's medical condition is such that another event requiring resuscitative efforts could occur at any time.

WHEREFORE, Arkansas Children's Hospital respectfully requests that the Court set this matter for an Emergency hearing and for all other just and proper relief.

Respectfully submitted,

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