

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Joint Budget Committee**

# A Bill

**ACT 767 OF 1993**  
**SENATE BILL 8**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE TRIAL COURT ADMINISTRATIVE  
10 ASSISTANT PILOT PROGRAM OF THE ADMINISTRATIVE OFFICE OF  
11 THE COURTS FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1995;  
12 AND FOR OTHER PURPOSES."

## Subtitle

14 "AN ACT FOR THE TRIAL COURT ADMINISTRATIVE ASSISTANT PILOT  
15 PROGRAM OF THE ADMINISTRATIVE OFFICE OF THE COURTS  
16 APPROPRIATION."  
17

18  
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20  
21 SECTION 1. REGULAR SALARIES . There is hereby established for the  
22 Trial Court Administrative Assistant Pilot Program of the Administrative  
23 Office of the Courts for the 1993-95 biennium, the following maximum number of  
24 regular employees whose salaries shall be governed by the provisions of the  
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
27 that any position to which a specific maximum annual salary is set out herein  
28 in dollars, shall be exempt from the provisions of said Uniform Classification  
29 and Compensation Act. All persons occupying positions authorized herein are  
30 hereby governed by the provisions of the Regular Salaries Procedures and  
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.

		Maximum Annual	
		Maximum	Salary Rate
Item	Class	No. of	Fiscal Years
<del>No.</del>	<del>Code</del>	<del>Title</del>	<del>Employees</del>
			<del>1993-94</del> <del>1994-95</del>

1 (01) Trial Court Administrative Asst 3 Grade 19  
 2 Max. No. of Employees 3

3

4 SECTION 2. APPROPRIATIONS . There is hereby appropriated, to the  
 5 Administrative Office of the Courts, to be payable from the State Central  
 6 Services Fund, for personal services and operating expenses of the Trial Court  
 7 Administrative Assistant Pilot Program for the biennial period ending June 30,  
 8 1995, the following:

9

10 ITEM	FISCAL YEARS	
11 <del>NO.</del>	<del>1993-94</del>	<del>1994-95</del>
12 (01) REGULAR SALARIES	\$62,520	\$64,083
13 (02) PERSONAL SERVICES MATCHING	<u>15,005</u>	<u>15,380</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$77,525</u>	<u>\$79,463</u>

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16 SECTION 3. PURPOSE OF THE ACT. It is the purpose of this Act to  
 17 provide a state funded employee known as the "administrative assistant" to a  
 18 circuit, chancery, or circuit-chancery judge, who does not already have a  
 19 local government funded "administrative assistant" or "case coordinator",  
 20 subject to the restrictions contained in Sections 4 and 5 hereof. It is  
 21 further the purpose of this Act to allow for the study of the effect of the  
 22 provision of such an employee upon the effective delivery of judicial services  
 23 in the judicial district, including such issues as the number of cases  
 24 disposed of by the court, the backlog of cases, the amount of time required  
 25 from the filing of cases until their disposition, and similar factors.

26

27 SECTION 4. PLACEMENT OF TRIAL COURT ADMINISTRATIVE ASSISTANT. The  
 28 Arkansas Judicial Council, pursuant to the authority delegated and granted to  
 29 it by Act 864 of 1989, and not the Administrative Office of the Courts, shall  
 30 have the authority to designate which circuit, chancery, or circuit-chancery  
 31 court or courts shall have the authority to employ one of the state funded  
 32 trial court administrative assistants authorized by this Act. No circuit,  
 33 chancery, or circuit-chancery judge shall be authorized to employ, at any one  
 34 time, more than one (1) of such state funded trial court administrative  
 35 assistants, and no judge, who presently has a locally funded "administrative

1 trial assistant" or "case coordinator" shall be entitled to employ a state  
2 funded trial court administrative assistant.

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4 SECTION 5. SELECTION OF TRIAL COURT ADMINISTRATIVE ASSISTANT. The  
5 trial judge or judges of any circuit, chancery, or circuit-chancery court  
6 which is authorized by Section 4 hereof to employ a state funded trial court  
7 administrative assistant, shall have the authority to select and hire the  
8 person who will serve as the trial court administrative assistant, and any  
9 trial court administrative assistant employed under the authority of this  
10 legislation shall serve at the will and the pleasure of the judge, or a  
11 majority of judges if more than one, employing and being supported by such  
12 trial court administrative assistant.

13

14 SECTION 6. RESPONSIBILITY OF THE COUNTY. No administrative assistant  
15 shall be placed in any judicial district pursuant to Section 4 of this Act  
16 until and unless a county or counties within the judicial district shall agree  
17 to provide office space and supplies required for the administrative assistant  
18 and the appropriate computer hardware specified by the Administrative Office  
19 of the Courts and necessary to accommodate the case processing software to be  
20 provided by the Administrative Office of the Courts.

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22 SECTION 7. RESPONSIBILITY OF THE ADMINISTRATIVE OFFICE OF THE COURTS.  
23 The Administrative Office of the Courts shall prepare and implement a research  
24 design to assess the effectiveness and improvement, if any, to the  
25 administration of justice produces by the provision of the administrative  
26 assistant, and specifically noting those factors listed in Section 3 of this  
27 Act. The Administrative Office of the Courts shall also provide training  
28 assistance for the administrative assistants employed pursuant to this Act and  
29 shall provide at no cost the computer software necessary to provide effective  
30 case management for the judge or judges within the judicial district. The  
31 Administrative Office of the Courts shall also present regular reports to the  
32 Joint Interim Committee on Judiciary concerning the results of the pilot  
33 study.

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35 SECTION 8. All positions authorized herein for the Trial Court

1 *Administrative Assistant Pilot Program shall cease to exist on June 30, 1995.*

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3       SECTION 9. LEAVE AND ATTENDANCE. The trial court administrative  
4 assistant employed under the authority of this legislation shall be subject  
5 to, and their attendance and leave time shall be governed by the Uniform  
6 Attendance and Leave Policy Act, as amended, Section 21-4-201, et seq.  
7 However, the judge of each court served by each such trial court  
8 administrative assistant shall have the authority and responsibility to  
9 administer the Uniform Attendance and Leave Policy Act as applied to such  
10 trial court administrative assistant.

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12       SECTION 10. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
13 authorized by this Act shall be limited to the appropriation for such agency  
14 and funds made available by law for the support of such appropriations; and  
15 the restrictions of the State Purchasing Law, the General Accounting and  
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
17 Procedures and Restrictions Act, or their successors, and other fiscal control  
18 laws of this State, where applicable, and regulations promulgated by the  
19 Department of Finance and Administration, as authorized by law, shall be  
20 strictly complied with in disbursement of said funds.

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22       SECTION 11. LEGISLATIVE INTENT. It is the intent of the General  
23 Assembly that any funds disbursed under the authority of the appropriations  
24 contained in this Act shall be in compliance with the stated reasons for which  
25 this Act was adopted, as evidenced by the Agency Requests, Executive  
26 Recommendations and Legislative Recommendations contained in the budget  
27 manuals prepared by the Department of Finance and Administration, letters, or  
28 summarized oral testimony in the official minutes of the Arkansas Legislative  
29 Council or Joint Budget Committee which relate to its passage and adoption.

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31       SECTION 12. CODE. All provisions of this Act of a general and  
32 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
33 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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35       SECTION 13. SEVERABILITY. If any provision of this Act or the

1 application thereof to any person or circumstance is held invalid, such  
2 invalidity shall not affect other provisions or applications of the Act which  
3 can be given effect without the invalid provision or application, and to this  
4 end the provisions of this Act are declared to be severable.

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6 SECTION 14. GENERAL REPEALER. All laws and parts of laws in conflict  
7 with this Act are hereby repealed.

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9 SECTION 15. EMERGENCY CLAUSE. It is hereby found and determined by the  
10 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas  
11 prohibits the appropriation of funds for more than a two (2) year period; that  
12 the effectiveness of this Act on July 1, 1993 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the Regular Session, the delay in the effective  
15 date of this Act beyond July 1, 1993 could work irreparable harm upon the  
16 proper administration and provision of essential governmental programs.  
17 Therefore, an emergency is hereby declared to exist and this Act being  
18 necessary for the immediate preservation of the public peace, health and  
19 safety shall be in full force and effect from and after July 1, 1993.

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*/s/ Senator Walters*

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APPROVED: 3/26/93

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***As Engrossed: 3/4/93 3/19/93***

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