

1 State of Arkansas *As Engrossed: H3/14/11 H3/18/11 H3/18/11 S3/28/11 S3/29/11*

2 88th General Assembly

A Bill

3 Regular Session, 2011

HOUSE BILL 1869

4

5 By: Representatives Powers, T. Baker, Branscum, J. Edwards, Ingram, Leding, Lovell, McCrary,

6 Pennartz, Slinkard, Williams

7

8

For An Act To Be Entitled

9 AN ACT TO CREATE STATE DISTRICT COURTS; TO DESIGNATE
10 GEOGRAPHIC DISTRICTS FOR STATE DISTRICT COURTS; TO
11 AMEND ARKANSAS CODE § 16-17-1101 ET SEQ.; TO AMEND
12 ARKANSAS CODE § 16-17-901 ET SEQ.; AND FOR OTHER
13 PURPOSES.

14

15

16

Subtitle

17

TO CREATE STATE DISTRICT COURTS.

18

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. Arkansas Code § 16-17-1101 is amended to read as follows:
23 16-17-1101. Legislative findings.

24 The General Assembly finds that:

25 (1) The goal expressed by Arkansas citizens with the adoption of
26 Amendment 80 to the Arkansas Constitution was the creation of a three-tiered
27 unified court system;

28 (2) The current structure of limited jurisdiction courts consists of a
29 combination of full-time and part-time district and city courts funded by
30 city and county governments;

31 (3) Based on availability of local resources, the cumulative effect of
32 the creation and funding of those courts by local governments has been an
33 unequal level of access to and an inequitable distribution of judicial
34 services to communities;

35 (4) While Amendment 80 does not require the state to fund the district
36 court system, there is a state interest in providing a more uniform level of



1 judicial resources to all citizens of the state;

2 (5) Because the current system of limited jurisdiction courts is not
3 uniform, it is contrary to the interest of the state to merely shift the
4 funding of the system from local government to state government without
5 addressing the structure of the district court system;

6 (6) A way of addressing the shortage of resources for circuit courts
7 in some areas of the state is the expansion of the jurisdiction of the
8 district court which will shift cases from circuit court to district court
9 and reduce expenses for the state;

10 (7) A state-funded system should include an analysis by the state that
11 furthers the goal of a unified and equitable system for the delivery of
12 judicial services;

13 ~~(8) It is the intent of this subchapter to begin that analysis process~~
14 ~~by establishing a pilot program that creates a limited number of state-funded~~
15 ~~pilot state district court judgeships and a process for the study and~~
16 ~~consideration of establishing additional district courts in the future; and~~

17 (8) The District Court Resource Assessment Board, created in § 16-17-
18 1001 et seq., has studied the effectiveness of the state's creation of pilot
19 district courts and found that they are successful in creating a more uniform
20 and equitable judicial system, reducing the number of district and city court
21 judges, maintaining the level of service to the communities served by
22 district and city courts, allowing the shift of cases from circuit to
23 district courts, decreasing the number of conflicts requiring the appointment
24 of special judges, and improving public access to the court system;

25 (9) The state should continue the incremental creation of state
26 district courts served by full-time judges and designate geographic districts
27 that have sufficient caseloads to justify a full-time judge until the system
28 is implemented and operating statewide on January 1, 2017; and

29 ~~(9)~~(10) For purposes of the ~~pilot~~ program, cities and counties should
30 keep one hundred percent (100%) of all their current revenue from fines and
31 costs with the exception of the adjustment from the cost-sharing formula.

32

33 SECTION 2. Arkansas Code § 16-17-1102 is amended to read as follows:

34 16-17-1102. Definitions.

35 As used in this subchapter:

36 ~~(1)(A) "District court" means a court created under § 16-17-901 et~~

1 seq.

2 ~~(B) "District court" includes a department of a district court;~~

3 ~~(2) "Pilot state district court judge" means a full-time judge:~~

4 ~~(A) Whose salary is paid by the state;~~

5 ~~(B) Who is not engaged in the private practice of law; and~~

6 ~~(C) Who is available for work in circuit court under rules~~

7 ~~adopted by the Arkansas Supreme Court; and~~

8 ~~(3) "Pilot state district court judgeship" means a district court that~~

9 ~~has:~~

10 ~~(A) Criminal jurisdiction, as established by the General~~

11 ~~Assembly; and~~

12 ~~(B) Civil jurisdiction, as established by the Arkansas Supreme~~

13 ~~Court.~~

14 (1) "Department" means the physical location where sessions of court

15 are held;

16 (2) "District" means the geographical area in which a state district

17 court may exercise jurisdiction and from which a state district court judge

18 is elected;

19 (3) "Division" means the designation of the judicial positions for

20 case management or election purposes and does not refer to "subject matter

21 divisions" under Arkansas Constitution, Amendment 80, § 7;

22 (4) "Local district court" includes a department of a district court;

23 (5)(A) "State district court" means a district court that is created

24 by this subchapter and has:

25 (i) Criminal jurisdiction, as established by the General

26 Assembly; and

27 (ii) Civil jurisdiction, as established by the Supreme

28 Court.

29 (B) "State district court" includes a department of a state

30 district court; and

31 (6) "State district court judge" means a full-time judge:

32 (A) Whose salary is paid by the state;

33 (B) Who is not engaged in the private practice of law; and

34 (C) Who is available for work in circuit court under rules

35 adopted by the Supreme Court.

36

1 SECTION 3. Arkansas Code § 16-17-1103 is repealed.

2 ~~16-17-1103. Creation of pilot state district court judgeships.~~

3 ~~(a) There are established twenty five (25) pilot state district court~~
4 ~~judgeships.~~

5 ~~(b) The following counties or judicial districts of a county and the~~
6 ~~towns and cities in that county or judicial districts of a county in which a~~
7 ~~district court is located shall participate in a program of full-time pilot~~
8 ~~state district court judges:~~

9 ~~(1) Baxter;~~

10 ~~(2) Benton;~~

11 ~~(3) Boone;~~

12 ~~(4) Cleburne;~~

13 ~~(5) Greene;~~

14 ~~(6) Independence;~~

15 ~~(7) Miller;~~

16 ~~(8) Mississippi — Chickasawba District;~~

17 ~~(9) Poinsett;~~

18 ~~(10) Pope;~~

19 ~~(11) Pulaski — Jacksonville District Court; North Little Rock~~
20 ~~District Court, Department 1 and Department 2; and Pulaski County District~~
21 ~~Court;~~

22 ~~(12) St. Francis;~~

23 ~~(13) Saline;~~

24 ~~(14) Sebastian; and~~

25 ~~(15) Union.~~

26
27 SECTION 4. Arkansas Code § 16-17-1104 is amended to read as follows:

28 16-17-1104. ~~Pilot state~~ State district court judges -- Salaries.

29 (a) The ~~pilot state district court~~ judges who are appointed or elected
30 to serve the judgeships courts created under ~~§ 16-17-1103~~ this subchapter are
31 state district court judges.

32 (b) The salaries of the ~~pilot~~ state district court judges ~~shall be~~ are
33 uniform and shall be paid with moneys appropriated from the Constitutional
34 Officers Fund, § 19-5-205, by the General Assembly.

35
36 SECTION 5. Arkansas Code § 16-17-1106 is amended to read as follows:

1 16-17-1106. Salary of ~~pilot~~ state district court judges -- Cost-
2 sharing.

3 (a) The state shall pay the salary and benefits of ~~pilot~~ state
4 district court judges created under this subchapter.

5 (b)(1)(A) Each county and town or city in a district that has in which
6 a ~~pilot~~ state district court judgeship is created under this subchapter shall
7 pay to the state an amount equal to its proportionate share of one-half (1/2)
8 of the base salary established by law for state fiscal year 2009 for that
9 ~~county and town or city's pilot~~ district's state district court judge.

10 (B) The proportionate share is calculated as follows:

11 (i)(a) Determine the sum total of the base salary
12 paid by each county and town or city in a district to that county and town or
13 city's district court judge or city court judge for the calendar year
14 immediately preceding the creation of the state district court judgeship;

15 (b) Determine the proportion of the base
16 salary of each county and town or city to the sum total base salary of the
17 district; and

18 (ii) Each county and town or city shall pay to the
19 state its proportionate share as determined in subdivision (b)(1)(B)(i)(a) of
20 this section of one-half (1/2) of the base salary established by law for
21 state fiscal year 2009 for each state district court judge in the district at
22 the time the county and town or city had a state district court judgeship
23 created.

24 ~~(B)(C)~~ (C) On a form provided by the Administration of Justice
25 ~~Fund Funds~~ Section of the Office of Administrative Services of the Department
26 of Finance and Administration, each county and town or city in a district
27 shall certify annually on or before October 31 the amount to be paid to the
28 state for its share of one-half (1/2) of the salary ~~established by law~~ as
29 determined in this section for ~~its pilot~~ that district's state district court
30 judge.

31 (2)(A) ~~Nothing in this~~ This section prohibits ~~does not prohibit~~
32 a county and town or city ~~that has~~ in a district in which a ~~pilot~~ state
33 district court judgeship is created under this subchapter from agreeing in
34 writing on the amount to be paid to the state by the county and the town or
35 city for its proportionate share of one-half (1/2) of the salary ~~established~~
36 ~~by law~~ as determined in this section for ~~its pilot~~ that district's state

1 district court judge.

2 (B) If a written agreement is reached under subdivision
3 (b)(2)(A) of this section, the county and town or city shall submit on or
4 before October 31 a copy of that written agreement to the Administration of
5 Justice ~~Fund~~ Funds Section.

6 (c) The amount of the ~~pilot~~ state district court judge's salary
7 initially paid by the county and the town or city ~~for calendar year 2008 in a~~
8 district and annually afterwards shall be the amount determined under
9 subsection (b) of this section.

10 (d)(1) Beginning with its annual meeting of ~~2007~~ 2011, the quorum
11 court in each county ~~that has~~ in a district in which a ~~pilot~~ state district
12 court judgeship is created under this subchapter and the council in each town
13 or city ~~that has~~ in a district in which a ~~pilot~~ state district court
14 judgeship is created under this subchapter shall appropriate annually from
15 its general revenues an amount sufficient to pay its share of the ~~pilot~~ state
16 district court judgeship salary allocated to it under subsection (b) of this
17 section.

18 (2) The duty under subdivision (d)(1) of this section may be
19 enforced in a court of competent jurisdiction.

20 (e) On or before December 15, ~~2007~~ 2011, and annually afterwards, the
21 Administration of Justice ~~Fund~~ Funds Section shall certify to the county and
22 the town or city in each district the amount of its share of one-half (1/2)
23 of the base salary established ~~by law for that county and town or city's~~
24 pilot state district court judge under subsection (b) of this section.

25 (f) On or before January 15, ~~2008~~ 2012, and annually afterwards, the
26 county and the town or city shall remit to the Administration of Justice ~~Fund~~
27 Funds Section for deposit in the Constitutional Officers Fund the sum
28 necessary to fund its share of the base salary allocated to it under
29 subsection (e) of this section.

30

31 SECTION 6. Arkansas Code § 16-17-1107 is amended to read as follows:

32 16-17-1107. Salary of judges serving city or county.

33 ~~Nothing in this~~ This subchapter shall not in any way limit the power and
34 authority of ~~other~~ local district courts currently existing. Except for the
35 ~~pilot~~ state district court judgeships created under this subchapter, a judge
36 serving in another full-time or part-time local district court position shall

1 continue to be an employee of the cities or counties, or both, that he or she
2 serves and shall be paid according to state law.

3
4 SECTION 7. Arkansas Code § 16-17-1108 is amended to read as follows:
5 16-17-1108. Travel expense reimbursement.

6 From the appropriation provided for the expenses of ~~pilot~~ state
7 district court judges, a ~~pilot~~ state district court judge is authorized to be
8 reimbursed for those travel expenses at the rate as authorized for state
9 employees and for mileage at the rate established in the state travel
10 regulations for state employees while traveling within the state in the
11 performance of ~~their~~ official duties.

12
13 SECTION 8. Arkansas Code Title 16, Chapter 17, Subchapter 11 is
14 amended to add an additional section to read as follows:

15 16-17-1109. Jurisdiction.

16 (a)(1) State district courts are courts of limited jurisdiction with
17 criminal jurisdiction as defined by the General Assembly and by the Arkansas
18 Constitution, Amendment 80, § 7, and civil jurisdiction as defined by the
19 Supreme Court.

20 (2) State district courts may be given greater criminal and
21 civil jurisdiction than that provided for local district courts, subject to
22 the provisions of the Arkansas Constitution, Amendment 80, §§ 7 and 10.

23 (b) Under rules prescribed by the Supreme Court, a state district
24 court judge may hear cases filed in the circuit court that arise within the
25 territorial jurisdiction of the state district court judge.

26 (c)(1) Under rules prescribed by the Supreme Court, a state district
27 court judge may be assigned by the Chief Justice to hear cases outside the
28 territorial jurisdiction of the court.

29 (2) When assigned, the state district court judge is entitled to
30 the reimbursement of travel expenses under § 16-17-1108.

31
32 SECTION 9. Arkansas Code Title 16, Chapter 17 is amended to add an
33 additional section to read as follows:

34 16-17-1110. Organization and designation.

35 The following pilot district courts which are in existence as of
36 January 1, 2011, and being served by twenty-five (25) pilot district court

1 judges shall continue operation as state district courts and shall
2 hereinafter be organized and designated in the following numbered judicial
3 districts:

4 (1)(A) The First District is composed of Benton County.

5 (B) The First District has thirteen (13) departments as
6 follows:

7 (i) One (1) located in Rogers;

8 (ii) One (1) located in Bentonville;

9 (iii) One (1) located in Siloam Springs;

10 (iv) One (1) located in Gentry;

11 (v) One (1) located in Decatur;

12 (vi) One (1) located in Bethel Heights;

13 (vii) One (1) located in Cave Springs;

14 (viii) One (1) located in Centerton;

15 (iv) One (1) located in Gravette;

16 (x) One (1) located in Little Flock;

17 (xi) One (1) located in Lowell;

18 (xii) One (1) located in Pea Ridge; and

19 (xiii) One (1) located in Sulphur Springs.

20 (C)(i) The district is served by four (4) state district
21 court judges.

22 (ii) The judgeship which is presently held by Brad
23 Karren shall hereinafter be designated as Division 1.

24 (iii) The judgeship which is presently held by John
25 Skaggs shall hereinafter be designated as Division 2.

26 (iv) The judgeship which is presently held by
27 Stephen Thomas shall hereinafter be designated as Division 3.

28 (v) The judgeship which is presently held by Jeff
29 Conner shall hereinafter be designated as Division 4.

30 (D) The assignment of judges to departments under
31 subdivision (1)(B) of this section is determined by the mutual agreement of
32 the state district court judges.

33 (E) For the purpose of venue, the district court
34 boundaries in Benton County are as follows:

35 (i) Division 1 - Rogers District Court:

36 (a) All of District 94, District 95, and

1 District 96 of the House of Representatives as drawn by the Board of
2 Apportionment in 2002;

3 (b) That part of District 98 of the House of
4 Representatives as drawn by the Board of Apportionment in 2002 that is in
5 Benton County Quorum Court District 1 as established by the Benton County
6 Election Commission;

7 (c) That part of Benton County Quorum Court
8 District 6 as established by the Benton County Election Commission that is in
9 District 96 and District 98 of the House of Representatives as drawn by the
10 Board of Apportionment in 2002; and

11 (d) All of precinct 43, precinct 44, and
12 precinct 49 as they existed on January 1, 2011;

13 (ii) Division 2 - Bentonville District Court:

14 (a) All of District 7, District 8, District 9,
15 and District 10 except for the now existing precinct 22, of the Benton County
16 Quorum Court as established by the Benton County Election Commission;

17 (b) All of District 99 of the House of
18 Representatives as drawn by the Board of Apportionment in 2002 except for the
19 now-existing precinct 43, precinct 44, and precinct 49; and

20 (c) All of precinct 45 as it existed on
21 January 1, 2011;

22 (iii) Division 3 - Siloam Springs District Court:

23 (a) All of District 97 of the House of
24 Representatives as drawn by the Board of Apportionment in 2002; and

25 (b) All of precinct 7, precinct 14, precinct
26 16, and precinct 17 as they existed on January 1, 2011; and

27 (iv) Division 4 - Benton County West District Court:

28 (a) All of Benton County Quorum Court District
29 11 as established by the Benton County Election Commission; and

30 (b) All of precinct 6, precinct 15, precinct
31 18, precinct 19, and precinct 22 as they existed on January 1, 2011.

32 (F) The First District judges are elected district wide.

33 (G) The First District court has district-wide
34 jurisdiction;

35 (2)(A) The Fourth District is composed of Boone County.

36 (B) Beginning January 1, 2017, the Fourth District shall

1 be composed of the counties of Boone, Newton, and Searcy.

2 (C) The Fourth District has two (2) departments as
3 follows:

4 (i) One (1) located in Alpena; and

5 (ii) One (1) located in Harrison.

6 (D) Beginning January 1, 2017, the Fourth District shall
7 have two (2) additional departments as follows:

8 (i) One (1) located in Marshall; and

9 (ii) One (1) located in Jasper.

10 (E) The Fourth District is served by one (1) state
11 district court judge.

12 (F) The Fourth District judge is elected district wide.

13 (G) The Fourth District court has district-wide
14 jurisdiction;

15 (3)(A) The Sixth District is composed of the Greenwood District
16 of Sebastian County and the Fort Smith District of Sebastian County.

17 (B) The Greenwood District of Sebastian County has one (1)
18 district court with one (1) judge and three (3) departments as follows:

19 (i) One (1) located in Greenwood;

20 (ii) One (1) located in Barling; and

21 (iii) One (1) located in Central City.

22 (C)(i) The Fort Smith District of Sebastian County has one
23 (1) district court with three (3) departments and one (1) judge for each
24 department.

25 (ii) The judgeship which is presently held by David
26 Saxon shall hereinafter be designated Division 1.

27 (iii) The judgeship which is presently held by Ben
28 Beland shall hereinafter be designated Division 2.

29 (iv) The judgeship which is presently held by Claire
30 Borengasser shall hereinafter be designated Division 3.

31 (D) The judge of any district court in Sebastian County
32 shall be elected by the electors of the judicial district in which the court
33 is located.

34 (E) The jurisdiction of the district courts in Sebastian
35 County shall be limited to the judicial district in which the court is
36 located;

1 (4)(A) The Eighth District is composed of Pope County.

2 (B) The Eighth District has five (5) departments as
3 follows:

4 (i) One (1) located in Russellville;

5 (ii) One (1) located in Atkins;

6 (iii) One (1) located in Dover;

7 (iv) One (1) located in London; and

8 (v) One (1) located in Pottsville.

9 (C) The Eighth District is served by one (1) state
10 district court judge.

11 (D) The Eighth District judge is elected district wide.

12 (E) The Eighth District court has district-wide
13 jurisdiction;

14 (5)(A) The Tenth District is composed of Baxter County.

15 (B) Beginning January 1, 2017, the Tenth District shall be
16 composed of the counties of Baxter and Marion.

17 (C) The Tenth District has seven (7) departments as
18 follows:

19 (i) One (1) located in Briarcliff;

20 (ii) One (1) located in Cotter;

21 (iii) One (1) located in Gassville;

22 (iv) One (1) located in Lakeview;

23 (v) One (1) located in Mountain Home;

24 (vi) One (1) located in Norfolk; and

25 (vii) One (1) located in Salesville.

26 (D) Beginning January 1, 2017, the Tenth District shall
27 have four (4) additional departments as follows:

28 (i) One (1) located in Yellville;

29 (ii) One (1) located in Bull Shoals;

30 (iii) One (1) located in Flippin; and

31 (iv) One (1) located in Summit.

32 (E) The Tenth District is served by one (1) state district
33 court judge.

34 (F) The Tenth District judge is elected district wide.

35 (G) The Tenth District court has district-wide
36 jurisdiction;

1 (6)(A) The Thirteenth District is composed of Cleburne County.

2 (B) The Thirteenth District has four (4) departments as
3 follows:

4 (i) One (1) located in Heber Springs;

5 (ii) One (1) located in Greers Ferry;

6 (iii) One (1) located in Concord; and

7 (iv) One (1) located in Quitman.

8 (C) The Thirteenth District is served by one (1) state
9 district court judge.

10 (D) The Thirteenth District judge is elected district
11 wide.

12 (E) The Thirteenth District court has district-wide
13 jurisdiction;

14 (7)(A) The Fourteenth District is composed of Independence
15 County.

16 (B) The Fourteenth District has one (1) department located in
17 Batesville.

18 (C) The Fourteenth District is served by one (1) state
19 district court judge.

20 (D) The Fourteenth District judge is elected district-wide.

21 (E) The Fourteenth District court has district-wide
22 jurisdiction;

23 (8)(A) The Seventeenth District is composed of Greene County.

24 (B) The Seventeenth District has two (2) departments as
25 follows:

26 (i) One (1) located in Paragould; and

27 (ii) One (1) located in Marmaduke.

28 (C) The Seventeenth District is served by one (1) state
29 district court judge.

30 (D) The Seventeenth District judge is elected district
31 wide.

32 (E) The Seventeenth District court has district-wide
33 jurisdiction;

34 (9)(A) The Eighteenth District is composed of Mississippi
35 County, Chickasawba District.

36 (B) Beginning January 1, 2021, the Eighteenth District

1 shall be composed of Mississippi County.

2 (C) The Eighteenth District has five (5) departments as
3 follows:

4 (i) One (1) located in Blytheville;

5 (ii) One (1) located in Manila;

6 (iii) One (1) located in Leachville;

7 (iv) One (1) located in Gosnell; and

8 (v) One (1) located in Dell.

9 (D) Beginning January 1, 2021, the Eighteenth District
10 shall have two (2) additional departments as follows:

11 (i) One (1) located in Osceola; and

12 (ii) One (1) located in Joiner.

13 (E) The Eighteenth District is served by one (1) state
14 district court judge until January 1, 2021, when the district shall be served
15 by two (2) district court judges.

16 (F) The Eighteenth District judges are elected district
17 wide.

18 (H) The Eighteenth District court has district-wide
19 jurisdiction;

20 (10)(A) The Twentieth District is composed of Poinsett County.

21 (B) The Twentieth District has six (6) departments as
22 follows:

23 (i) One (1) located in Marked Tree;

24 (ii) One (1) located in Trumann;

25 (iii) One (1) located in Tyronza;

26 (iv) One (1) located in Lepanto;

27 (v) One (1) located in Harrisburg; and

28 (vi) One (1) located in Weiner.

29 (E) The Twentieth District is served by one (1) state
30 district court judge.

31 (H) The Twentieth District judges is elected district
32 wide.

33 (I) The Twentieth District court has district-wide
34 jurisdiction;

35 (11)(A) The Twenty-Fifth District is composed of St. Francis
36 County.

1 (B) The *Twenty-Fifth District* has three (3) departments as
2 follows:

3 (i) One (1) located in Forrest City;

4 (ii) One (1) located in Madison; and

5 (iii) One (1) located in Palestine.

6 (C) The *Twenty-Fifth District* is served by one (1) state
7 district court judge.

8 (D) The *Twenty-Fifth District* judge is elected district
9 wide.

10 (E) The *Twenty-Fifth District* court has district-wide
11 jurisdiction;

12 (12)(A) The *Thirty-First District* is composed of Pulaski County.

13 (B) The *Thirty-First District* has ten (10) departments
14 until January 1, 2012, and thereafter shall have eleven (11) departments, as
15 follows:

16 (i) One (1) located in Jacksonville, to be known as
17 Jacksonville District Court;

18 (ii) Four (4) located in Little Rock, to be known
19 as:

20 (a) Little Rock District Court – First
21 Division;

22 (b) Little Rock District Court – Second
23 Division;

24 (c) Little Rock District Court–Third Division;
25 and

26 (d) Pulaski County District Court;

27 (iii) One (1) located in Maumelle, to be known as
28 Maumelle District Court;

29 (iv) Two (2) located in North Little Rock, to be
30 known as:

31 (a) North Little Rock District Court – First
32 Division; and

33 (b) North Little Rock District Court – Second
34 Division;

35 (v) One (1) located in Sherwood, to be known as
36 Sherwood District Court;

1 (vi) One (1) located in Wrightsville, to be known as
2 Wrightsville District Court; and

3 (vii) Effective January 1, 2012, subject to the
4 provisions of § 16-17-1202, one (1) located in Cammack Village, to be known
5 as Cammack Village District Court.

6 (C) From and after January 1, 2012, until January 1, 2017,
7 subject to the provisions of § 16-17-1202, the Cammack Village District Court
8 and the Wrightsville District Court shall be served by one (1) judge;
9 otherwise, the provisions of subdivisions (12)(B)(i)-(vii) will apply in the
10 Thirty-First District.

11 (D) From the effective date of this act until January 1,
12 2017, the Thirty-First District is served by four (4) state district judges
13 and six (6) local district judges, as follows:

14 (i) The Jacksonville District Court is served by one
15 (1) state district judge who is elected by the qualified electors of the city
16 of Jacksonville and has territorial jurisdiction only within the city limits
17 of Jacksonville;

18 (ii) The Little Rock District Court – First Division
19 is served by one (1) local district judge who is elected by the qualified
20 electors of the city of Little Rock and has territorial jurisdiction only
21 within the city limits of Little Rock;

22 (iii) The Little Rock District Court – Second
23 Division is served by one (1) local district judge who is elected by the
24 qualified electors of the city of Little Rock and has territorial
25 jurisdiction only within the city limits of Little Rock;

26 (iv) The Little Rock District Court – Third Division
27 is served by one (1) local district judge who is elected by the qualified
28 electors of the city of Little Rock and has territorial jurisdiction only
29 within the city limits of Little Rock;

30 (v) The Maumelle District Court is served by one (1)
31 local district judge who is elected by the qualified electors of the city of
32 Maumelle and has territorial jurisdiction only within the city limits of
33 Maumelle;

34 (vi) The North Little Rock District Court – First
35 Division is served by one (1) state district judge who is elected by the
36 qualified electors of the city of North Little Rock and has territorial

1 jurisdiction only within the city limits of North Little Rock;

2 (vii) The North Little Rock District Court – Second
3 Division is served by one (1) state district judge who is elected by the
4 qualified electors of the city of North Little Rock and has territorial
5 jurisdiction only within the city limits of North Little Rock;

6 (viii) The Pulaski County District Court is served
7 by one (1) state district judge who is elected district wide and has
8 district-wide territorial jurisdiction;

9 (ix) The Sherwood District Court is served by one
10 (1) local district judge who is elected district wide and has district-wide
11 territorial jurisdiction; and

12 (x)(a) The Wrightsville District Court is served by
13 one (1) local district judge who is elected district wide and has district-
14 wide territorial jurisdiction.

15 (b) From and after January 1, 2012, the
16 Wrightsville District Court and the Cammack Village District Court are served
17 by one (1) judge.

18 (E) Effective January 1, 2017, the Thirty-First District
19 shall continue to have eleven (11) departments that shall be served by eight
20 (8) state district judges. All the following judges shall be elected district
21 wide and shall have district-wide territorial jurisdiction:

22 (i) The Jacksonville District Court and the Maumelle
23 District Court shall be served by one (1) judge;

24 (ii) The Little Rock District Court - First Division
25 shall be served by one (1) judge;

26 (iii) The Little Rock District Court - Second
27 Division shall be served by one (1) judge;

28 (iv) The Little Rock District Court - Third
29 Division, the Wrightsville District Court, and the Cammack Village District
30 Court shall be served by one (1) judge;

31 (v) The North Little Rock District Court - First
32 Division shall be served by one (1) judge;

33 (vi) The North Little Rock District Court - Second
34 Division shall be served by one (1) judge;

35 (vii) The Pulaski County District Court shall be
36 served by one (1) judge; and

1 (viii) The Sherwood District Court shall be served
2 by one (1) judge.

3 (F)(i) Any judge serving as a local district judge in the
4 Thirty-First District whose base annual salary is paid by a city and whose
5 base annual salary is more than the annual salary paid to a state district
6 judge, upon becoming a state district judge, shall continue to be paid by the
7 city the differential amount between his or her annual salary as of December
8 31, 2016, and the annual salary established by the state for a state district
9 judge.

10 (ii) The differential amount as calculated as of
11 December 31, 2016, shall continue as long as the judge continues to serve as
12 a state district judge.

13 (iii) Upon leaving office of state district court
14 judge, by retirement or otherwise, his or her successor shall be paid only
15 the salary established for a state district judge without regard to the
16 differential amount provided for in this section.

17 (13)(A) The Thirty-Second District is composed of Saline County
18 and the city of Alexander in Pulaski County.

19 (B) The Thirty-Second District has six (6) departments as
20 follows:

21 (i) One (1) located in Benton;

22 (ii) One (1) located in Bryant;

23 (iii) One (1) located in Alexander;

24 (iv) One (1) located in Bauxite;

25 (v) One (1) located in Haskell; and

26 (vi) One (1) located in Shannon Hills.

27 (C)(i) The Thirty-Second District is served by two (2)
28 state district court judges.

29 (ii) The judgeship which is presently held by Mike
30 Robinson shall hereinafter be designated as Division 1.

31 (iii) The judgeship which is presently held by
32 Curtis Rickard shall hereinafter be designated Division 2.

33 (D) The assignment of judges to departments under
34 subdivision (a)(12)(B) of this section is determined by the mutual agreement
35 of the state district court judges.

36 (E) The Thirty-Second District judges are elected district

1 wide.

2 (F) The Thirty-Second District court has district-wide
3 jurisdiction;

4 (14)(A) The Thirty-Fourth District is composed of Union County.

5 (B) The Thirty-Fourth District has one (1)
6 department located in El Dorado and one (1) state district court judge.

7 (C) The Thirty-Fourth District judge is elected district
8 wide.

9 (D) The Thirty-Fourth District court has district-wide
10 jurisdiction; and

11 (15)(A) The Thirty-Seventh District is composed of Miller
12 County.

13 (B) Beginning January 1, 2017, the Thirty-Seventh District
14 shall be composed of the counties of Miller and Lafayette.

15 (C) The Thirty-Seventh District shall have two (2)
16 departments located in Texarkana.

17 (D) Beginning January 1, 2017, the Thirty-Seventh District
18 shall have three (3) additional departments as follows:

19 (i) One (1) located in Lewisville;

20 (ii) One (1) located in Bradley; and

21 (iii) One (1) located in Stamps.

22 (E) The Thirty-Seventh District is served by one (1) state
23 district court judge.

24 (F) The Thirty-Seventh District judge is elected district
25 wide.

26 (G) The Thirty-Seventh District court has district-wide
27 jurisdiction.

28

29 SECTION 10. Arkansas Code Title 16, Chapter 17 is amended to add an
30 additional section to read as follows:

31 16-17-1111. Reorganization of local district courts to state district
32 courts.

33 (a)(1) Beginning January 1, 2013, the following cities and counties
34 that are currently served by local district courts under § 16-17-901 et seq.
35 shall be reorganized as state district courts and served by a state district
36 court judge.

1 (2) The new state district court judgeships created by this
2 section shall become effective January 1, 2013, and shall be placed on the
3 ballot to be elected in the 2012 nonpartisan judicial election from the newly
4 constructed judicial district.

5 (3) The cities and counties which were previously served by
6 local district courts and will be served by state district courts shall
7 comply with the cost-sharing requirements established in § 16-17-1106
8 effective January 1, 2013.

9 (b)(1)(A) The Fifth District shall be composed of Crawford County.

10 (B) The Fifth District shall have five (5) departments as
11 follows:

12 (i) One (1) located in Van Buren;

13 (ii) One (1) located in Mountainburg;

14 (iii) One (1) located in Alma;

15 (iv) One (1) located in Mulberry; and

16 (v) One (1) located in Dyer.

17 (C) The Fifth District shall be served by one (1) state
18 district court judge.

19 (D) The Fifth District judge shall be elected district
20 wide.

21 (E) The Fifth District court shall have district-wide
22 jurisdiction.

23 (2)(A) The Ninth District shall be composed of the counties of
24 Faulkner and Van Buren.

25 (B) The Ninth District shall have eight (8) departments as
26 follows:

27 (i) One (1) located in Conway;

28 (ii) One (1) located in Greenbrier;

29 (iii) One (1) located in Guy;

30 (iv) One (1) located in Mayflower;

31 (v) One (1) located in Mount Vernon;

32 (vi) One (1) located in Vilonia;

33 (vii) One (1) located in Clinton; and

34 (viii) One (1) located in Damascus.

35 (C) The Ninth District shall be served by two (2) state
36 district court judges;

1 (i) One (1) judgeship first to be elected in
2 2012 and to become effective January 1, 2013, shall be designated as Division
3 1; and

4 (ii) One (1) judgeship first to be elected in
5 2012 and to become effective January 1, 2013, shall be designated as Division
6 2.

7 (D) The assignment of judges to departments under
8 subdivision (b)(6)(B) of this section shall be determined by the mutual
9 agreement of the state district court judges.

10 (E) The Ninth District judges shall be elected district
11 wide.

12 (F) The Ninth District court shall have district-wide
13 jurisdiction.

14 (3)(A) The Nineteenth District shall be composed of Craighead
15 County.

16 (B) The Nineteenth District shall have two (2) departments
17 as follows:

18 (i) One (1) department located in Jonesboro;
19 and

20 (ii) One (1) department located in Lake City.

21 (C) The Nineteenth District shall be served by two (2)
22 state
23 district court judges:

24 (i) One (1) judgeship first to be elected in 2012
25 and to become effective January 1, 2013, shall be designated as Division 1;
26 and

27 (ii) One (1) judgeship first to be elected in 2012
28 and to become effective January 1, 2013, shall be designated as Division 2.

29 (D) The Nineteenth District judges shall be elected
30 district wide.

31 (E) The Nineteenth District court shall have district-wide
32 jurisdiction.

33 (4)(A) The Twenty-First District shall be composed of Crittenden
34 County.

35 (B) The Twenty-First District shall have eight (8)
36 departments as follows:

- 1 (i) One (1) located in Earle;
2 (ii) One (1) located in Gilmore;
3 (iii) One (1) located in Jennette;
4 (iv) One (1) located in Jericho;
5 (v) One (1) located in Marion;
6 (vi) One (1) located in Sunset;
7 (vii) One (1) located in Turrell; and
8 (viii) One (1) located in West Memphis.
9 (C) The Twenty-First District shall be served by one (1)
10 state
11 district court judge.
12 (D) The Twenty-First District judge shall be elected
13 district wide.
14 (E) The Twenty-First District court shall have district-
15 wide jurisdiction.
16 (5)(A) The Twenty-Third District shall be composed of White
17 County.
18 (B) Beginning January 1, 2017, the Twenty-Third District
19 shall be composed of the counties of White and Prairie.
20 (C) The Twenty-Third District shall have nine (9)
21 departments as follows:
22 (i) One (1) located in Beebe;
23 (ii) One (1) located in Searcy;
24 (iii) One (1) located in Bald Knob;
25 (iv) One (1) located in Bradford;
26 (v) One (1) located in Judsonia;
27 (vi) One (1) located in McRae;
28 (vii) One (1) located in Kensett;
29 (viii) One (1) located in Pangburn; and
30 (ix) One (1) located in Rose Bud.
31 (D) Beginning January 1, 2017, the Twenty-Third District
32 shall have four (4) additional departments as follows:
33 (i) One (1) located in Des Arc;
34 (ii) One (1) located in Hazen;
35 (iii) One (1) located in Biscoe; and
36 (iv) One (1) located in De Valls Bluff.

1 (E) The Twenty-Third District to be served by two (2)
2 state district court judges.

3 (F) The Twenty-Third District judges shall be elected
4 district wide.

5 (G) The Twenty-Third District court shall have district-
6 wide jurisdiction.

7 (6)(A) The Twenty-Ninth District shall be composed of Jefferson
8 County.

9 (B) Beginning January 1, 2017, the Twenty-Ninth District
10 shall be composed of the counties of Jefferson and Lincoln.

11 (C) The Twenty-Ninth District shall have six (6)
12 departments as follows:

13 (i) One (1) located in Pine Bluff;

14 (ii) One (1) located in Altheimer;

15 (iii) One (1) located in Humphrey;

16 (iv) One (1) located in White Hall;

17 (v) One (1) located in Wabbaseka; and

18 (vi) One (1) located in Redfield.

19 (D) Beginning January 1, 2017, the Twenty-Ninth District
20 shall have three (3) additional departments as follows:

21 (i) One (1) located in Star City;

22 (ii) One (1) located in Grady; and

23 (iii) One (1) located in Gould.

24 (E)(i) The Twenty-Ninth District shall be served by two
25 (2) state district court judges.

26 (ii) One (1) judgeship first to be elected in 2012
27 and to become effective January 1, 2013, shall be designated as Division 1.

28 (iii) One (1) judgeship first to be elected in 2012
29 and to become effective January 1, 2013, shall be designated as Division 2.

30 (F)(i) Beginning January 1, 2017, the Twenty-Ninth
31 District shall be served by three (3) state district court judges.

32 (ii) The judgeship to first be elected in 2016 and
33 to become effective January 1, 2017, shall be designated as Division 3.

34 (G) The assignment of judges to departments under
35 subdivisions (b)(5)(C) and (D) of this section shall be determined by the
36 mutual agreement of the state's district court judges.

1 (H) The Twenty-Ninth District judge shall be elected
2 district wide.

3 (I) The Twenty-Ninth District court shall have district-
4 wide jurisdiction.

5 (7)(A) The Thirty-Fourth District shall be composed of Calhoun,
6 Cleveland, and Dallas counties.

7 (B) The Thirty-Fourth District shall have four (4)
8 departments as follows:

9 (i) One (1) located in Hampton;

10 (ii) One (1) located in Rison;

11 (iii) One (1) located in Fordyce; and

12 (iv) One (1) located in Sparkman.

13 (C) The Thirty-Fourth District shall be served by one (1)
14 state district court judge.

15 (D) The Thirty-Fourth District judge shall be elected
16 district wide.

17 (E) The Thirty-Fourth District court shall have district-
18 wide jurisdiction.

19 (8)(A) The Thirty-Eighth District shall be composed of the
20 counties of Hempstead and Nevada.

21 (B) The Thirty-Eighth District shall have two (2)
22 departments as follows:

23 (i) One (1) located in Hope; and

24 (ii) One (1) located in Prescott.

25 (C) The Thirty-Eighth District shall be served by one (1)
26 state district court judge.

27 (D) The Thirty-Eighth District judge shall be elected
28 district wide.

29 (E) The Thirty-Eighth District court shall have district-
30 wide jurisdiction.

31 (12)(A) The Fortieth District shall be composed of Clark County.

32 (B) The Fortieth District shall have four (4) departments
33 as follows:

34 (i) One (1) located in Arkadelphia;

35 (ii) One (1) located in Amity;

36 (iii) One (1) located in Caddo Valley; and

1 (iv) One (1) located in Gurdon.

2 (C) The Fortieth District shall be served by one (1) state
3 district court judge.

4 (D) The Fortieth District judge shall be elected district
5 wide.

6 (E) The Fortieth District court shall have district-wide
7 jurisdiction.

8

9 SECTION 11. Arkansas Code Title 16, Chapter 17 is amended to add an
10 additional section to read as follows:

11 16-17-1112. Reorganization of local district courts to state district
12 courts.

13 (a)(1) Beginning January 1, 2017, the following cities and counties
14 that are currently served by local district courts pursuant to § 16-17-901 et
15 seq. shall be reorganized as state district courts and served by a state
16 district court judge.

17 (2) The new state district court judgeships created by this
18 section shall become effective January 1, 2017, and shall be placed on the
19 ballot to be elected in the 2016 nonpartisan judicial election from the newly
20 constructed judicial district.

21 (3) The cities and counties which were previously served by
22 local district courts and will be served by state district courts shall
23 comply with the cost-sharing requirements established in § 16-17-1106,
24 effective January 1, 2017.

25 (b)(1)(A) The Second District shall be composed of Washington County
26 and the city limits of Springdale as of January 1, 2011, including that
27 portion of the city of Springdale which extends into Benton County.

28 (B) The Second District shall have ten (10) departments as
29 follows:

30 (i) One (1) located in Springdale;

31 (ii) One (1) located in Elm Springs;

32 (iii) One (1) located in Johnson;

33 (iv) One (1) located in Fayetteville;

34 (v) One (1) located in Elkins;

35 (vi) One (1) located in West Fork;

36 (vii) One (1) located in Greenland;

- 1 (viii) One (1) located in Prairie Grove;
2 (ix) One (1) located in Lincoln; and
3 (x) One (1) located in Farmington.
4 (C) The Second District shall be served by four (4) state
5 district court judges;
6 (i) One (1) judgeship first to be elected in 2016
7 and to become effective January 1, 2017, shall be designated as Division 1;
8 (ii) One (1) judgeship first to be elected in 2016
9 and to become effective January 1, 2017, shall be designated as Division 2;
10 (iii) One (1) judgeship first to be elected in 2016
11 and to become effective January 1, 2017, shall be designated as Division 3;
12 and
13 (iv) One (1) judgeship first to be elected in 2016
14 and to become effective January 1, 2017, shall be designated as Division 4.
15 (D) The presiding judge of the departments under
16 subdivision (b)(3)(B) of this section shall be determined by the mutual
17 agreement of the state district court judges.
18 (E) The Second District judges shall be elected district
19 wide.
20 (F) The Second District court shall have district-wide
21 jurisdiction.
22 (2)(A) The Third District shall be composed of the counties of
23 Carroll and Madison.
24 (B) The Third District shall have three (3) departments as
25 follows:
26 (i) One (1) located in Berryville;
27 (ii) One (1) located in Eureka Springs; and
28 (iii) One (1) located in Huntsville.
29 (C) The Third District shall be served by one (1) state
30 district court judge.
31 (D) The Third District judge shall be elected district
32 wide.
33 (E) The Third District court shall have district-wide
34 jurisdiction.
35 (3)(A) The Seventh District shall be composed of the counties of
36 Franklin and Johnson.

1 (B) The Seventh District shall have six (6) departments as
2 follows:

- 3 (i) One (1) located in Charleston;
- 4 (ii) One (1) located in Ozark;
- 5 (iii) One (1) located in Altus;
- 6 (iv) One (1) located in Clarksville;
- 7 (v) One (1) located in Coal Hill; and
- 8 (vi) One (1) located in Lamar.

9 (C) The Seventh District shall be served by one (1) state
10 district court judge.

11 (D) The Seventh District judge shall be elected district
12 wide.

13 (E) The Seventh District court shall have district-wide
14 jurisdiction.

15 (4)(A) The Twenty-Seventh District shall be composed of the counties
16 of Desha and Chicot.

17 (B) The Twenty-Seventh District shall have five (5) departments
18 as follows:

- 19 (i) One (1) located in Dermott;
- 20 (ii) One (1) located in Eudora;
- 21 (iii) One (1) located in Lake Village;
- 22 (iv) One (1) located in Dumas; and
- 23 (v) One (1) located in McGehee.

24 (C) The Twenty-Seventh District shall be served by one (1) state
25 district court judge.

26 (D) The Twenty-Seventh District judge shall be elected district
27 wide.

28 (E) The Twenty-Seventh District court shall have district-wide
29 jurisdiction.

30 (5)(A) The Twenty-Ninth District shall be composed of Lonoke
31 County.

32 (B) The Twenty-Ninth District shall have seven (7)
33 departments as follows:

- 34 (i) One (1) located in Cabot;
- 35 (ii) One (1) located in Ward;
- 36 (iii) One (1) located in Austin;

- 1 (iv) One (1) located in Lonoke;
- 2 (v) One (1) located in England;
- 3 (vi) One (1) located in Carlisle; and
- 4 (vii) One (1) located in Allport.
- 5 (C) The Twenty-Ninth District shall be served by one (1)
- 6 state district court judge.
- 7 (D) The Twenty-Ninth District judge shall be elected
- 8 district wide.
- 9 (E) The Twenty-Ninth District court shall have district-
- 10 wide jurisdiction.
- 11 (5)(A) The Forty-First District shall be composed of Garland
- 12 County.
- 13 (B) The Forty-First District shall have three (3)
- 14 departments as follows:
- 15 (i) Two (2) located in Hot Springs; and
- 16 (ii) One (1) located in Mountain Pine.
- 17 (C) The Forty-First District shall be served by two (2)
- 18 state district court judges.
- 19 (D) The Forty-First District judges shall be elected
- 20 district wide.
- 21 (E) The Forty-First District court shall have district-
- 22 wide jurisdiction.

23
24 */s/Powers*

25
26
27 **APPROVED: 04/06/2011**