

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hopkins**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND VARIOUS SECTIONS OF ARKANSAS CODE
9 ANNOTATED RELATING TO THE DISTRIBUTION OF THE ARKANSAS
10 SUPREME COURT REPORTS BY THE ADMINISTRATIVE OFFICE OF THE
11 COURTS; AND FOR OTHER PURPOSES."

12
13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

14
15 SECTION 1. Arkansas Code Annotated §25-18-210 is amended to read as
16 follows:

17 "25-18-210. Arkansas Supreme Court Reports - Distribution.

18 (a) The Administrative Office of the Courts shall furnish, at no cost,
19 the following officials with copies of the decisions of the Arkansas Supreme
20 Court and Court of Appeals as they are published and bound:

21	Members of the Supreme Court and Court of Appeals	2 each
22	Governor	1
23	General Assembly	2
24	Circuit, Chancery and Circuit-Chancery Judges	1 each
25	Clerks of the Circuit, Chancery and Probate Courts	
26	of each county	1 each
27	Prosecuting Attorneys	1 each
28	Secretary of State	2
29	Attorney General	20
30	Supreme Court Library	16
31	Arkansas History Commission	2
32	Arkansas State Library	2
33	UAF School of Law	20
34	UALR School of Law	6

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1 The Administrative Office of the Courts shall take receipts for the
2 volumes delivered and shall not furnish any other office or official free
3 copies of the Arkansas Reports unless otherwise provided by law.

4 (b) All officers and officials receiving sets and volumes of the
5 Arkansas Supreme Court Reports shall turn them over to their successors in
6 office.

7 (c) In counties where there is more than one (1) county seat, each
8 county seat shall be furnished with a set of the Arkansas Supreme Court
9 Reports, and this section and §§ 25-18-212 - 25-18-214 shall apply to each
10 county seat."

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12 SECTION 2. Arkansas Code Annotated §25-18-211 is amended to read as
13 follows:

14 "25-18-211. Arkansas Supreme Court Reports - Additional set for Supreme
15 Court Justices and Court of Appeals Judges.

16 (a) The Clerk of the Supreme Court is authorized to purchase, when
17 directed by the Supreme Court or Court of Appeals, the printed reports of the
18 court for the use of each of the Justices or Judges in chambers and to pay for
19 the set out of the funds of that court. Reports so purchased shall be the
20 property of the State of Arkansas, and the Justices or Judges shall keep the
21 reports in good order and turn them over to their respective successors in
22 office.

23 (b) The purchase of these sets of reports shall be in addition to the
24 reports furnished by the Administrative Office of the Courts."

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26 SECTION 3. Arkansas Code Annotated §25-18-212 is amended to read as
27 follows:

28 "25-18-212. Arkansas Supreme Court Reports - Duties of clerks.

29 (a) The several clerks of the circuit, chancery, and probate courts of
30 the State of Arkansas shall be furnished with one (1) full set of the reports,
31 not including the first forty-seven (47) volumes, of the decisions of the
32 Supreme Court of Arkansas and shall keep them in good order. The county judge
33 of each county shall furnish a room or other suitable space for the reports
34 convenient for the clerk, county officials, and court at or near the court
35 room or in the clerk's office.

1 (b) Each clerk shall be in full and complete custody of the reports and
2 shall turn them over to his successor in office; upon failure to do so, he
3 shall be fined in any sum not less than five (5) times the worth of the
4 volumes which he has failed to turn over."

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6 SECTION 4. Arkansas Code Annotated §25-18-213 is amended to read as
7 follows:

8 "25-18-213. Arkansas Supreme Court Reports - Annual check of county
9 libraries and clerks' offices.

10 (a) It shall be the duty of the Director of the Department of Finance
11 and Administration to make a check of the county libraries once a year and
12 report his findings to the Administrative Office of the Courts.

13 (b) It shall be the duty of the Director of the Department of Finance
14 and Administration to check the Arkansas Supreme Court Reports of each
15 outgoing clerk, and his findings shall be binding and shall be filed with the
16 Administrative Office of the Courts.

17 (c) When a county library is set up, the Director of the Department of
18 Finance and Administration shall have placed on each volume the following
19 statement: 'This book is the property of the State of Arkansas.'"

20

21 SECTION 5. Arkansas Code Annotated §25-18-214 is amended to read as
22 follows:

23 "25-18-214. Arkansas Supreme Court Reports - Replacement of missing
24 books by the clerk.

25 The clerk and his bondsmen shall be personally liable and responsible
26 for the safekeeping of the reports, and no volume shall be loaned or removed.
27 The clerk shall, out of his personal funds, replace any volumes found missing
28 by the Director of the Department of Finance and Administration so that at all
29 times one (1) full set, not including the first forty-seven (47) volumes, of
30 the reports of the decisions of the Arkansas Supreme Court shall be available
31 in each county in the State of Arkansas for the general use of the courts,
32 county officials, and attorneys."

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34 SECTION 6. Arkansas Code Annotated §25-18-215 is amended to read as
35 follows:

1 "25-18-215. Arkansas Supreme Court Reports - Replacement of destroyed
2 volumes.

3 If the reports of the Supreme Court shall be destroyed in the county
4 library in any county in this state by causes not within the control of the
5 clerk, the Director of the Department of Finance and Administration shall so
6 ascertain and shall certify to the Administrative Office of the Courts the
7 need for a new set of the Arkansas Supreme Court Reports, or replacements for
8 the missing volumes, not including the first forty-seven (47) volumes."

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10 SECTION 7. Arkansas Code Annotated §25-18-216 is amended to read as
11 follows:

12 "25-18-216. Arkansas Supreme Court Reports - Number of copies reserved
13 by Administrative Office of the Courts.

14 (a) The whole number of reports in the office of the Administrative
15 Office of the Courts shall not be reduced below the number of three (3) copies
16 of each volume."

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18 SECTION 8. Arkansas Code Annotated §25-18-220(a)(1) is amended to read
19 as follows:

20 "25-18-220. Exchange of books with federal, state, and foreign
21 entities.

22 (a)(1) The Administrative Office of the Courts is authorized to
23 exchange with other states and countries that extend to this state similar
24 courtesies the reports of the Supreme Court and it shall furnish, upon demand,
25 to the federal courts of Arkansas the reports of the Arkansas Supreme Court
26 beginning with Volume 126."

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28 SECTION 9. Arkansas Code Annotated §16-11-207 is amended to read as
29 follows:

30 "16-11-207. Delivery of printed volumes.

31 It shall be the duty of the contractor, as soon as the reports have been
32 printed and bound, to deliver the reports to the Administrative Office of the
33 Courts , whose duty it shall be to deliver to the contractor a receipt showing
34 the number of volumes in good condition so delivered to that office ."

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1 SECTION 10. Arkansas Code Annotated §16-11-208 is amended to read as
2 follows:

3 "16-11-208. Payment of printing and binding bill.

4 (a) Upon the presentation of the certificate of the Reporter, the
5 receipt of the Administrative Office of the Courts , and the bill for printing
6 and binding the reports, approved by the Supreme Court Reporter, to the
7 Auditor of State, it shall be the Auditor of State's duty to draw a warrant on
8 the State Treasurer in favor of the contractor for the sum mentioned in the
9 approved bill or account.

10 (b) Upon the presentation of the warrant to the State Treasurer, it
11 shall be his duty to pay the warrant out of any moneys in the State Treasury
12 appropriated for that purpose."

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14 SECTION 11. All provisions of this act of a general and permanent
15 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
16 Code Revision Commission shall incorporate the same in the Code.

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18 SECTION 12. If any provision of this act or the application thereof to
19 any person or circumstance is held invalid, such invalidity shall not affect
20 other provisions or applications of the act which can be given effect without
21 the invalid provision or application, and to this end the provisions of this
22 act are declared to be severable.

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24 SECTION 13. All laws and parts of laws in conflict with this act are
25 hereby repealed.

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