

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

A Bill

SENATE BILL

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 16-11-302 TO ALLOW CHANCERY
9 COURTS TO PROMULGATE RULES PERTAINING TO THE PROCESSING OF
10 CASES BEFORE THE CHANCERY COURTS; AND FOR OTHER PURPOSES."

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

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14 SECTION 1. Arkansas Code 16-11-302(a) is hereby amended to read as
15 follows:

16 "(a) The Supreme Court of Arkansas shall have the power to prescribe,
17 from time to time, rules of pleading, practice, and procedure with respect to
18 any and all proceedings in civil cases in all courts in this state. However,
19 the court shall not have the power to prescribe rules in conflict with laws of
20 this state relating to stays and continuances of proceedings in suits in which
21 a member of the General Assembly, an officer of the General Assembly, or a
22 designated employee of the General Assembly is an attorney or a party in the
23 proceeding; provided that the chancery courts of this state are hereby granted
24 the authority in any type of domestic relations case to promulgate reasonable
25 rules pertaining to the processing of such cases, which rules shall not
26 conflict with any statute and shall be in written form and filed with the
27 Clerk of the Supreme Court at least thirty (30) days before their effective
28 date."

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30 SECTION 2. All provisions of this Act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 3. If any provision of this Act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the Act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 Act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this Act are
6 hereby repealed.

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8 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
9 General Assembly that it is in the best interests of the State of Arkansas for
10 matters in the chancery courts pertaining to domestic relations, to be handled
11 in an expeditious and efficient manner. To achieve this end, chancery courts
12 need to have authority to deal with local problems and peculiarities which
13 would inhibit the prompt disposition of domestic relations litigation and
14 collection and enforcement of child support; that the promulgation of local
15 chancery rules where deemed appropriate is necessary to bring this about.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 immediately necessary for the preservation of the public peace, health and
18 safety shall be in full force and effect from and after its passage and
19 approval.

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