

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 2138

4
5 By: Representative Ferrell

For An Act To Be Entitled

9 "AN ACT TO ESTABLISH THE MUNICIPAL, CITY, AND POLICE
10 COURTS JUDGES AND CLERKS SALARY STUDY COMMISSION; AND FOR
11 OTHER PURPOSES."

Subtitle

14 "TO ESTABLISH THE MUNICIPAL, CITY, AND
15 POLICE COURTS JUDGES AND CLERKS SALARY
16 STUDY COMMISSION"

17
18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. It is hereby found by the General Assembly that the current
21 method of establishing salaries and benefits for the various municipal court
22 judges and clerks is imprecise at best and a uniform salary schedule and a
23 uniform procedure, based on rational criteria, to develop that salary schedule
24 are needed.

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26 SECTION 2. (a) There is hereby created the Municipal, City, and Police
27 Courts Judges and Clerks Salary Study Commission to be composed of nine (9)
28 members to be appointed in the manner and to represent various interests as
29 follows:

30 (1) One (1) member of the Senate Judiciary Committee to be
31 appointed by the President Pro Tempore of the Senate;

32 (2) One (1) member of the House Judiciary Committee to be
33 appointed by the Speaker of the House;

34 (3) One (1) member representing the Municipal Judges Association
35 to be recommended by the Municipal Judges Association and appointed by the
36 Governor;

1 (4) One (1) member representing the Municipal and City Court
2 Clerks Association to be recommended by the Municipal and City Court Clerks
3 Association and appointed by the concurrence of the Speaker of the House and
4 the President Pro Tempore of the Senate;

5 (5) One (1) member representing the Arkansas Municipal League, to
6 be recommended by the Arkansas Municipal League and appointed by the
7 concurrence of the Speaker of the House and the President Pro Tempore of the
8 Senate;

9 (6) One (1) member representing the Association of Arkansas
10 Counties, to be recommended by the Association of Arkansas Counties and
11 appointed by the concurrence of the Speaker of the House and the President Pro
12 Tempore of the Senate;

13 (7) The Director of the Administrative Office of the courts, or
14 his designee;

15 (8) One (1) member to be recommended by the Arkansas Bar
16 Association and appointed by the Governor; and

17 (9) One (1) member of the general public who is not an attorney,
18 to be appointed by the Governor.

19 (b) The appointed Senator and Representative shall serve as chairman
20 and vice-chairman, respectively.

21 (c) A member of the commission shall continue to serve on the
22 commission until he or she no longer wishes to serve or no longer qualifies to
23 represent or no longer is a member of the committee, body, or organization
24 which he or she was appointed to represent. Any vacancy on the commission
25 shall be filled by the original appointing authority with another qualifying
26 member of the committee, body, or organization. However, no person shall
27 serve more than five years on the commission.

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29 SECTION 3. (a) Members of the commission who are State employees shall
30 serve without compensation but may be reimbursed for expenses and travel by
31 the employing agencies in the maximum amounts prescribed by the Department of
32 Finance and Administration for State employees.

33 (b) Legislative members of the commission shall be entitled to per diem
34 and mileage at the same rate authorized by law for attendance at meetings of
35 joint interim committees of the General Assembly. Legislative members of the
36 commission may receive payment for per diem and mileage from appropriated

1 funds for the joint interim committees which they represent, for the joint
 2 interim committee on which they serve, or from appropriated funds for travel
 3 and expenses for the house of the General Assembly in which they serve.

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 5 SECTION 4. (a) The Municipal, City, and Police Courts Judges and
 6 Clerks Salary Study Commission shall be charged with establishing a uniform
 7 salary and benefits scale for municipal court judges and clerks, which shall
 8 take into account (1) the caseload of the municipal court; (2) the backlog of
 9 cases, if any, on the court docket; (3) the time required in dealing with
 10 cases; (4) the skill required in dealing with cases; and (5) the amount of
 11 time taken away from the judges private practice, if applicable.

12 (b) To facilitate the work of the commission, the Administrative Office
 13 of the Courts shall compile information on current salaries and benefits of
 14 municipal court personnel as well as all available caseload information.

15 (c) The Municipal, City, and Police Courts Judges and Clerks Salary
 16 Study Commission shall submit a report and its recommendations for any
 17 proposed legislation to the Senate and House Interim Judiciary Committees on
 18 or before September 1st of even-numbered years.

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 20 SECTION 5. All provisions of this act of a general and permanent nature
 21 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 22 Revision Commission shall incorporate the same in the Code.

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 24 SECTION 6. If any provision of this act or the application thereof to
 25 any person or circumstance is held invalid, such invalidity shall not affect
 26 other provisions or applications of the act which can be given effect without
 27 the invalid provision or application, and to this end the provisions of this
 28 act are declared to be severable.

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 30 SECTION 7. All laws and parts of laws in conflict with this act are
 31 hereby repealed.

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