

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H4/11/03

A Bill

HOUSE BILL 2548

5 By: Representatives Ledbetter, Hathorn
6 By: Senators Wilkins, J. Jeffress
7

For An Act To Be Entitled

10 AN ACT TO REAPPORTION THE COURT OF APPEALS
11 DISTRICTS; AND FOR OTHER PURPOSES.
12

Subtitle

14 AN ACT TO REAPPORTION THE COURT OF
15 APPEALS DISTRICTS.
16
17

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

SECTION 1. Purpose.

21 (a) Under Act 889 of 1999, the Arkansas Court of Appeals Apportionment
22 Commission was created to review the electoral districts for the Court of
23 Appeals and make a recommendation on the changes to be made effective January
24 1, 2004. The commission has reviewed the current districts and the data from
25 the 2000 census, received input from judges, lawyers, and the general public,
26 and considered the requirements and restrictions of federal and state law.
27 Because of major shifts in population which have occurred since the current
28 districts were created utilizing the 1970 census, a realignment of these
29 districts is necessary.

30 (b) The Arkansas Court of Appeals consisted of six (6) judges when it
31 was first created. The number of members grew to nine (9) judges in 1996,
32 and to twelve (12) judges in 1997. However, when the new judgeships were
33 created, no plan was made to stagger the dates of the end of the terms for
34 each of the judges. As a result, the terms of eight (8) of the twelve (12)
35 judges end in 2004. In order to provide for an orderly transition of members
36 and create a reasonable level of stability on the court, it is necessary to



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1 adjust the current terms of office.

2 (c) It is the purpose of this act to create new electoral districts
3 for the Arkansas Court of Appeals and to establish the dates for electing the
4 judges within each of these districts.

5
6 SECTION 2. Court of Appeals Districts

7 The State of Arkansas is divided into the following seven (7) districts
8 for the election of judges to the Arkansas Court of Appeals:

9 (1) District 1 shall be composed of Clay, Craighead, Crittenden,
10 Cross, Greene, Lonoke, Mississippi, Monroe, Poinsett, Prairie, White and
11 Woodruff counties;

12 (2) District 2 shall be composed of Baxter, Boone, Cleburne,
13 Conway, Faulkner, Fulton, Independence, Izard, Jackson, Lawrence, Marion,
14 Newton, Pope, Randolph, Searcy, Sharp, Stone, and Van Buren counties;

15 (3) District 3 shall be composed of Benton, Carroll, Crawford,
16 Franklin, Johnson, Madison, and Washington counties;

17 (4) District 4 shall be composed of Clark, Garland, Hempstead,
18 Hot Spring, Howard, Little River, Logan, Miller, Montgomery, Pike, Polk,
19 Scott, Sebastian, Sevier, and Yell counties;

20 (5) District 5 shall be composed of Ashley, Bradley, Calhoun,
21 Cleveland, Columbia, Dallas, Drew, Grant, Lafayette, Lincoln, Nevada,
22 Ouachita, and Union counties;

23 (6) District 6 shall be composed of Pulaski, Perry and Saline
24 counties; and

25 (7) District 7 shall be composed of Arkansas, Chicot, Desha,
26 Jefferson, Lee, Phillips, and St. Francis counties.

27
28 SECTION 3. Court of Appeals Transition.

29 The elections under this section 3 shall be for an eight (8) year term
30 as follows:

31 (1) The judgeship currently designated as District 2, Position
32 2, shall continue to be designated District 2, Position 2 and shall be
33 subject to election in 2004 in District 2;.

34 (2) The judgeship currently designated as District 4, Position 1
35 shall continue to be designated District 4, position 1 and shall be subject
36 to election in 2004 in District 4;

1 (3) The judgeship currently designated as District 4, Position 2
2 shall continue to be designated District 4, Position 2 and shall be subject
3 to election in 2004 in District 4;

4 (4) The judgeship currently designated as District 5, Position 1
5 shall be designated District 5 judge and shall be subject to election in 2004
6 in District 5;

7 (5) The judgeship currently designated as District 3, Position 2
8 shall continue to be designated District 3, Position 2 and shall be subject
9 to election in 2006 in District 3;

10 (6) The judgeship currently designated as District 1, Position
11 2, shall be designated District 1, Position 1 and shall be subject to
12 election in 2006 in District 1;

13 (7) The judgeship currently designated District 5, Position 2
14 shall be designated District 1, Position 2 and shall be subject to election
15 in 2006 in District 1;

16 (8) The judgeship currently designated District 6, Position 2
17 shall continue to be designated District 6, Position 2 and shall be subject
18 to election in 2006 in District 6;

19 (9) The judgeship currently designated District 1, Position 1
20 shall be designated District 7 judge and shall be subject to election in 2008
21 in District 7;

22 (10) The judgeship currently designated District 6, Position 1
23 shall continue to be designated District 6, Position 1 and shall be subject
24 to election in 2008 in District 6;

25 (11) The judgeship currently designated District 2, Position 1
26 shall continue to be designated District 2, Position 1 and shall be subject
27 to election in 2010 in District 2; and

28 (12) The judgeship currently designated District 3, Position 1
29 shall continue to be designated District 3, Position 1 and shall be subject
30 to election in 2010 in District 3.

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32 SECTION 4. Each currently serving member of the Court of Appeals shall
33 continue in office until his or her position shall be subject to election, as
34 provided for under this act, regardless of the date otherwise set as the
35 expiration of his or her term, and regardless of any changes in the
36 geographical boundaries in the district from which he or she was elected.

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/s/ Ledbetter, et al