

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

A Bill

HOUSE BILL 2553

5 By: Representative Ledbetter
6
7

For An Act To Be Entitled

9 AN ACT TO REAPPORTION THE ELECTORAL DISTRICTS FOR
10 THE ARKANSAS COURT OF APPEALS; TO STAGGER THE
11 TERMS AND ELECTIONS FOR THE MEMBERS OF THE COURT
12 OF APPEALS; AND FOR OTHER PURPOSES.
13

Subtitle

14 TO REAPPORTION THE ARKANSAS COURT OF
15 APPEALS.
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18

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

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



1 and create a reasonable level of stability on the court, it is necessary to
 2 adjust the current terms of office.

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

6
 7 SECTION 2. Court of Appeals districts.

8 (a)(1) District 1 shall be composed of Clay, Greene, Craighead,
 9 Poinsett, White, Woodruff, Cross, Mississippi, Crittenden, St. Francis, Lee,
 10 Monroe, and Phillips counties.

11 (2) The judgeships currently designated as District 1, Positions
 12 1 and 2, shall continue to be designated as District 1, Positions 1 and 2.

13 (b)(1) District 2 shall be composed of Boone, Marion, Baxter, Fulton,
 14 Sharp, Randolph, Jackson, Lawrence, Independence, Izard, Stone, Searcy,
 15 Newton, Pope, Van Buren, Cleburne, Conway, and Faulkner counties.

16 (2) The judgeships currently designated as District 2, Positions
 17 1 and 2, shall continue to be designated as District 2, Positions 1 and 2.

18 (c)(1) District 3 shall be composed of Benton, Carroll, Washington,
 19 Madison, Crawford, Franklin, and Johnson counties.

20 (2) The judgeships currently designated as District 3, Positions
 21 1 and 2, shall continue to be designated as District 3, Positions 1 and 2.

22 (d)(1) District 4 shall be composed of Sebastian, Logan, Scott, Yell,
 23 Perry, Polk, Montgomery, Garland, Howard, Pike, Clark, Sevier, Little River,
 24 Miller, and Hot Spring counties.

25 (2) The judgeships currently designated as District 4, Positions
 26 1 and 2, shall continue to be designated as District 4, Positions 1 and 2.

27 (e)(1) District 5 shall be composed of Lonoke, Prairie, Grant,
 28 Jefferson, Arkansas, Dallas, Cleveland, Lincoln, Hempstead, Nevada, Ouachita,
 29 Calhoun, Bradley, Drew, Lafayette, Columbia, Union, Desha, Chicot, and Ashley
 30 counties.

31 (2) The judgeships currently designated as District 5, Positions
 32 1 and 2, shall continue to be designated as District 5, Positions 1 and 2.

33 (f)(1) District 6 shall be composed of Pulaski and Saline counties.

34 (2) The judgeships designated as District 6, Positions 1 and 2,
 35 shall continue to be designated as District 6, Positions 1 and 2.

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SECTION 3. Court of Appeals elections.

(a) The elections under this section 3 shall be for an eight (8) year term.

(b) The date of election for each of the twelve (12) positions of the Court of Appeals shall be staggered so that these positions shall be subject to election at each general election on the following schedule:

(1) The following positions as designated in section 2 of this act shall be subject to election in 2004:

- (A) District 2, Position 2;
- (B) District 4, Position 1;
- (C) District 4, Position 2; and
- (D) District 5, Position 1.

(2) The following positions as designated in section 2 of this act shall be subject to election in 2006:

- (A) District 1, Position 2;
- (B) District 3, Position 2;
- (C) District 5, Position 2; and
- (D) District 6, Position 2.

(3) The following positions as designated in section 2 of this act shall be subject to election in 2008:

- (A) District 1, Position 1; and
- (B) District 6, Position 1.

(4) The following positions as designated in section 2 of this act shall be subject to election in 2010:

- (A) District 2, Position 1; and
- (B) District 3, Position 1.

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