

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

A Bill

SENATE BILL 876

4
5 By: Senator Salmon
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For An Act To Be Entitled

8
9 AN ACT TO AUTHORIZE THE DEVELOPMENT OF CRITERIA
10 FOR THE REVIEW OF DISTRICT COURTS AND DISTRICT
11 COURT JUDGESHIPS; AND FOR OTHER PURPOSES.
12
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Subtitle

14
15 AN ACT TO AUTHORIZE THE DEVELOPMENT OF
16 CRITERIA FOR THE REVIEW OF DISTRICT
17 COURTS AND DISTRICT COURT JUDGESHIPS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. (a)(1) It is found by the General Assembly that one of the
24 primary underlying tenets of Amendment 80 to the Arkansas Constitution is to
25 consolidate the number and function of the courts of this state, as further
26 stated by the Arkansas Supreme Court in its Per Curium Opinion delivered
27 November 25, 2002.

28 (2) Undertaking this process will result in judicial economy and
29 will provide to the people of Arkansas a fair system for the efficient
30 administration of justice in the state's courts of limited jurisdiction.

31 (b) The General Assembly recognizes that the streamlining of courts
32 requires a review of existing courts and judgeships to determine whether a
33 court or judgeship should be altered.

34 (c) It is the intent of this act to authorize the Arkansas District
35 Judges Council, Inc., upon the resignation, retirement, death, or the
36 election to another judicial office of the current district judge, to



1 recommend the reorganization, consolidation, abolition, or continuation of
2 the district court or judgeship.

3 (d) The appointment to fill an unexpired term of a district judge or
4 the election to office to fill a new four-year term shall not negate a
5 mandatory review of the court by the council.

6 (e) The council shall develop criteria for the review of district
7 court judgeships or redistricting of the district court districts of this
8 state and make recommendations to the regular or special sessions of the
9 General Assembly regarding the number and boundaries of the district court
10 districts in the state, the number and types of judges in each of the
11 districts, and other matters regarding district courts in the state as it
12 determines to be appropriate, taking into consideration the Per Curium
13 Opinion of the Supreme Court delivered November 25, 2002.

14 (f) In establishing district court districts of this state, the
15 council shall take into consideration caseload, geographic area to be served
16 by the respective district courts, and other matters as the council
17 determines to be appropriate.

18 (g) The council shall meet on or before November 1 of each even-
19 numbered year to finalize the recommendations as to whether there should be
20 any redistricting of the district courts, or whether any district courts or
21 district court judgeships should be reorganized, consolidated, or abolished
22 during the next regular session of the General Assembly.

23 (h) All bills introduced in either house of the General Assembly to
24 change any of the existing district court districts through redistricting,
25 reorganizing, consolidating, or abolishing judgeships shall be referred to
26 the Senate Judiciary Committee if the bill is filed in the Senate, or the
27 House Judiciary Committee if the bill is filed in the House of
28 Representatives.

29 (i) The Senate Committee on Judiciary and the House Committee on
30 Judiciary shall request a letter from the council certifying whether or not
31 the proposed change in any district court district or judgeship meets the
32 criteria of the council which shall be certified by the secretary-treasurer
33 of the council.

34 (j)(1) No bill to change any of the existing district court districts
35 through redistricting or by reorganizing, consolidating, or abolishing
36 judgeships shall be acted upon in either committee until a letter from the

1 council addressing the proposed change, and whether it meets the criteria as
2 established by the council, has been received.

3 (2) Upon a vote of two-thirds (2/3rds) of the House or Senate, a
4 bill may be withdrawn from the Senate Committee on Judiciary or the House
5 Committee on Judiciary, respectively, and acted upon without the letter of
6 the council.

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