

District Court Resource Assessment

A.C.A. §16-17-1001 through A.C.A. §16-17-1003

16-17-1001. Legislative findings.

The General Assembly finds that:

- (1) The goal expressed by Arkansas citizens with the adoption of Amendment 80 to the Arkansas Constitution was the creation of a three-tiered, unified court system;
- (2) The current structure of limited jurisdiction courts consists of a combination of full-time and part-time district and city court judges funded by city and county governments;
- (3) Based on availability of local resources, the cumulative effect of the creation and funding of those courts by local governments has been an unequal level of access to and an inequitable distribution of judicial services to communities;
- (4) While Amendment 80 does not require the state to fund the district court system, there is a state interest in providing a more uniform level of judicial resources to all citizens of the state;
- (5) Because the current system of limited jurisdiction courts is not uniform, it is contrary to the interest of the state to merely shift the funding of the system from local government to state government without addressing the district court system's structure;
- (6) A way of addressing the shortage of resources for circuit courts in some areas of the state is the expansion of the jurisdiction of the district court, which will shift cases from the circuit court to the district court and reduce expenses for the state;
- (7) A state-funded district court system should include an analysis by the state that furthers the goal of a unified and equitable system for the delivery of judicial services; and
- (8) It is the intent of this subchapter to begin that analysis process by establishing a pilot program that creates a limited number of state-funded district court judgeships and a process for the study and consideration of establishing additional district courts in the future.

History

[Acts 2007, No. 663, § 1.](#)

16-17-1002. District Court Resource Assessment Board.

(a) There is created the District Court Resource Assessment Board.

(b)

(1) The board shall consist of eleven (11) members appointed as follows:

(A) Two (2) members of the Senate appointed by the Chair of the Senate Committee on Judiciary;

(B) Two (2) members of the House of Representatives appointed by the Chair of the House Committee on Judiciary; and

(C) Seven (7) members appointed by the Supreme Court as follows:

(i) Two (2) members of the Arkansas District Judges Council;

(ii) One (1) member of the Association of Arkansas Counties;

(iii) One (1) member of the Arkansas Municipal League;

(iv) One (1) Justice of the Supreme Court;

(v) One (1) member of the Arkansas Bar Association who is engaged in the full-time private practice of law; and

(vi) One (1) circuit judge.

(2) The board shall have three (3) ex officio members who shall serve as nonvoting members:

(A) The Chair of the Senate Committee on Judiciary or his or her designee;

(B) The Chair of the House Committee on Judiciary or his or her designee; and

(C) The Attorney General or his or her designee.

(3)

(A) Each member of the board shall serve a term of four (4) years.

(B) However, the initial board members shall serve terms to be determined by lot so that:

(i) Two (2) members serve an initial term of one (1) year;

(ii) Three (3) members serve an initial term of two (2) years;

(iii) Three (3) members serve an initial term of three (3) years; and

(iv) Three (3) members serve an initial term of four (4) years.

(C) A member may be reappointed successively for one (1) four-year term.

(4) If a vacancy occurs on the board, the original appointing authority shall appoint a successor to serve the remainder of the unexpired term.

(5) The board shall elect annually one (1) member to serve as chair and one (1) member to serve as secretary.

(6) The board shall meet:

(A) Initially whenever called by the Supreme Court;

(B) On or before the first Tuesday of the December before each regular session of the General Assembly to consider making a recommendation to the General Assembly for:

(i) The creation and placement of new state-funded district court judgeships;

(ii) Any redistricting of the district courts; and

(iii) The reorganization, consolidation, abolition, or creation of any district court or district court judgeship;

(C) Upon the end of the term, resignation, retirement, death, or election to another judicial office of any district judge to:

(i) Recommend the reorganization, consolidation, abolition, or continuation of that district court judgeship to the General Assembly; and

(ii)

(a) Evaluate the status of the vacated district court judgeship and make a recommendation to the General Assembly before the next regular session, fiscal session, or special session or during a current session.

(b) An appointment or election to fill a vacant district court judgeship does not affect the mandatory evaluation required by subdivision (b)(6)(C)(ii)(a) of this section; and

(D) Upon the call of the chair or a majority of the board.

(7) Six (6) members of the board is a quorum for the transaction of business.

(8) Members of the board shall serve without pay, but may be reimbursed for expenses under [§ 25-16-902](#).

History

[Acts 2007, No. 663, § 1](#); [2009, No. 962, § 35](#).

16-17-1003. Duties of the District Court Resource Assessment Board.

The District Court Resource Assessment Board shall recommend to the General Assembly at each regular session:

- (1) Criteria for the creation and placement of full-time, state-funded district court judgeships;
- (2) Revisions of current district court judgeships or the redistricting of the district court districts of this state after considering:
 - (A) The caseload and the geographic area of the district court district;
 - (B) The November 25, 2002, per curiam opinion of the Supreme Court; and
 - (C) Any other matter the board determines to be appropriate; and
- (3) The number and placement of full-time, state-funded district court judgeships.

History

[Acts 2007, No. 663, § 1.](#)

State District Courts

A.C.A. §16-17-1101 through A.C.A. §16-17-1116

16-17-1101. Legislative findings.

The General Assembly finds that:

- (1) The goal expressed by Arkansas citizens with the adoption of Amendment 80 to the Arkansas Constitution was the creation of a three-tiered unified court system;
- (2) The current structure of limited jurisdiction courts consists of a combination of full-time and part-time district and city courts funded by city and county governments;
- (3) Based on availability of local resources, the cumulative effect of the creation and funding of those courts by local governments has been an unequal level of access to and an inequitable distribution of judicial services to communities;
- (4) While Amendment 80 to the Arkansas Constitution does not require the state to fund the district court system, there is a state interest in providing a more uniform level of judicial resources to all citizens of the state;
- (5) Because the current system of limited jurisdiction courts is not uniform, it is contrary to the interest of the state to merely shift the funding of the system from local government to state government without addressing the structure of the district court system;
- (6) A way of addressing the shortage of resources for circuit courts in some areas of the state is the expansion of the jurisdiction of the district court which will shift cases from circuit court to district court and reduce expenses for the state;
- (7) A state-funded system should include an analysis by the state that furthers the goal of a unified and equitable system for the delivery of judicial services;
- (8) The District Court Resource Assessment Board, created in [§ 16-17-1001](#) et seq., has studied the effectiveness of the state's creation of pilot district courts and found that they are successful in creating a more uniform and equitable judicial system, reducing the number of district and city court judges, maintaining the level of service to the communities served by district and city courts, allowing the shift of cases from circuit to district courts, decreasing the number of conflicts requiring the appointment of special judges, and improving public access to the court system;
- (9) The state should continue the incremental creation of state district courts served by full-time judges and designate geographic districts that have sufficient caseloads to justify a full-time judge until the system is implemented and operating statewide on January 1, 2017; and

(10) For purposes of the program, cities and counties should keep one hundred percent (100%) of all their current revenue from fines and costs with the exception of the adjustment from the cost-sharing formula.

History

[Acts 2007, No. 663, § 2](#); [2011, No. 1219, § 1](#).

16-17-1102. Definitions.

As used in this subchapter:

- (1) “Department” means the physical location where sessions of court are held;
- (2) “District” means the geographical area in which a state district court may exercise jurisdiction and from which a state district court judge is elected;
- (3) “Division” means the designation of the judicial positions for case management or election purposes and does not refer to “subject matter divisions” under Arkansas Constitution, Amendment 80, § 7;
- (4) “Local district court” includes a department of a district court;
- (5)
 - (A) “State district court” means a district court that is created by this subchapter and has:
 - (i) Criminal jurisdiction, as established by the General Assembly; and
 - (ii) Civil jurisdiction, as established by the Supreme Court.
 - (B) “State district court” includes a department of a state district court; and
- (6) “State district court judge” means a full-time judge:
 - (A) Whose salary is paid by the state;
 - (B) Who is not engaged in the private practice of law; and
 - (C) Who is available for work in circuit court under rules adopted by the Supreme Court.

History

[Acts 2007, No. 663, § 2](#); [2011, No. 1219, § 2](#).

16-17-1103. [Repealed.]

16-17-1104. State district court judges – Salaries.

(a) The judges who are appointed or elected to serve the courts created under this subchapter are state district court judges.

(b) The salaries of the state district court judges are uniform and shall be paid with moneys appropriated from the Constitutional Officers Fund, [§ 19-5-205](#), by the General Assembly.

History

[Acts 2007, No. 663, § 2](#); [2009, No. 345, § 4](#); [2011, No. 1219, § 4](#).

16-17-1105. [Repealed.]

16-17-1106. Salary of state district court judges – Cost-sharing.

(a) The state shall pay the salary and benefits of state district court judges created under this subchapter.

(b)

(1)

 (A) Each county and town or city in a district in which a state district court judgeship is created under this subchapter shall pay to the state an amount equal to its proportionate share of one-half ($\frac{1}{2}$) of the base salary established by law for state fiscal year 2009 for that district's state district court judge.

(B)

(i) The proportionate share is calculated as follows:

(a) Determine the sum total of the base salary paid by each county and town or city in a district to that county and town or city's district court judge or city court judge for the calendar year immediately preceding the creation of the state district court judgeship; and

(b) Determine the proportion of the base salary of each county and town or city to the sum total base salary of the district.

(ii) Each county and town or city shall pay to the state its proportionate share as determined in subdivision (b)(1)(B)(i)(a) of this section of one-half ($\frac{1}{2}$) of the base salary established by law for state fiscal year 2009 for each state district court judge in the district at the time the county and town or city had a state district court judgeship created.

(C) On a form provided by the Administration of Justice Funds Section, each county and town or city in a district shall certify annually on or before October 31 the amount to be paid to the state for its share of one-half ($\frac{1}{2}$) of the salary as determined in this section for that district's state district court judge.

(2)

(A) This section does not prohibit a county and town or city in a district in which a state district court judgeship is created under this subchapter from agreeing in writing on the amount to be paid to the state by the county and the town or city for its proportionate share of one-half ($\frac{1}{2}$) of the salary as determined in this section for that district's state district court judge.

(B) If a written agreement is reached under subdivision (b)(2)(A) of this section, the county and town or city shall submit on or before October 31 a copy of that written agreement to the Administration of Justice Funds Section.

(c) The amount of the state district court judge's salary initially paid by the county and the town or city in a district and annually afterwards shall be the amount determined under subsection (b) of this section.

(d)

(1) Beginning with its annual meeting of 2011, the quorum court in each county in a district in which a state district court judgeship is created under this subchapter and the council in each town or city in a district in which a state district court judgeship is created under this subchapter shall appropriate annually from its general revenues an amount sufficient to pay its share of the state district court judgeship salary allocated to it under subsection (b) of this section.

(2) The duty under subdivision (d)(1) of this section may be enforced in a court of competent jurisdiction.

(e) On or before December 15, 2011, and annually afterwards, the Administration of Justice Funds Section shall certify to the county and the town or city in each district the amount of its share of one-half ($\frac{1}{2}$) of the base salary established under subsection (b) of this section.

(f) On or before January 15, 2012, and annually afterwards, the county and the town or city shall remit to the Administration of Justice Funds Section for deposit into the Constitutional Officers Fund the sum necessary to fund its share of the base salary allocated to it under subsection (e) of this section.

History

[Acts 2007, No. 663, §2](#); [2011, No. 1219, § 5](#).

16-17-1107. Salary of judges serving city or county.

This subchapter shall not in any way limit the power and authority of local district courts currently existing. Except for the state district court judgeships created under this subchapter, a judge serving in another full-time or part-time local district court position shall continue to be an employee of the cities or counties, or both, that he or she serves and shall be paid according to state law.

History

[Acts 2007, No. 663, § 2](#); [2011, No. 1219, § 6](#).

16-17-1108. Travel expense reimbursement.

(a) From the appropriation provided for the expenses of state district court judges, a state district court judge is authorized to be reimbursed for those travel expenses at the rate as authorized for state employees and for mileage at the rate established in the state travel rules for state employees while traveling within the state in the performance of official duties.

(b) When a state or local district judge is appointed by the Chief Justice to hear a case or cases in a jurisdiction outside that in which he or she is elected, the judge shall be entitled to reimbursement for travel expenses and mileage as provided in subsection (a) of this section.

History

[Acts 2009, No. 345, § 6](#); [2011, No. 274, § 8](#); [2011, No. 1219, § 7](#); [2019, No. 315, § 1298](#).

16-17-1109. Jurisdiction.

(a)

(1) State district courts are courts of limited jurisdiction with criminal jurisdiction as defined by the General Assembly and by Arkansas Constitution, Amendment 80, § 7, and civil jurisdiction as defined by the Supreme Court.

(2) State district courts may be given greater criminal and civil jurisdiction than that provided for local district courts, subject to the provisions of Arkansas Constitution, Amendment 80, §§ 7 and 10.

(b) Under rules prescribed by the Supreme Court, a state district court judge may hear cases filed in the circuit court that arise within the territorial jurisdiction of the state district court judge.

(c)

(1) Under rules prescribed by the Supreme Court, a state district court judge may be assigned by the Chief Justice to hear cases outside the territorial jurisdiction of the court.

(2) When assigned, the state district court judge is entitled to the reimbursement of travel expenses under [§ 16-17-1108](#).

History

[Acts 2011, No. 1219, § 8.](#)

16-17-1110. Organization and designation.

The following state district courts shall be organized and designated in numbered judicial districts as follows:

(1)

(A) The First District is composed of Benton County.

(B) The First District has thirteen (13) departments as follows:

(i) One (1) located in Rogers;

(ii) One (1) located in Bentonville;

(iii) One (1) located in Siloam Springs;

(iv) One (1) located in Gentry;

(v) One (1) located in Decatur;

(vi) One (1) located in Cave Springs;

(vii) One (1) located in Centerton;

(viii) One (1) located in Gravette;

(ix) One (1) located in Little Flock;

(x) One (1) located in Lowell;

(xi) One (1) located in Pea Ridge;

(xii) One (1) located in Sulphur Springs; and

(xiii) One (1) located in Bella Vista.

(C)

(i) The district is served by four (4) state district court judges.

(ii) One (1) judgeship shall be designated as Division 1.

(iii) One (1) judgeship shall be designated as Division 2.

(iv) One (1) judgeship shall be designated as Division 3.

(v) One (1) judgeship shall be designated as Division 4.

(D) The assignment of judges to departments under subdivision (1)(B) of this section is determined by the mutual agreement of the state district court judges.

(E) For the purpose of venue, the district court boundaries in Benton County are as follows:

(i) Division 1 – Rogers District Court:

(a) All of District 94, District 95, and District 96 of the House of Representatives as drawn by The Board of Apportionment in 2002;

(b) That part of District 98 of the House of Representatives as drawn by The Board of Apportionment in 2002 that is in Benton County Quorum Court District 1 as established by the Benton County Election Commission;

(c) That part of Benton County Quorum Court District 6 as established by the Benton County Election Commission that is in District 96 and District 98 of the

House of Representatives as drawn by The Board of Apportionment in 2002; and

(d) All of precinct 43, precinct 44, and precinct 49 as they existed on January 1, 2011;

(ii) Division 2 – Bentonville District Court:

(a) All of District 7, District 8, District 9, and District 10 except for the now-existing precinct 22, of the Benton County Quorum Court as established by the Benton County Election Commission;

(b) All of District 99 of the House of Representatives as drawn by The Board of Apportionment in 2002 except for the now-existing precinct 43, precinct 44, and precinct 49; and

(c) All of precinct 45 as it existed on January 1, 2011;

(iii) Division 3 – Siloam Springs District Court:

(a) All of District 97 of the House of Representatives as drawn by The Board of Apportionment in 2002; and

(b) All of precinct 7, precinct 14, precinct 16, and precinct 17 as they existed on January 1, 2011; and

(iv) Division 4 – Benton County West District Court:

(a) All of Benton County Quorum Court District 11 as established by the Benton County Election Commission; and

(b) All of precinct 6, precinct 15, precinct 18, precinct 19, and precinct 22 as they existed on January 1, 2011.

(F) The First District judges are elected districtwide.

(G) The First District court has districtwide jurisdiction;

(2)

(A) The Second District shall be composed of Washington County and the city limits of Springdale that extend into Benton County.

(B) The Second District shall have ten (10) departments as follows:

(i) One (1) located in Springdale;

(ii) One (1) located in Elm Springs;

(iii) One (1) located in Johnson;

(iv) One (1) located in Fayetteville;

(v) One (1) located in Elkins;

(vi) One (1) located in West Fork;

(vii) One (1) located in Greenland;

(viii) One (1) located in Prairie Grove;

(ix) One (1) located in Lincoln; and

(x) One (1) located in Farmington.

(C) The Second District shall be served by four (4) state district court judges:

- (i) One (1) judgeship shall be designated as Division 1;
 - (ii) One (1) judgeship shall be designated as Division 2;
 - (iii) One (1) judgeship shall be designated as Division 3; and
 - (iv) One (1) judgeship shall be designated as Division 4.
- (D) The presiding judge of the departments under subdivision (2)(B) of this section shall be determined by the mutual agreement of the state district court judges of the Second District.
- (E) The Second District judges shall be elected districtwide.
- (F) The Second District court shall have districtwide jurisdiction;
- (3)
- (A) The Third District shall be composed of Carroll County and Madison County.
- (B) The Third District shall have four (4) departments as follows:
- (i) One (1) located in Berryville;
 - (ii) One (1) located in Eureka Springs;
 - (iii) One (1) located in Huntsville; and
 - (iv) One (1) located in Green Forest.
- (C) The Third District shall be served by one (1) state district court judge.
- (D) The Third District judge shall be elected districtwide.
- (E) The Third District court shall have districtwide jurisdiction;
- (4)
- (A) The Fourth District shall be composed of Boone County, the City of Alpena in Carroll County, Newton County, and Searcy County.
- (B) The Fourth District has four (4) departments as follows:
- (i) One (1) located in Alpena;
 - (ii) One (1) located in Harrison;
 - (iii) One (1) located in Marshall; and
 - (iv) One (1) located in Jasper.
- (C) The Fourth District is served by one (1) state district court judge.
- (D) The Fourth District judge is elected districtwide.
- (E) The Fourth District court has districtwide jurisdiction;
- (5)
- (A) The Fifth District shall be composed of Crawford County.
- (B) The Fifth District shall have five (5) departments as follows:
- (i) One (1) located in Van Buren;
 - (ii) One (1) located in Mountainburg;
 - (iii) One (1) located in Alma;
 - (iv) One (1) located in Mulberry; and
 - (v) One (1) located in Dyer.

(C) The Fifth District shall be served by one (1) state district court judge.

(D) The Fifth District judge shall be elected districtwide.

(E) The Fifth District court shall have districtwide jurisdiction;

(6)

(A) The Sixth District is composed of the Greenwood District of Sebastian County and the Fort Smith District of Sebastian County.

(B) The Greenwood District of Sebastian County has one (1) district court with one (1) judge and three (3) departments as follows:

(i) One (1) located in Greenwood;

(ii) One (1) located in Barling; and

(iii) One (1) located in Central City.

(C)

(i) The Fort Smith District of Sebastian County has one (1) district court with three (3) departments and one (1) judge for each department.

(ii) One (1) judgeship shall be designated Division 1.

(iii) One (1) judgeship shall be designated Division 2.

(iv) One (1) judgeship shall be designated Division 3.

(D) The assignment of judges to departments under subdivision (6)(C) of this section is determined by the mutual agreement of the state district court judges of the Sixth District.

(E) The judge of any district court in Sebastian County shall be elected by the electors of the judicial district in which the court is located.

(F) The jurisdiction of the district courts in Sebastian County shall be limited to the judicial district in which the court is located;

(7)

(A) The Eighth District is composed of Pope County.

(B) The Eighth District has five (5) departments as follows:

(i) One (1) located in Russellville;

(ii) One (1) located in Atkins;

(iii) One (1) located in Dover;

(iv) One (1) located in London; and

(v) One (1) located in Pottsville.

(C) The Eighth District is served by one (1) state district court judge.

(D) The Eighth District judge is elected districtwide.

(E) The Eighth District court has districtwide jurisdiction;

(8)

(A) The Ninth District shall be composed of Faulkner County and Van Buren County.

(B) The Ninth District shall have seven (7) departments as follows:

- (i)** One (1) located in Conway;
 - (ii)** One (1) located in Greenbrier;
 - (iii)** One (1) located in Guy;
 - (iv)** One (1) located in Mayflower;
 - (v)** One (1) located in Vilonia;
 - (vi)** One (1) located in Clinton; and
 - (vii)** One (1) located in Damascus.
- (C)** The Ninth District shall be served by two (2) state district court judges:
- (i)** One (1) judgeship shall be designated as Division 1; and
 - (ii)** One (1) judgeship shall be designated as Division 2.
- (D)** The assignment of judges to departments under subdivision (8)(B) of this section shall be determined by the mutual agreement of the state district court judges of the Ninth District.
- (E)** The Ninth District judges shall be elected districtwide.
- (F)** The Ninth District court shall have districtwide jurisdiction;
- (9)**
- (A)** The Tenth District is composed of Baxter County and Marion County.
- (B)** The Tenth District has ten (10) departments as follows:
- (i)** One (1) located in Briarcliff;
 - (ii)** One (1) located in Cotter;
 - (iii)** One (1) located in Gassville;
 - (iv)** One (1) located in Lakeview;
 - (v)** One (1) located in Mountain Home;
 - (vi)** One (1) located in Norfolk;
 - (vii)** One (1) located in Salesville;
 - (viii)** One (1) located in Yellville;
 - (ix)** One (1) located in Bull Shoals; and
 - (x)** One (1) located in Flippin.
- (C)** The Tenth District is served by one (1) state district court judge.
- (D)** The Tenth District judge is elected districtwide.
- (E)** The Tenth District court has districtwide jurisdiction;
- (10)**
- (A)** The Thirteenth District is composed of Cleburne County.
- (B)** The Thirteenth District has four (4) departments as follows:
- (i)** One (1) located in Heber Springs;
 - (ii)** One (1) located in Greers Ferry;
 - (iii)** One (1) located in Concord; and
 - (iv)** One (1) located in Quitman.
- (C)** The Thirteenth District is served by one (1) state district court judge.

(D) The Thirteenth District judge is elected districtwide.
(E) The Thirteenth District court has districtwide jurisdiction.
(F) Court costs in the Cleburne County District Court –
Quitman Department shall be allocated as described in § 16-10-604(d)(1)(A);
(11)

(A) The Fourteenth District is composed of Independence County.
(B) The Fourteenth District has one (1) department located in Batesville.
(C) The Fourteenth District is served by one (1) state district court judge.
(D) The Fourteenth District judge is elected districtwide.
(E) The Fourteenth District court has districtwide jurisdiction;
(12)

(A) The Seventeenth District is composed of Greene County.
(B) The Seventeenth District has two (2) departments as follows:
(i) One (1) located in Paragould; and
(ii) One (1) located in Marmaduke.
(C) The Seventeenth District is served by one (1) state district court judge.
(D) The Seventeenth District judge is elected districtwide.
(E) The Seventeenth District court has districtwide jurisdiction;
(13)

(A) The Eighteenth District shall be composed of the Chickasawba District and the Osceola District in Mississippi County.
(B) The Eighteenth District has five (5) departments in the Chickasawba District as follows:
(i) One (1) located in Blytheville;
(ii) One (1) located in Manila;
(iii) One (1) located in Leachville;
(iv) One (1) located in Gosnell; and
(v) One (1) located in Dell.
(C) The Eighteenth District has one (1) department located in Osceola in the Osceola District.
(D) The Eighteenth District is served by two (2) state district court judges, with one (1) elected from the Chickasawba District and one (1) elected from the Osceola District.
(E) Each district court within the Eighteenth District only has jurisdiction within each of the district court's respective districts;
(14)

(A) The Nineteenth District shall be composed of Craighead County.
(B) The Nineteenth District shall have two (2) departments as follows:
(i) One (1) department located in Jonesboro; and

(ii) One (1) department located in Lake City.

(C) The Nineteenth District shall be served by two (2) state district court judges:

(i) One (1) judgeship shall be designated as Division 1; and

(ii) One (1) judgeship shall be designated as Division 2.

(D) The assignment of judges to departments under subdivision (14)(B) of this section shall be determined by the mutual agreement of the state district court judges of the Nineteenth District.

(E) The Nineteenth District judges shall be elected districtwide.

(F) The Nineteenth District court shall have districtwide jurisdiction;

(15)

(A) The Twentieth District is composed of Poinsett County.

(B) The Twentieth District has five (5) departments as follows:

(i) One (1) located in Marked Tree;

(ii) One (1) located in Trumann;

(iii) One (1) located in Tyronza;

(iv) One (1) located in Lepanto; and

(v) One (1) located in Harrisburg.

(C) The Twentieth District is served by one (1) state district court judge.

(D) The Twentieth District judge is elected districtwide.

(E) The Twentieth District court has districtwide jurisdiction;

(16)

(A) The Twenty-First District shall be composed of Crittenden County.

(B) The Twenty-First District shall have six (6) departments as follows:

(i) One (1) located in Earle;

(ii) One (1) located in Gilmore;

(iii) One (1) located in Jericho;

(iv) One (1) located in Marion;

(v) One (1) located in Turrell; and

(vi) One (1) located in West Memphis.

(C) The Twenty-First District shall be served by one (1) state district court judge.

(D) The Twenty-First District judge shall be elected districtwide.

(E) The Twenty-First District court shall have districtwide jurisdiction;

(17)

(A) The Twenty-Second District shall be composed of Lee County and Phillips County.

(B) The Twenty-Second District shall have five (5) departments as follows:

(i) One (1) located in Marianna;

(ii) One (1) located in Helena-West Helena;

(iii) One (1) located in Lake View;

(iv) One (1) located in Elaine; and

(v) One (1) located in Marvell.

(C) The Twenty-Second District shall be served by one (1) state district court judge.

(D) The Twenty-Second District judge shall be elected districtwide.

(E) The Twenty-Second District court shall have districtwide jurisdiction;

(18)

(A) The Twenty-Third District shall be composed of White County and Prairie County.

(B) The Twenty-Third District shall have thirteen (13) departments as follows:

(i) One (1) located in Beebe;

(ii) One (1) located in Searcy;

(iii) One (1) located in Bald Knob;

(iv) One (1) located in Bradford;

(v) One (1) located in Judsonia;

(vi) One (1) located in McRae;

(vii) One (1) located in Kensett;

(viii) One (1) located in Pangburn;

(ix) One (1) located in Rose Bud;

(x) One (1) located in Des Arc;

(xi) One (1) located in Hazen;

(xii) One (1) located in Biscoe; and

(xiii) One (1) located in De Valls Bluff.

(C) The Twenty-Third District shall be served by two (2) state district court judges:

(i) One (1) judgeship shall be designated as Division 1; and

(ii) One (1) judgeship shall be designated as Division 2.

(D) The assignment of judges to departments under subdivision (18)(B) of this section shall be determined by the mutual agreement of the state district court judges of the Twenty-Third District.

(E) The Twenty-Third District judges shall be elected districtwide.

(F) The Twenty-Third District court shall have districtwide jurisdiction;

(19)

(A) The Twenty-Fifth District is composed of St. Francis County.

(B) The Twenty-Fifth District has three (3) departments as follows:

(i) One (1) located in Forrest City;

(ii) One (1) located in Madison; and

(iii) One (1) located in Palestine.

(C) The Twenty-Fifth District is served by two (2) state district court judges.

(D) The Twenty-Fifth District judges are elected districtwide.

(E) The Twenty-Fifth District courts have districtwide jurisdiction;

(20)

(A) The Twenty-Sixth District shall be composed of Ashley County.

(B) The Twenty-Sixth District shall have two (2) departments as follows:

(i) One (1) located in Crossett; and

(ii) One (1) located in Hamburg.

(C) The Twenty-Sixth District shall be served by one (1) state district court judge.

(D) The Twenty-Sixth District judge shall be elected districtwide.

(E) The Twenty-Sixth District court shall have districtwide jurisdiction;

(21)

(A) The Twenty-Seventh District shall be composed of Desha County and Chicot County.

(B) The Twenty-Seventh District shall have five (5) departments as follows:

(i) One (1) located in Dermott;

(ii) One (1) located in Eudora;

(iii) One (1) located in Lake Village;

(iv) One (1) located in Dumas; and

(v) One (1) located in McGehee.

(C) The Twenty-Seventh District shall be served by one (1) state district court judge.

(D) The Twenty-Seventh District judge shall be elected districtwide.

(E) The Twenty-Seventh District court shall have districtwide jurisdiction;

(22)

(A) The Twenty-Eighth District shall be composed of Bradley County and Drew County.

(B) The Twenty-Eighth District shall have two (2) departments as follows:

(i) One (1) located in Monticello; and

(ii) One (1) located in Warren.

(C) The Twenty-Eighth District shall be served by one (1) state district court judge.

(D) The Twenty-Eighth District judge shall be elected districtwide.

(E) The Twenty-Eighth District court shall have districtwide jurisdiction;

(23)

(A) The Twenty-Ninth District shall be composed of Jefferson County and Lincoln County.

(B) The Twenty-Ninth District shall have nine (9) departments as follows:

- (i)** One (1) located in Pine Bluff;
- (ii)** One (1) located in Altheimer;
- (iii)** One (1) located in Humphrey;
- (iv)** One (1) located in White Hall;
- (v)** One (1) located in Wabbaseka;
- (vi)** One (1) located in Redfield;
- (vii)** One (1) located in Star City;
- (viii)** One (1) located in Grady; and
- (ix)** One (1) located in Gould.

(C) The Twenty-Ninth District shall be served by three (3) state district court judges:

- (i)** One (1) judgeship shall be designated as Division 1;
- (ii)** One (1) judgeship shall be designated as Division 2; and
- (iii)** One (1) judgeship shall be designated as Division 3.

(D) The assignment of judges to departments under subdivision (23)(B) of this section shall be determined by the mutual agreement of the state's district court judges of the Twenty-Ninth District.

(E) The Twenty-Ninth District judge shall be elected districtwide.

(F) The Twenty-Ninth District court shall have districtwide jurisdiction;

(24)

(A) The Thirty-First District is composed of Pulaski County.

(B) The Thirty-First District shall have eleven (11) departments that shall be served by eight (8) state district judges. All the following judges shall be elected districtwide and shall have districtwide territorial jurisdiction:

(i) The Jacksonville District Court and the Maumelle District Court shall be served by one (1) judge;

(ii) The Little Rock District Court – First Division shall be served by one (1) judge;

(iii) The Little Rock District Court – Second Division shall be served by one (1) judge;

(iv) The Little Rock District Court – Third Division, the Wrightsville District Court, and the Cammack Village District Court shall be served by one (1) judge;

(v) The North Little Rock District Court – First Division shall be served by one (1) judge;

(vi) The North Little Rock District Court – Second Division shall be served by one (1) judge;

(vii) The Pulaski County District Court shall be served by one (1) judge; and

(viii) The Sherwood District Court shall be served by one (1) judge.

(C)

(i) Any judge serving as a local district judge in the Thirty-First District whose base annual salary is paid by a city and whose base annual salary is more than the annual salary paid to a state district judge, upon becoming a state district judge, shall continue to be paid by the city the differential amount between his or her annual salary as of December 31, 2016, and the annual salary established by the state for a state district judge.

(ii) The differential amount as calculated as of December 31, 2016, shall continue as long as the judge continues to serve as a state district judge.

(iii) Upon leaving office of state district court judge, by retirement or otherwise, his or her successor shall be paid only the salary established for a state district judge without regard to the differential amount provided for in this section;

(25)

(A) The Thirty-Second District is composed of Saline County and the City of Alexander in Pulaski County.

(B) The Thirty-Second District has six (6) departments as follows:

(i) One (1) located in Benton;

(ii) One (1) located in Bryant;

(iii) One (1) located in Alexander;

(iv) One (1) located in Bauxite;

(v) One (1) located in Haskell; and

(vi) One (1) located in Shannon Hills.

(C)

(i) The Thirty-Second District is served by two (2) state district court judges.

(ii) One (1) judgeship shall be designated as Division 1.

(iii) One (1) judgeship shall be designated as Division 2.

(D) The assignment of judges to departments under subdivision (25)(B) of this section is determined by the mutual agreement of the state district court judges in the Thirty-Second District.

(E) The Thirty-Second District judges are elected districtwide.

(F) The Thirty-Second District court has districtwide jurisdiction;

(26)

(A) The Thirty-Third District shall be composed of Grant County and Hot Spring County.

(B) The Thirty-Third District shall have three (3) departments as follows:

(i) One (1) located in Sheridan;

(ii) One (1) located in Malvern; and

(iii) One (1) located in Rockport.

(C) The Thirty-Third District shall be served by one (1) state district court judge.

(D) The Thirty-Third District judge shall be elected districtwide.

(E) The Thirty-Third District court shall have districtwide jurisdiction;
(27)

(A) The Thirty-Fourth District shall be composed of Calhoun County, Cleveland County, and Dallas County.

(B) The Thirty-Fourth District shall have four (4) departments as follows:

(i) One (1) located in Hampton;

(ii) One (1) located in Rison;

(iii) One (1) located in Fordyce; and

(iv) One (1) located in Sparkman.

(C) The Thirty-Fourth District shall be served by one (1) state district court judge.

(D) The Thirty-Fourth District judge shall be elected districtwide.

(E) The Thirty-Fourth District court shall have districtwide jurisdiction;
(28)

(A) The Thirty-Fifth District is composed of Union County.

(B) The Thirty-Fifth District has one (1) department located in El Dorado and one (1) state district court judge.

(C) The Thirty-Fifth District judge is elected districtwide.

(D) The Thirty-Fifth District court has districtwide jurisdiction;
(29)

(A) The Thirty-Seventh District is composed of Miller County and Lafayette County.

(B) The Thirty-Seventh District has five (5) departments as follows:

(i) One (1) located in Lewisville;

(ii) One (1) located in Bradley;

(iii) One (1) located in Stamps; and

(iv) Two (2) located in Texarkana.

(C) The Thirty-Seventh District is served by one (1) state district court judge.

(D) The Thirty-Seventh District judge is elected districtwide.

(E) The Thirty-Seventh District court has districtwide jurisdiction;
(30)

(A) The Thirty-Eighth District shall be composed of Hempstead County and Nevada County.

(B) The Thirty-Eighth District shall have two (2) departments as follows:

(i) One (1) located in Hope; and

(ii) One (1) located in Prescott.

(C) The Thirty-Eighth District shall be served by one (1) state district court judge.

(D) The Thirty-Eighth District judge shall be elected districtwide.

(E) The Thirty-Eighth District court shall have districtwide jurisdiction; and
(31)

(A) The Fortieth District shall be composed of Clark County.

(B) The Fortieth District shall have four (4) departments as follows:

(i) One (1) located in Arkadelphia;

(ii) One (1) located in Amity;

(iii) One (1) located in Caddo Valley; and

(iv) One (1) located in Gurdon.

(C) The Fortieth District shall be served by one (1) state district court judge.

(D) The Fortieth District judge shall be elected districtwide.

(E) The Fortieth District court shall have districtwide jurisdiction.

History

[Acts 2011, No. 1219, § 9](#); [2015, No. 1081, § 1](#); [2017, No. 723, § 3](#); [2019, No. 935, § 1](#); [2021, No. 87, § 1](#); [2023, No. 40, § 1](#).

16-17-1111, 16-17-1112. [Repealed.]

16-17-1113. Reorganization of local district courts to state district courts as of January 1, 2021.

(a)

(1) Beginning January 1, 2021, the following cities and counties that are currently served by local district courts pursuant to [§ 16-17-901](#) et seq. shall be reorganized as state district courts and served by state district court judges as assigned.

(2) The new state district court judgeships created by this section shall become effective January 1, 2021, and shall be placed on the ballot to be elected in the 2020 nonpartisan judicial election from the newly constructed state district court district.

(3) The cities and counties that were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in [§ 16-17-1106](#), effective January 1, 2021.

(b)

(1) The Seventh Judicial District shall be composed of the counties of Franklin and Johnson.

(2) The Seventh District shall have six (6) departments as follows:

(A) One (1) located in Charleston;

(B) One (1) located in Ozark;

(C) One (1) located in Altus;

(D) One (1) located in Clarksville;

(E) One (1) located in Coal Hill; and

(F) One (1) located in Lamar.

(3) The Seventh Judicial District shall be served by one (1) state district court judge.

(4) The Seventh Judicial District judge shall be elected districtwide.

(5) The Seventh Judicial District court shall have districtwide jurisdiction.

(c)

(1) The Eleventh Judicial District shall be composed of the counties of Randolph, Sharp, and Lawrence.

(2) The Eleventh District shall have seven (7) departments as follows:

(A) One (1) located in Pocahontas;

(B) One (1) located in Ash Flat;

(C) One (1) located in Cherokee Village;

(D) One (1) located in Walnut Ridge;

- (E) One (1) located in Hoxie;
- (F) One (1) located in Black Rock; and
- (G) One (1) located in Portia.
- (3) The Eleventh Judicial District shall be served by two (2) state district court judges.
- (4) The Eleventh Judicial District judges shall be elected districtwide.
- (5) The Eleventh Judicial District courts shall have districtwide jurisdiction.
- (d)
- (1) The Twelfth Judicial District shall be composed of the counties of Logan, Yell, and Conway.
- (2) The Twelfth District shall have nine (9) departments as follows:
 - (A) One (1) located in Morrilton;
 - (B) One (1) located in Menifee;
 - (C) One (1) located in Oppelo;
 - (D) One (1) located in Paris;
 - (E) One (1) located in Booneville;
 - (F) One (1) located in Magazine;
 - (G) One (1) located in Danville;
 - (H) One (1) located in Plumerville; and
 - (I) One (1) located in Dardanelle.
- (3) The Twelfth Judicial District shall be served by one (1) state district court judge.
- (4) The Twelfth Judicial District judge shall be elected districtwide.
- (5) The Twelfth Judicial District court shall have districtwide jurisdiction.
- (e) [Repealed.]
- (f) [Repealed.]
- (g)
- (1) The Fifteenth Judicial District shall be composed of the counties of Jackson and Woodruff.
- (2) The Fifteenth District shall have eight (8) departments as follows:
 - (A) One (1) located in Newport;
 - (B) One (1) located in Diaz;
 - (C) One (1) located in Swifton;
 - (D) One (1) located in Tuckerman;
 - (E) One (1) located in Augusta;
 - (F) One (1) located in Cotton Plant;
 - (G) One (1) located in McCrory; and
 - (H) One (1) located in Patterson.

(3) The Fifteenth Judicial District shall be served by one (1) state district court judge.

(4) The Fifteenth Judicial District judge shall be elected districtwide.

(5) The Fifteenth Judicial District court shall have districtwide jurisdiction.

(h) [Repealed.]

(i)

(1) The Seventeenth District is composed of the counties of Clay and Greene.

(2) The Seventeenth District has five (5) departments as follows:

(A) One (1) located in Paragould;

(B) One (1) located in Marmaduke;

(C) One (1) located in Corning;

(D) One (1) located in Piggott; and

(E) One (1) located in Rector.

(3) The Seventeenth District is served by one (1) state district court judge.

(4) The Seventeenth District judge is elected districtwide.

(5) The Seventeenth District court has districtwide jurisdiction.

(j)

(1) The Twenty-Fourth Judicial District shall be composed of the counties of Scott, Polk, and Montgomery.

(2) The Twenty-Fourth Judicial District shall have three (3) departments as follows:

(A) One (1) located in Waldron;

(B) One (1) located in Mena; and

(C) One (1) located in Mt. Ida.

(3) The Twenty-Fourth Judicial District shall be served by one (1) state district court judge.

(4) The Twenty-Fourth Judicial District judge shall be elected districtwide.

(5) The Twenty-Fourth Judicial District court shall have districtwide jurisdiction.

(k)

(1) The Twenty-Fifth District is composed of the counties of St. Francis and Cross.

(2) The Twenty-Fifth District has six (6) departments as follows:

(A) One (1) located in Forrest City;

(B) One (1) located in Madison;

(C) One (1) located in Palestine;

(D) One (1) located in Wynne;

(E) One (1) located in Cherry Valley; and

(F) One (1) located in Parkin.

(3) The Twenty-Fifth District is served by two (2) state district court judges.

(4) The Twenty-Fifth District judges are elected districtwide.

(5) The Twenty-Fifth District courts have districtwide jurisdiction.

(l)

(1) The Thirtieth District shall be composed of Lonoke County.

(2) The Thirtieth District shall have six (6) departments as follows:

(A) One (1) located in Cabot;

(B) One (1) located in Ward;

(C) One (1) located in Austin;

(D) One (1) located in Lonoke;

(E) One (1) located in England; and

(F) One (1) located in Carlisle.

(3) The Thirtieth District shall be served by two (2) state district court judges.

(4) The Thirtieth District court judges shall be elected districtwide.

(5) The Thirtieth District courts shall have districtwide jurisdiction.

(m)

(1) The Thirty-First District is composed of the counties of Pulaski and Perry.

(2) The Thirty-First District has twelve (12) departments as follows:

(A) One (1) located in Jacksonville, to be known as "Jacksonville District Court";

(B) Four (4) located in Little Rock, to be known as:

(i) "Little Rock District Court – First Division";

(ii) "Little Rock District Court – Second Division";

(iii) "Little Rock District Court – Third Division"; and

(iv) "Pulaski County District Court";

(C) One (1) located in Maumelle, to be known as "Maumelle District Court";

(D) Two (2) located in North Little Rock, to be known as:

(i) "North Little Rock District Court – First Division"; and

(ii) "North Little Rock District Court – Second Division";

(E) One (1) located in Sherwood, to be known as "Sherwood District Court";

(F) One (1) located in Wrightsville, to be known as "Wrightsville District Court";

(G) One (1) located in Cammack Village, to be known as "Cammack Village District Court"; and

(H) One (1) located in Perryville, to be known as "Perryville District Court".

(3) The Thirty-First District shall be served by eight (8) state district judges. All the following judges shall be elected districtwide and shall have districtwide jurisdiction:

(A) The Jacksonville District Court and the Maumelle District Court shall be served by one (1) judge;

(B) The Little Rock District Court – First Division shall be served by one (1) judge;

(C) The Little Rock District Court – Second Division shall be served by one (1) judge;

(D) The Little Rock District Court – Third Division, the Wrightsville District Court, and the Cammack Village District Court shall be served by one (1) judge;

(E) The North Little Rock District Court – First Division shall be served by one (1) judge;

(F) The North Little Rock District Court – Second Division shall be served by one (1) judge;

(G) The Pulaski County District Court shall be served by one (1) judge;

(H) The Sherwood District Court shall be served by one (1) judge; and

(I) The Perryville District Court shall be served by one (1) of the district court judges listed under subdivisions (m)(3)(A)-(H) of this section.

(n)

(1) The Thirty-Ninth Judicial District shall be composed of the counties of Ouachita and Columbia.

(2) The Thirty-Ninth Judicial District shall have seven (7) departments as follows:

(A) One (1) located in Magnolia;

(B) One (1) located in Waldo;

(C) One (1) located in Camden;

(D) One (1) located in East Camden;

(E) One (1) located in Bearden;

(F) One (1) located in Chidester; and

(G) One (1) located in Stephens.

(3) The Thirty-Ninth Judicial District shall be served by one (1) state district court judge.

(4) The Thirty-Ninth Judicial District judge shall be elected districtwide.

(5) The Thirty-Ninth Judicial District court shall have districtwide jurisdiction.

(o)

(1) The Forty-First Judicial District shall be composed of Garland County.

(2) The Forty-First Judicial District shall have one (1) department located in Hot Springs.

(3)

(A)

(i) The Forty-First Judicial District shall be served by two (2) state district court judges.

(ii) One (1) judgeship shall be designated as Division 1 and one (1) judgeship shall be designated as Division 2.

(B) The assignment of judges to divisions under subdivision (o)(3)(A)(ii) of this section shall be determined by mutual agreement of the state district court judges of the Forty-First Judicial District.

(4) The Forty-First Judicial District judges shall be elected districtwide.

(5) The Forty-First Judicial District courts shall have districtwide jurisdiction.

History

[Acts 2015, No. 1081, § 3](#); [2019, No. 814, § 1](#); [2019, No. 868, §§1, 2](#); [2019, No. 909, § 1](#); [2019, No. 935, § 2](#); [2021, No. 825, § 2](#).

16-17-1114. Reorganization of local district courts to state district courts as of January 1, 2025.

(a)

(1) Beginning January 1, 2025, the following cities and counties that are currently served by local district courts under [§ 16-17-901](#) et seq. shall be reorganized as state district courts and served by state district court judges as assigned.

(2) The new state district court judgeships created by this section shall become effective January 1, 2025, and shall be placed on the ballot to be elected in the 2024 nonpartisan judicial election from the newly constructed state district court district.

(3) The cities and counties that were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in [§ 16-17-1106](#), effective January 1, 2025.

(b)

(1) The Thirty-Sixth Judicial District shall be composed of the counties of Little River, Sevier, Pike, and Howard.

(2) The Thirty-Sixth Judicial District shall have seven (7) departments as follows:

(A) One (1) located in Ashdown;

(B) One (1) located in Foreman;

(C) One (1) located in Winthrop;

(D) One (1) located in De Queen;

(E) One (1) located in Nashville;

(F) One (1) located in Murfreesboro; and

(G) One (1) located in Glenwood.

(3) The Thirty-Sixth Judicial District shall be served by two (2) state district court judges.

(4) The Thirty-Sixth Judicial District judges shall be elected districtwide.

(5) The Thirty-Sixth Judicial District court shall have districtwide jurisdiction.

History

[Acts 2015, No. 1081, § 4](#); [2019, No. 817, § 1](#).

16-17-1115. Reorganization of local district courts to state district courts as of January 1, 2025.

(a)

(1) Beginning January 1, 2025, the following cities and counties, currently being served by a local district court under [§ 16-17-901](#) et seq. shall be reorganized as a state district court district and served by state district court judges as assigned.

(2) The new state district court judgeships created by this section shall become effective January 1, 2025, and shall be placed on the ballot to be elected in the 2024 nonpartisan judicial election from the newly constructed state district court districts.

(3) The cities and counties that were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in [§ 16-17-1106](#), effective January 1, 2025.

(b)

(1) The Thirteenth District is composed of the counties of Stone and Cleburne.

(2) The Thirteenth District has five (5) departments as follows:

(A) One (1) located in Heber Springs;

(B) One (1) located in Greers Ferry;

(C) One (1) located in Concord;

(D) One (1) located in Quitman; and

(E) One (1) located in Mountain View.

(3) The Thirteenth District is served by one (1) state district court judge.

(4) The Thirteenth District judge is elected districtwide.

(5) The Thirteenth District court has districtwide jurisdiction.

(c)

(1) The Sixteenth Judicial District shall be composed of the counties of Monroe and Arkansas.

(2) The Sixteenth Judicial District shall have seven (7) departments as follows:

(A) One (1) located in Stuttgart;

(B) One (1) located in DeWitt;

(C) One (1) located in Gillett;

(D) One (1) located in St. Charles;

(E) One (1) located in Brinkley;

(F) One (1) located in Clarendon; and

(G) One (1) located in Holly Grove.

(3)

(A) The Sixteenth Judicial District shall be served by two (2) state district court judges.

(B) One (1) judgeship shall be designated as Division 1 and one (1) judgeship shall be designated as Division 2.

(4) The assignment of judges to departments under subdivision (c)(2) of this section shall be determined by the mutual agreement of the state district court judges of the Sixteenth Judicial District.

(5) The Sixteenth Judicial District judges shall be elected districtwide.

(6) The Sixteenth Judicial District court shall have districtwide jurisdiction.

History

[Acts 2019, No. 868, § 3](#); [2023, No. 685, §§ 3, 4](#).

16-17-1116. Reorganization of local district courts to state district courts as of January 1, 2025.

(a)

(1) Beginning January 1, 2025, the following cities and counties under this section that are currently being served by a local district court under [§ 16-17-901](#) et seq. shall be reorganized as a state district court and served by state district court judges as assigned.

(2) The new state district court judgeship created by this section shall become effective January 1, 2025, and shall be placed on the ballot to be elected in the 2024 nonpartisan judicial election from the newly constructed state district court district.

(3) The cities and counties that were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in [§ 16-17-1106](#), effective January 1, 2025.

(b)

(1) The Fourteenth District is composed of the counties of Independence, Fulton, and Izard.

(2) The Fourteenth District has six (6) departments as follows:

(A) One (1) located in Batesville;

(B) One (1) located in Melbourne;

(C) One (1) located in Calico Rock;

(D) One (1) located in Horseshoe Bend;

(E) One (1) located in Salem; and

(F) One (1) located in Mammoth Spring.

(3) The Fourteenth District is served by one (1) state district court judge.

(4) The Fourteenth District judge is elected districtwide.

(5) The Fourteenth District court has districtwide jurisdiction.

History

[Acts 2019, No. 909, § 2.](#)

District Court Accounting Law

A.C.A. §16-10-201 through A.C.A. §16-10-212

16-10-201. Title.

This subchapter shall be known and cited as the “Arkansas District Courts Accounting Law”.

History

Acts 1977, No. 332, § 1; A.S.A. 1947, § 22-1101; [Acts 2003, No. 1185, §§ 46, 47](#); [2007, No. 663, § 21](#).

16-10-202. Definitions.

As used in this subchapter:

- (1) "Citation" means a written order or electronic ticket issued by a law enforcement officer or employee of the department of public safety of a city or incorporated town who is authorized to make an arrest, requiring a person accused of violating the law to appear in a designated court or governmental office at a specified date and time;
- (2) "Court" means a district court in the State of Arkansas; and
- (3) "Electronic ticket" means an electronic citation or warning printed by a law enforcement officer and issued to a person accused of violating the law.

History

Acts 1977, No. 332, § 2; A.S.A. 1947, § 22-1102; [Acts 2003, No. 1185, §§ 46, 47](#); [2007, No. 663, § 22](#); [2011, No. 908, §§ 1, 2](#); [2011, No. 1174, § 1](#).

16-10-203. Applicability of subchapter.

This subchapter shall apply to any district court within the State of Arkansas.

History

Acts 1977, No. 332, § 2; A.S.A. 1947, § 22-1102; [Acts 2003, No. 1185, §§ 46, 47](#); [2007, No. 663, § 23](#).

16-10-204. Bank accounts for court funds.

(a)

(1) Each municipal police department and each city or town marshal shall maintain court funds separately in depositories approved for those specific purposes by law.

(2) Court funds must be deposited into an account styled "(Name of Municipality) Police Department Bond and Fine Account", and the funds shall be disbursed only on the signature of the chief of police or marshal of the municipality and the signature of one (1) other authorized person.

(b)

(1) Each office of county sheriff shall maintain court funds separately in depositories approved for those specific purposes by law.

(2) Court funds must be deposited into an account styled "(Name of County) County Sheriff's Bond and Fine Account", and the funds shall be disbursed only on the signature of the sheriff of the county and the signature of one (1) other authorized person.

(c)

(1) Each court shall maintain court funds separately in depositories approved for those specific purposes by law.

(2) Court funds must be deposited into an account styled "(Name of Court) Court Account", and the funds shall be disbursed only upon the signature of the court clerk and the signature of one (1) other person to be authorized by the court's presiding judge.

(d) All disbursements from the accounts in this section must be evidenced by prenumbered checks.

(e) Subsections (a) and (b) of this section do not apply if the court clerk has been designated to be primarily responsible for the collection of fines under [§ 16-13-709](#).

History

Acts 1977, No. 332, § 3; A.S.A. 1947, § 22-1103; [Acts 2011, No. 1174, § 2](#).

16-10-205. Citations.

(a) Each municipal police department, city or town marshal, and county sheriff's office shall maintain and issue uniform written citations or electronic citations for violation of all municipal and state laws.

(b)

(1) All uniform written citation books must be prenumbered by the printer and a printer's certificate shall be furnished to the police department, marshal's office, or sheriff's office, and the certificate shall be made available for inspection.

(2) The certificate must state the printing date, the numerical sequence of citations printed, and the printer's name.

(c) All void or spoiled written citations must be accounted for by attaching all copies to the hard copy in the uniform citation book.

(d)

(1) All written citations must have at least an original and three (3) copies used and distributed as follows:

(A) **Hard copy:** Violator's copy;

(B) **White copy:** Police department, marshal's office, or sheriff's office copy;

(C)

(i) **Yellow copy:** Court clerk's copy, to be forwarded to the Office of Driver Services as provided in this subdivision (d)(1)(C).

(ii) Within five (5) business days after a conviction or forfeiture of bail of a person charged with a violation of any law regulating the operation of vehicles on a highway, [§ 3-3-203\(a\)](#) or [§ 5-27-503\(a\)\(3\)](#), the clerk shall forward the yellow copy covering the case in which the person was convicted or forfeited bail.

(iii) The yellow copy shall be certified by the person required to prepare it and shall include the name and address of the party charged, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment or whether bail was forfeited, and the amount of the fine or forfeiture.

(iv) Within five (5) business days after the disposition of any case, the clerk shall forward the yellow copy of the citation and the resulting disposition of the case.

(v) A court using the case management system provided by the Administrative Office of the Courts or the electronic reporting system of the Office of Driver Services is not required to submit the yellow copy to the Office of Driver Services but must enter the disposition or judgment of conviction into the case

management system or the electronic reporting system within the time required in this section; and

(D) Pink copy: Remains in uniform citation book.

(2) The citations shall be given to the police department, marshal's office, sheriff's office, or court clerk at least seven (7) business days before the court date.

(e) If an electronic citation is used:

(1) The electronic citation shall indicate whether or not there was a person under eighteen (18) years of age present at the time of the offense for which the electronic citation was issued;

(2) A printed copy of the electronic citation shall be given to the violator;

(3) A copy of the electronic citation must be maintained by the issuing police department, marshal's office, or county sheriff's office; and

(4)

(A) A copy of the electronic citation shall be forwarded to the court clerk in either electronic or written format, as designated by the court clerk, at least seven (7) business days before the court date.

(B) The court clerk's copy shall be forwarded to the Office of Driver Services as provided in subdivision (d)(1)(C) of this section.

(f) If an electronic citation system is used, the system must be in compliance with the Information Systems Best Practices Checklist provided by the Legislative Joint Auditing Committee.

(g) Controls for citations.

(1) A list of all uniform written citation books and the corresponding range of citations in each book shall be kept in the police department, office of city or town marshal, or sheriff's office.

(2) The chief of police, marshal, or sheriff shall issue the uniform written citation books, unless the chief of police, marshal, or sheriff designates in writing another person to perform this duty.

(3) The chief of police, marshal, or sheriff shall ensure that all citations issued are entered on the arrest report or in the electronic case management system.

(4) Upon completion, each uniform written citation book shall immediately be filed with the court clerk and made available for inspection.

(5) Upon case adjudication, the police department, office of city or town marshal, or sheriff's office shall file its copy of the citation either alphabetically or numerically.

(h) A citation issued by a school resource officer under [§ 16-81-118](#) is exempt from the requirements of this section.

History

Acts 1977, No. 332, § 4; A.S.A. 1947, § 22-1104; [Acts 2009, No. 456, § 1](#); [2011, No. 44, § 1](#); [2011, No. 908, § 3](#); [2011, No. 1174, § 3](#); [2015, No. 1179, § 2](#); [2017, No. 714, § 3](#).

16-10-206. Court docket.

(a) All violations shall be docketed and all judgments shall be rendered by the court's presiding judge.

(b) The court docket shall reflect the complete history of the violation and the disposition of each case, and shall contain the following information:

(1) The citation number;

(2) The date and nature of the violation;

(3) The date the court convened to hear the case;

(4) The names of arresting officers and witnesses, if any;

(5) The judgment rendered by the court;

(6) The signature or initials of the judge;

(7) The total amount of the fine and costs;

(8) The receipt number and dollar amount evidencing payment of fine and costs; and

(9) If applicable, the check number and dollar amount evidencing authorized bond refund. The check itself will indicate the docket number evidencing authorization.

(c) The docket shall be numbered by the court clerk in accordance with the Rules of the Supreme Court and Court of Appeals of the State of Arkansas.

(d)

(1) For manual dockets, the docket pages shall be prenumbered by the printer, and a printer's certificate or other evidence shall be furnished to the court's clerk which shall be made available for inspection.

(2) Docket pages must be either bound or loose-leaf, provided that accountability and control are maintained over loose-leaf docket pages.

(e) For manual or electronic dockets, the docket pages shall be numbered independently of court docket numbers assigned by the court clerk.

(f) The court clerk shall keep separate court dockets, one (1) for city cases and one (1) for county cases.

History

Acts 1977, No. 332, § 5; A.S.A. 1947, § 22-1105; [Acts 2005, No. 1934, § 2](#); [2011, No. 1174, § 4](#).

16-10-207. Police department and marshals' and sheriffs' offices – Activities and clerical duties required.

The following activities and clerical duties relating to court functions shall be required of all police departments, city or town marshals, and sheriffs' offices:

(1) Preparation and Submission of Arrest Report.

(A) Separate arrest reports shall be prepared for city cases and county cases.

(B) The arrest report shall contain the following information:

(i) Citation number;

(ii) Violator's name;

(iii) Nature of the offense;

(iv) Name of the arresting officer;

(v) Receipt number, if applicable;

(vi) Fine and costs collected, if applicable; and

(vii) Any other additional information deemed appropriate or necessary.

(C) Before the court date, the arrest report shall be prepared from the citations accumulated in the court date file in the police department office, marshal's office, or sheriff's office.

(D) If applicable, the fine and costs collected shall be totaled, and a check shall be drawn payable to the court fund that represents moneys collected and receipts issued by the police department, marshal's office, or sheriff's office for those citations contained on the arrest report.

(E) A completed copy of the arrest report accompanied by the police department's, marshal's office, or sheriff's office check, if applicable, shall be delivered to the court clerk at least seven (7) business days before the court date; and

(2) Collection, Receipt, and Deposit Procedures.

(A) This subdivision (2) does not apply if the court clerk has been designated to be primarily responsible for the collection of fines under [§ 16-13-709](#).

(B) A prenumbered receipt must be issued for all moneys collected.

(C) Prenumbered manual receipts must meet the following minimum standards:

(i) All receipt books must be prenumbered by the printer, and a printer's certificate shall be furnished to the police department, marshal's office, or sheriff's office, which shall be made available for inspection;

(ii) The certificate must state the printing date, the numerical sequence of receipts printed, and the printer's name; and

(iii) All void or spoiled receipts must be accounted for by attaching the original copy of the receipt to the duplicate copy of the receipt in the receipt book, with the reason for the void or spoiled receipt documented and retained for audit purposes.

(D) If an electronic receipting system is used, the system must be in compliance with the Information Systems Best Practices Checklist provided by the Legislative Joint Auditing Committee.

(E) The receipt shall be issued in the name of the violator regardless of who paid the bond or fine or who collected the bond or fine and must indicate the method of payment, such as cash, check, money order, or credit card.

(F)

(i) Receipts shall be deposited intact daily into the bank account maintained by the police department, marshal's office, or sheriff's office.

(ii) All receipt numbers shall be entered on the arrest report by the police department, marshal's office, or sheriff's office.

(G) The police department, marshal's office, or sheriff's office may maintain separate bank accounts for city cases and county cases.

(H)

(i) The bank deposit slips prepared by the police department, marshal's office, or sheriff's office shall contain the range of receipt numbers evidencing such collections.

(ii) In addition, the receipts issued shall be reconciled with the monthly bank deposits.

(I) A bank reconciliation shall be made at the end of each month, and any balance remaining in the bank account shall be identified with receipts issued but not yet entered on the arrest report.

(J)

(i) A cash receipts journal or electronic receipts listing shall be established.

(ii) The receipts journal or electronic receipts listing must indicate the receipt number, receipt date, violator's name, amount of the receipt, and classification of the receipt.

(iii) The receipts journal or electronic receipts listing shall be properly balanced and totaled monthly and on a year-to-date basis.

(iv) The receipts journal or electronic receipts listing shall be reconciled monthly to total bank deposits as shown on the bank statements.

(K)

(i) A cash disbursements journal or electronic check register shall be established.

(ii) The disbursements journal or electronic check register must indicate the date, payee, check number, amount for each check written, and the classification of the disbursement.

(iii) The disbursements journal or electronic check register shall be properly balanced and totaled monthly and on a year-to-date basis.

(iv) The disbursements journal or electronic check register shall be reconciled monthly to total bank disbursements as indicated on the bank statements.

History

Acts 1977, No. 332, § 6; A.S.A. 1947, § 22-1106; [Acts 2007, No. 627, § 1](#); [2009, No. 456, § 2](#); [2011, No. 1174, § 5](#).

16-10-208. Court clerk or court administrator – Eligibility.

The court clerk or court administrator shall not be a member of the police department, marshal's office, or sheriff's office.

History

Acts 1977, No. 332, § 7; A.S.A. 1947, § 22-1107; [Acts 2011, No. 1174, § 6](#).

16-10-209. Court clerk – Activities and clerical duties.

The following activities and clerical duties relating to court functions shall be required of all court clerks:

(1) Collection, Receipt, and Deposit Procedures.

(A) A prenumbered receipt must be issued for all moneys collected.

(B) Prenumbered manual receipts must meet the following minimum standards:

(i) All receipt books must be prenumbered by the printer, and a printer's certificate shall be furnished to the court clerk, which shall be made available for inspection;

(ii) The certificate must state the printing date, the numerical sequence of receipts printed, and the printer's name; and

(iii) All void or spoiled receipts must be accounted for by attaching the original copy of the receipt to the duplicate copy of the receipt in the receipt book, with the reason for the void or spoiled receipt documented and retained for audit purposes.

(C) If an electronic receipting system is used, the system must be in compliance with the Information Systems Best Practices Checklist provided by the Legislative Joint Auditing Committee.

(D)

(i) For those checks forwarded with the arrest reports, the receipt shall be issued in the name of the police department, marshal's office, or sheriff's office.

(ii) For those receipts issued at court date, the court clerk shall issue such receipts in the name of the defendant, regardless of who paid the bond or fine or who collected the bond or fine, indicating on the receipt the method of payment, such as cash, check, money order, or credit card.

(E) Receipts shall be deposited intact daily into the separate bank account maintained by the court clerk.

(F)

(i) The bank deposit slips prepared by the court clerk shall contain the range of receipt numbers evidencing such collections.

(ii) Additionally, the receipts issued shall be reconciled with the monthly bank deposits.

(G) A bank reconciliation shall be made at the end of each month, and any balance remaining in the bank account shall be identified with receipt numbers

for cases not yet adjudicated and the payments made on all unpaid individual time accounts.

(H) The court clerk may maintain separate bank accounts for city cases and for county cases;

(2) Preparation and Submission of Distribution Report.

(A) The distribution report shall contain the following information:

- (i)** The citation number;
- (ii)** The defendant's name;
- (iii)** The nature of the offense;
- (iv)** The name of arresting officer;
- (v)** The court docket number;
- (vi)** The disposition or date continued;
- (vii)** The receipt number;
- (viii)** The total fine and costs collected;
- (ix)** The fine;
- (x)** The fees and costs itemized;
- (xi)** The bond refund amount;
- (xii)** The bond refund check number; and
- (xiii)** The installment payment amount.

(B) The court clerk at each court date shall prepare the distribution report from the arrest report supplied by the police department, marshal's office, or sheriff's office.

(C) At the end of each court date, the court clerk shall complete the distribution report for the court date and total the dollar amounts contained in the report.

(D) The distribution reports prepared each court date shall be summarized at least monthly.

(E) The court clerk shall make a direct monetary settlement on or before the tenth day of the next-following month with each of the following:

- (i)** The city treasurer;
- (ii)** The county treasurer;
- (iii)** The Administration of Justice Funds Section; and
- (iv)** Any other state agency or entity which receives fines or fees assessed by the court and collected pursuant to law.

(F) The court clerk shall submit electronically or in writing a monthly distribution report describing the direct monetary settlements under subdivision (2)(E) of this section no later than the tenth day of each month to the county treasurer;

(3) Minimum Bookkeeping Requirements.

(A)

(i) The court clerk shall maintain a cash receipts journal or electronic receipts listing.

(ii) The court clerk may maintain separate cash receipts journals or electronic receipts listings for city cases and county cases.

(iii) The receipts journal or electronic receipts listing must indicate the receipt number, receipt date, violator's or payor's name, amount of the receipt, and classification of the receipt.

(iv) The receipts journal or electronic receipts listing shall be properly balanced and totaled monthly and on a year-to-date basis.

(v) The receipts journal or electronic receipts listing shall be reconciled monthly to total bank deposits as shown on the bank statements.

(B)

(i) The court clerk shall maintain a cash disbursements journal or electronic check register.

(ii) The court clerk may maintain separate cash disbursements journals or electronic check registers for city cases and county cases.

(iii) The disbursements journal or electronic check register must indicate the date, payee, check number, amount for each check written, and classification of the disbursement.

(iv) The disbursements journal or electronic check register shall be properly balanced and totaled monthly and on a year-to-date basis.

(v) The disbursements journal or electronic check register shall be reconciled monthly to total bank disbursements as indicated on the bank statements;

(4) Bond Refunds.

(A) All bond refunds shall be made only upon the authorization of the presiding judge and shall be indicated as such on the court docket.

(B)

(i) All bond refunds shall be made only by a check drawn on the court's bank account.

(ii) Additionally, the check shall indicate the court docket number for authorization.

(C) The court clerk shall enter all bond refunds on the applicable distribution report;

(5) Installment Payments.

(A) Installment payments shall be allowed only upon the authorization of the presiding judge and shall be indicated as such on the court docket.

(B)

(i) The court clerk shall establish and maintain individual installment payment account ledger records, with a duplicate copy of the ledger record being

furnished to and maintained by the county or city official, agency, or department designated under [§ 16-13-709](#) as primarily responsible for the collection of fines assessed in district courts.

(ii) The ledger records shall contain the following minimum information:

(a) Name of the individual;

(b) Court docket number and court date;

(c) Nature of the violation;

(d) Total fine and costs assessed;

(e) Receipt number, date, and amount of payment; and

(f) Unpaid balance of fine, fees, and costs.

(C) The county or city official, agency, or department designated under [§ 16-13-709](#) as primarily responsible for the collection of fines assessed in district courts shall be responsible for collecting all installment payments and shall enter all collected installment payments on each applicable arrest or distribution report.

(D)

(i) The court clerk shall establish and maintain a control total for installment payments, which is a summary of all unpaid individual installment payment accounts.

(ii) The control total shall be reconciled monthly with the individual installment payment accounts.

(E)

(i) The court clerk shall furnish the county or city official, agency, or department designated under [§ 16-13-709](#) as primarily responsible for the collection of fines assessed in district courts and the presiding judge monthly with a list of all unpaid installment payment accounts for which a payment has not been received within the past thirty (30) days.

(ii) The presiding judge shall then take the necessary action deemed appropriate in the circumstances.

(F)

(i) All installment payments, with the exception of the monthly installment fee, which is remitted as provided under [§ 5-4-205\(e\)\(1\)\(B\)\(ii\)](#), shall initially be deemed to be collections of restitution until restitution has been collected in full, with any remaining installment payments representing collections of court costs, and then fines.

(ii) If court costs, restitution, and fines are fully paid, all remaining installment payments shall be allocated to remaining amounts due.

(iii) A municipal or county governing body that adopted municipal or county legislation before July 1, 2012, to provide an alternative method of installment

payment allocation as then authorized by state law shall remain in effect until repealed; and

(6) Reconciliation of Completed Citation Books.

(A) The court clerk shall reconcile on a quarterly basis on or before the fifteenth day of the month following the end of the calendar quarter the individual citations in the completed citation book to the individual citations as reflected on the arrest reports or court dockets.

(B)

(i) For any discrepancies noted in the reconciliation in subdivision (6)(A) of this section, the court clerk shall prepare a list and present this list to the court's judge for his or her appropriate action.

(ii) This list shall be maintained for audit purposes.

(C) If the court clerk is designated under [§ 16-13-709](#) to be primarily responsible for the collection of fines, the reconciliation of completed citation books described in this subdivision (6) shall be performed by someone outside of the court clerk's office as determined by the court judge.

History

Acts 1977, No. 332, § 7; 1985, No. 677, §§ 1, 2; 1985, No. 776, §§ 1, 2; A.S.A. 1947, § 22-1107; [Acts 1991, No. 904, § 21](#); [1997, No. 788, § 3](#); [1997, No. 1341, § 3](#); [1999, No. 1081, §§ 1, 2](#); [1999, No. 1508, § 7](#); [2003, No. 1765, § 7](#); [2005, No. 1934, § 3](#); [2011, No. 1174, § 7](#); [2013, No. 282, § 3](#); [2015, No. 903, § 1](#); [2023, No. 450, § 2](#).

16-10-210. Accounting systems above minimum.

(a) Any official charged with the maintenance of accounting or bookkeeping records under the provisions of this subchapter whose system of bookkeeping is such that it does not strictly adhere to the provisions of this subchapter, but in that official's opinion equals or exceeds the basic requirements prescribed by this subchapter, may request the court's presiding judge to request a review by the staff of the Legislative Joint Auditing Committee.

(b) Upon the committee's concurrence with the official's opinion regarding the capability of the existing system of bookkeeping, a letter shall be issued by the committee to the court's presiding judge stating that the official's accounting system is of such a degree of sophistication that the basic requirements of this subchapter are being met.

(c) After issuance of the letter by the committee under subsection (b) of this section, the official is exempt from the requirements of the particulars of the procedures prescribed by this subchapter, provided the official's system of bookkeeping is not altered.

History

Acts 1977, No. 332, § 8; A.S.A. 1947, § 22-1108; [Acts 2007, No. 627, § 2](#).

16-10-211. Record retention schedule.

(a) All towns, cities, and counties of the State of Arkansas shall maintain records for the district courts and are to:

(1) Permanently maintain:

(A) Case indices for all district courts;

(B) Case dockets for all district courts;

(C) Active warrants;

(D) Waivers;

(E) Expungement and sealed records;

(F) Files concerning convictions under the Omnibus DWI or BWI Act, [§ 5-65-101](#) et seq.; and

(G) Domestic battering files;

(2) Maintain for a period of at least seven (7) years and in no event dispose of before being audited:

(A) Complete case files and written exhibits for all district courts, not including civil or small claims division cases in which the judgment is not satisfied;

(B) Show cause orders;

(C) Case information, including arrest reports and affidavits; and

(D) Files concerning cases resulting in a suspended imposition of sentence; and

(3) Maintain for a period of at least three (3) years and in no event dispose of before being audited:

(A) Bank reconciliations;

(B) Check book registers and check listings;

(C) Cancelled checks;

(D) Bank statements;

(E) Receipts;

(F) Deposit collection records;

(G) Receipts listings;

(H) Distribution reports;

(I) Receipt and disbursement journals;

(J) Time payment records;

(K) Citation book logs;

(L) Citation books from each police department and sheriff's office;

(M) Served, recalled, or quashed arrest warrants;

(N) Copies of citations;

(O) Alternative service or community service time sheets;

(P) Uniform filing fees collection remittance forms and fine reports;

(Q) Miscellaneous fee and fine collection reports; and

(R) Served or unexecuted search warrants.

(b) After a town, city, or county has maintained records for the time periods required by subdivision (a)(2) or subdivision (a)(3) of this section and after the records described in subdivision (a)(2) or subdivision (a)(3) of this section have been audited, the records may be destroyed.

(c) When records are destroyed under subsection (b) of this section, the town, city, or county shall document the destruction by the following procedure:

(1) An affidavit is to be prepared stating:

(A) Which records are being destroyed and to which period of time the records apply; and

(B) The method of destruction; and

(2) The affidavit is to be signed by the town, city, or county employee performing the destruction and one (1) employee of the governing body or, if applicable, governing bodies that contribute to the expenses of the court.

(d) In addition to the procedure described in subsection (c) of this section, the approval of the governing body or, if applicable, governing bodies that contribute to the expenses of the court shall be obtained before the destruction of district court records and an appropriate note of the approval indicated in the minutes of the governing body or bodies along with the destruction affidavit.

History

[Acts 2007, No. 627, § 3](#); [2009, No. 633, § 6](#); [2011, No. 1174, § 8](#); [2015, No. 299, § 17](#); [2015, No. 584, § 1](#).

16-10-212. [Repealed.]

Uniform Filing Fees & Court Costs

A.C.A. §16-10-301 through A.C.A. §16-10-315

16-10-301. Legislative intent.

(a) It is hereby found by the General Assembly that the current system of funding the state judicial system has created inequity in the level of judicial services available to the citizens of the state. It is further determined that the current method of financing the state judicial system has become so complex as to make the administration of the system impossible. Finally, it is determined that the lack of any reliable data on the current cost of the state judicial system prohibits any comprehensive change in the funding of the system at this time.

(b) It is, therefore, the intent of this act to eliminate the current system of collecting and assessing a large number of individual court costs and filing fees, to replace it with uniform costs and fees to be applied statewide, and to prohibit the implementation of new costs and fees for specific programs in the future.

History

[Acts 1995, No. 1256, § 1.](#)

16-10-302. Court costs and filing fees – Generally.

(a) Except as otherwise provided by this act, all filing fees and all court costs shall be uniform for each type of case in all general and limited jurisdiction courts of this state.

(b) In all cases filed in such courts on or after July 1, 1995, the court costs and filing fees shall be assessed and distributed according to this act.

(c) In all cases filed in such courts prior to July 1, 1995, all court costs and filing fees shall be assessed according to law in existence on the date of the filing, but shall be disbursed in accordance with this act.

History

[Acts 1995, No. 1256, § 2](#); [1995 \(1st Ex. Sess.\), No. 13, § 1](#); [2001, No. 1809, § 1](#).

16-10-303. [Repealed.]

16-10-304. State actions exempt from filing fees.

Prosecuting attorneys filing actions on behalf of the state, with the exception of child support cases, shall be exempt from paying filing fees.

History

[Acts 1995, No. 1256, § 2](#); [1995 \(1st Ex. Sess.\), No. 13, § 1](#).

16-10-305. Court costs.

(a) There shall be levied and collected the following court costs from each defendant upon each conviction, each plea of guilty or nolo contendere, or each forfeiture of bond:

(1) In circuit court, one hundred fifty dollars (\$150) for a misdemeanor or felony violation of state law, excluding a violation of:

(A) The Omnibus DWI or BWI Act, [§ 5-65-101](#) et seq.;

(B) The Underage DUI or BUI Law, [§ 5-65-301](#) et seq.;

(C) [Section 5-75-101](#) et seq.;

(D) [Section 27-23-114](#);

(E) [Section 15-42-127](#); or

(F) [Section 27-37-701](#) et seq.;

(2) In district court, one hundred dollars (\$100) for an offense that is a misdemeanor or violation of state law, excluding a violation of:

(A) The Omnibus DWI or BWI Act, [§ 5-65-101](#) et seq.;

(B) The Underage DUI or BUI Law, [§ 5-65-301](#) et seq.;

(C) [Section 5-75-101](#) et seq.;

(D) [Section 27-23-114](#);

(E) [Section 15-42-127](#); or

(F) [Section 27-37-701](#) et seq.;

(3) In circuit court or district court, seventy-five dollars (\$75.00) for a traffic offense that is a misdemeanor or violation under state law or local ordinance, excluding a violation of:

(A) The Omnibus DWI or BWI Act, [§ 5-65-101](#) et seq.;

(B) The Underage DUI or BUI Law, [§ 5-65-301](#) et seq.;

(C) [Section 5-75-101](#) et seq.;

(D) [Section 27-23-114](#);

(E) [Section 15-42-127](#); or

(F) [Section 27-37-701](#) et seq.;

(4) In district court, for a nontraffic offense that is a misdemeanor or violation under local ordinance, twenty-five dollars (\$25.00);

(5) In circuit court or district court, three hundred dollars (\$300) for violations of:

(A) The Omnibus DWI or BWI Act, [§ 5-65-101](#) et seq.;

(B) The Underage DUI or BUI Law, [§ 5-65-301](#) et seq.;

(C) [Section 5-75-101](#) et seq.;

(D) [Section 27-23-114](#); or

(E) [Section 15-42-127](#);

(6)

(A) In circuit court or district court, twenty-five dollars (\$25.00) for a violation of the mandatory seat belt use law, [§ 27-37-701](#) et seq.

(B) A defendant is not required to pay the court costs under subdivision (a)(6)(A) of this section if he or she pays the applicable fines under [§§ 27-37-706](#) and [16-17-129](#) before his or her first appearance and shall not be assessed any additional court costs associated with the violation; and

(7) In circuit court or district court, twenty-five dollars (\$25.00) for failure to present proof of insurance at the time of a traffic stop, [§§ 27-22-103](#), [27-22-104](#), and [27-22-111](#).

(b)

(1) The costs set forth in this section shall be imposed at the conclusion of any criminal case enumerated in subsection (a) of this section that does not end in an acquittal, dismissal, or, with the consent of the prosecution, an order nolle prosequi.

(2) The costs shall be imposed at the conclusion of cases involving a suspended or probated sentence even though that sentence may be expunged or otherwise removed from the defendant's record.

(c) No county, city, or town shall be liable for the payment of the costs taxed under this section in any instance where they are not collected, or in any case in which the defendant pays the costs by serving time in a jail, on a county farm, or at any other official place of detention or work.

(d) No town, city, or county shall authorize and no district court or circuit court shall assess or collect any other court costs other than those authorized by this act, unless specifically provided by state law.

(e) [Repealed.]

(f) [Repealed.]

(g) For each conviction for an offense under [§ 5-26-301](#) et seq., an additional court cost of twenty-five dollars (\$25.00) shall be assessed and remitted to the Administration of Justice Funds Section by the court clerk for deposit into the Domestic Peace Fund, [§ 19-6-491](#).

(h)

(1) An additional court cost of twenty-five dollars (\$25.00) shall be assessed and remitted to the Administration of Justice Funds Section by the court clerk or designee under [§ 16-13-709\(a\)](#) for deposit as special revenues into the Domestic Violence Shelter Fund if a person is convicted of a domestic abuse offense or is the respondent on a permanent order of protection entered by a court under the Domestic Abuse Act of 1991, [§ 9-15-101](#) et seq.

(2) When a convicted person is authorized to make installment payments under [§ 16-13-704](#), the court cost assessed under subdivision (h)(1) of this section shall be collected from the initial installment payment first.

(3) The court clerk or designee under [§ 16-13-709\(a\)](#) shall disburse all court costs collected each month under subdivision (h)(1) of this section to the Administration of Justice Funds Section by the fifteenth working day of the following month.

History

[Acts 1995, No. 1256, § 7](#); [1997, No. 788, § 4](#); [1997, No. 1341, § 4](#); [1999, No. 1081, §§ 3, 12](#); [1999, No. 1508, § 7](#); [2001, No. 1632, § 1](#); [2003, No. 1185, § 49](#); [2007, No. 663, § 25](#); [2011, No. 730, § 4](#); [2011, No. 1218, § 1](#); [2013, No. 282, § 4](#); [2013, No. 1107, § 12](#); [2013, No. 1357, § 1](#); [2015, No. 299, §§ 18-21](#); [2015, No. 895, § 16](#); [2017, No. 583, § 3](#); [2019, No. 113, § 1](#); [2019, No. 743, § 1](#); [2021, No. 475, § 5](#).

16-10-306. Administration of Justice Funds Section.

(a) There is created in the Department of Finance and Administration an Administration of Justice Funds Section.

(b) The court costs and filing fees enumerated in [§§ 16-10-305, 16-17-705,](#) and [21-6-403](#), which are assessed and collected in the district courts and circuit courts in this state, shall be remitted to the Administration of Justice Funds Section.

(c) The Administration of Justice Funds Section shall:

(1) Deposit the court costs and filing fees remitted under subsection (b) of this section into the State Administration of Justice Fund; and

(2) Keep an accurate account of all receipts by type of case and type and location of court from which the court costs and filing fees are submitted.

History

[Acts 1995, No. 1256, § 9](#); [2003, No. 1185, § 50](#); [2007, No. 663, § 26](#); [2013, No. 282, § 5](#); [2013, No. 504, § 1](#).

16-10-307. County administration of justice fund.

(a) There is hereby created in each county a fund in the office of the county treasurer to be known as the “county administration of justice fund”.

(b) The county administration of justice fund shall be used to defray a part of the expenses of the administration of justice in the county. From the fund, the county shall continue to finance the following county agencies and programs which are currently funded, in whole or in part, by filing fees and court costs, at a funding level equal to not less than the greater of the amount which was collected by the county from filing fees and court costs for the agency or program in the calendar year ending December 31, 1994, or the amount appropriated by ordinance enacted prior to December 31, 1994, or on February 13, 1995, or on February 14, 1995, or by resolution dated February 9, 1995, to the agency or program for the calendar year ending December 31, 1995:

(1) The prosecuting attorney fund, including all grant funds awarded and appropriated for the calendar year ending December 31, 1995;

(2) The prosecuting attorney's victim-witness program fund;

(3) The public defender/indigent defense fund and public defender investigator fund, including all grant funds awarded and appropriated for the calendar year ending December 31, 1995;

(4) The county law library fund;

(5) The county jail fund; and

(6) The intoxication detection equipment fund.

(c)

(1)

(A) The county administration of justice fund of each county may retain an amount equal to the amount which was collected by the county from court costs and filing fees for county administration of justice expense in the calendar year ending December 31, 1994, or the amount appropriated from court costs and filing fees by ordinance enacted prior to December 31, 1994, or on February 13, 1995, or on February 14, 1995, or by resolution dated February 9, 1995, for county administration of justice expense from court costs and filing fees for the calendar year ending December 31, 1995, plus, for calendar years 1995 – 2001, an additional amount based upon the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor for the two (2) years immediately preceding.

(B)

(i) The amount retained during calendar years 2002, 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.

(ii) Except as provided in subdivision (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each calendar year thereafter, an additional amount shall be added to the amount to be retained based upon the lesser of the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two (2) years immediately preceding or the percentage rate of increase in collections of the State Administration of Justice Fund for the two (2) years immediately preceding.

(iii) The provisions of subdivision (c)(1)(B)(ii) of this section shall not be effective if the Chief Fiscal Officer of the State determines that the additional amount retained under subdivision (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000) in a calendar year and any additional amount to be retained must be authorized by the General Assembly.

(C) All local ordinances of the counties and cities authorized and adopted under [§ 24-8-318](#) shall remain in full force and effect.

(2) For the calendar year beginning January 1, 1998, the base amount to be retained shall be:

(A) Increased by any increase in the Consumer Price Index for All Urban Consumers as provided for in subdivision (c)(1) of this section; and

(B) Decreased by eighty-five percent (85%) of the total dollar amount which was certified by the county as having been collected during calendar year 1994 and for the purpose of funding the office and operation of the public defender and public defender investigator.

(d) Nothing in this section shall prevent the county from funding any additional costs for the administration of justice from these or other county funds.

(e) The county shall remit on or before the fifteenth day of each month all sums received in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this section during the previous month from the uniform filing fees provided for in [§§ 21-6-403](#) and [9-15-202](#), and the uniform court costs provided for in [§ 16-10-305](#) to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund.

History

Acts 1995, No. 1256, §§ 10, 12; 1995 (1st Ex. Sess.), No. 13, § 7; 1997, No. 788, § 6; 1997, No. 1341, § 6; 2001, No. 1611, § 1; 2003, No. 1185, § 51; 2005, No. 434, § 1; 2005, No. 2212, § 1; 2007, No. 177, § 2; 2013, No. 282, §§ 6, 7.

16-10-308. City administration of justice fund.

(a)

(1) There is hereby created in each town or city which operates a district court a fund in the office of the city treasurer to be known as the "city administration of justice fund".

(2)

(A) A town or city operating a city court that becomes a department of district court shall continue to maintain the city administration of justice fund as originally established by this section.

(B) The city administration of justice fund of any town or city shall cease to exist on and after the effective date of the ordinance that abolishes the department of district court for that town or city pursuant to state law.

(b) The city administration of justice fund shall be used to defray a part of the expense of the administration of justice in the town or city. From the fund, the town or city shall continue to finance the following town or city agencies and programs which are currently funded, in whole or in part, by filing fees and court costs, at a funding level equal to not less than the greater of the amount which was collected by the town or city from court costs and filing fees for the agency or program in the calendar year ending December 31, 1994, or the amount appropriated by ordinance enacted prior to December 31, 1994, to the agency or program for the calendar year ending December 31, 1995:

(1) The municipal court judge and clerk retirement fund for disbursement as otherwise provided by law;

(2) The police and fire pension fund;

(3) The intoxication detection equipment fund;

(4) All municipal-level programs and agencies funded in whole or in part by court costs and filing fees assessed and collected by the district court, notwithstanding the repeal by this act of laws authorizing the collection of court costs and filing fees; and

(5) All county-level programs and agencies funded in whole or in part by court costs and filing fees assessed and collected by the district court, notwithstanding the repeal by this act of laws authorizing the collection of court costs and filing fees and the disbursement of all or a part thereof to the county.

(c)

(1)

(A) The city administration of justice fund of each town or city may retain an amount equal to the amount which was collected by the town or city from court costs and filing fees for city administration of justice expense in the

calendar year ending December 31, 1994, or the amount appropriated from court costs and filing fees by ordinance enacted prior to December 31, 1994, for city or county administration of justice expense from court costs and filing fees for the calendar year ending December 31, 1995, plus, for calendar years 1995-2001, an additional amount based upon the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor for the two (2) years immediately preceding.

(B)

(i) The amount retained during calendar years 2002, 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.

(ii) Except as provided in subdivision (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each calendar year thereafter, an additional amount shall be added to the amount to be retained based upon the lesser of the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two (2) years immediately preceding or the percentage rate of increase in collections of the State Administration of Justice Fund for the two (2) years immediately preceding.

(iii) The provisions of subdivision (c)(1)(B)(ii) of this section shall not be effective if the Chief Fiscal Officer of the State determines that the additional amount retained under subdivision (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000) in a calendar year, and any additional amount to be retained must be authorized by the General Assembly.

(C) All local ordinances of the counties and cities authorized and adopted under [§ 24-8-318](#) shall remain in full force and effect.

(2) For the calendar year beginning January 1, 1998, the base amount to be retained shall be:

(A) Increased by any increase in the Consumer Price Index for All Urban Consumers as provided for in subdivision (c)(1) of this section; and

(B) Decreased by eighty-five percent (85%) of the total dollar amount which was certified by the town or city as having been collected during calendar year 1994 for the purpose of funding the office and operation of the public defender and public defender investigator.

(d) Nothing in this act shall prevent the town or city from funding any additional costs for the administration of justice from other town or city funds.

(e) The town or city shall remit, on or before the fifteenth day of each month, all sums received in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this section during the previous month

from the uniform filing fees provided for in [§16-17-705](#) and the uniform court costs provided for in [§ 16-10-305](#) to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund.

History

[Acts 1995, No. 1256, §§ 11, 13](#); [1997, No. 788, § 8](#); [1997, No. 1341, § 8](#); [2001, No. 1611, § 2](#); [2003, No. 1185, §§ 52, 53](#); [2005, No. 1934, § 4](#); [2005, No. 2212, § 2](#); [2007, No. 177, § 3](#); [2007, No. 663, §27](#); [2013, No. 282, § 8](#).

16-10-309. Failure to submit funds or reports.

(a) In the event a town, city, or county fails to timely or adequately submit funds and reports required by [§ 16-10-306](#), [§ 16-10-307\(e\)](#), [§ 16-10-308\(e\)](#), or other state law requiring a town, city, or county to submit funds and reports to the Administration of Justice Funds Section:

(1)

(A)

(i) The Attorney General may file a civil suit in circuit court against the town, city, or county alleged to have failed to submit the funds.

(ii) If the town, city, or county is found by the court to have failed to submit the funds and reports, the court shall impose a civil penalty on the town, city, or county of ten percent (10%) of the amount required to be remitted for the period of time the town, city, or county has failed to be in compliance.

(iii) The action may be brought in the circuit court of the subject county or the Pulaski County Circuit Court.

(iv) The Attorney General shall be allowed to recover costs and attorney's fees associated with the civil suit from the town, city, or county found to have failed to be in compliance.

(B) The Chief Fiscal Officer of the State, upon a finding that the town, city, or county has failed to submit the funds and reports, may withhold from month to month an equal amount from the town's, city's, or county's share of the state turnback funds owed to the town, city, or county until the funds required to be paid have been submitted; and

(2)

(A) Provided that the failure to act continues for a period of sixty (60) days, the state, upon a finding by the Chief Fiscal Officer of the State, may require the town, city, or county to remit all costs, fees, or other funds, however designated under subdivision (a)(1) of this section.

(B) The town, city, or county will thereafter receive its share of these funds at a time and in the manner prescribed by rules of the Chief Fiscal Officer of the State.

(b)

(1) All funds received under [§ 16-10-306](#), [§ 16-10-307\(e\)](#), or [§ 16-10-308\(e\)](#) shall be transferred to the State Administration of Justice Fund to be held and distributed under this subchapter.

(2) All other funds received shall be transferred to the appropriate state fund as provided by law.

History

[Acts 1995, No. 1256, § 14](#); [2005, No. 1934, § 5](#); [2007, No. 133, § 1](#); [2009, No. 166, § 1](#); [2019, No. 315, § 1292](#).

16-10-310. State Administration of Justice Fund – Distribution of revenue.

(a) At the close of books on or before the twentieth working day of each month, the Department of Finance and Administration shall distribute revenue credited to the State Administration of Justice Fund and received for the previous month as provided in this section.

(b) The revenue described in subsection (a) of this section shall be distributed to the following state programs and state agencies in monthly installments of at least one-twelfth ($\frac{1}{12}$) of the annual allocation provided for each state program or state agency from the State Administration of Justice Fund subject to the limitations stated in this section:

(1) The Board of Trustees of the University of Arkansas for the purpose of and as regulated by [§§ 6-64-604 – 6-64-606](#);

(2) The Public Health Fund and the Drug Abuse Prevention and Treatment Fund for use in the drug abuse prevention and treatment program of the Division of Aging, Adult, and Behavioral Health Services of the Department of Human Services;

(3) The Division of Arkansas State Police for the State Police Retirement Fund;

(4) The Crime Victims Reparations Revolving Fund for the purpose of and as regulated by the Arkansas Crime Victims Reparations Act, [§ 16-90-701](#) et seq.;

(5) The Prosecutor Coordinator's office for deposit into the Law Enforcement and Prosecutor Drug Enforcement Training Fund;

(6) The Crime Information System Fund;

(7) The Justice Building Construction Fund;

(8) The District Court Judge and District Court Clerk Education Fund;

(9) The Judges Retirement Fund;

(10) The State Central Services Fund for the benefit of the Arkansas Public Defender Commission;

(11) The Court Reporter's Fund;

(12) The Justice Building Fund;

(13) The Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Program Fund;

(14) The Administrative Office of the Courts to fund the Trial Court Administrator Fund;

(15) The Division of Arkansas State Police Fund;

(16) The State Central Services Fund for the benefit of the Division of Dependency-Neglect Representation of the Administrative Office of the Courts;

(17) The Miscellaneous Agencies Fund Account for the benefit of the State Crime Laboratory;

(18) The Arkansas District Judges Council, Inc., for the Executive Director of the Arkansas District Judges Council, Inc.;

(19) The Public Legal Aid Fund;

(20) The Administrative Office of the Courts for county reimbursements for jurors; and

(21) The Administrative Office of the Courts to reimburse the State Central Services Fund for the Drug Court Coordinator.

(c) If the Chief Fiscal Officer of the State determines that the State Administration of Justice Fund balance and estimated revenue to be received by the State Administration of Justice Fund are inadequate to fully fund all authorized monthly allocations from the State Administration of Justice Fund:

(1)

(A) The available revenue and remaining State Administration of Justice Fund balance shall be distributed first to fully fund the monthly allocation for:

(i) The Court Reporter's Fund;

(ii) The Arkansas District Judges Council, Inc., for the Executive Director of the Arkansas District Judges Council, Inc.; and

(iii) The Administrative Office of the Courts to fund the Trial Court Administrator Fund.

(B) Funds or allocations for a state program or state agency listed in subdivision (c)(1)(A) of this section shall not be affected if a deficit occurs in other State Administration of Justice Fund appropriations, allocations, or funds not listed in subdivision (c)(1)(A) of this section for that particular state program or state agency;

(2) The Chief Fiscal Officer of the State shall notify the disbursing officer of each state agency and state program not listed in subdivision (c)(1)(A) of this section of the amount of the state agency's or state program's portion of any reduction required from the state agency's or state program's authorized allocation in order to maintain the State Administration of Justice Fund with a projected positive balance; and

(3)

(A) The total funds remaining in the State Administration of Justice Fund after the distribution is made under subdivision (c)(1)(A) of this section shall be distributed to the state programs and state agencies not listed in subdivision (c)(1)(A) of this section in an amount equal to the proportion of the State Administration of Justice Fund that each state program would have received under subsection (b) of this section.

(B) A funding shortage from one (1) month shall be recouped from future months' payments as funds become available.

(d)

(1) If required to help meet the commitments of the State Administration of Justice Fund and if funds are determined to be available, the Chief Fiscal Officer of the State may transfer a sum not to exceed four million dollars (\$4,000,000) during any fiscal year from the Budget Stabilization Trust Fund to the State Administration of Justice Fund.

(2) As determined by the Chief Fiscal Officer of the State, if a positive fund balance remains in the State Administration of Justice Fund at the end of a fiscal year, the Chief Fiscal Officer of the State may transfer the positive fund balance from the State Administration of Justice Fund to the Budget Stabilization Trust Fund to reimburse for any transfers made under subdivision (d)(1) of this section.

History

[Acts 1995, No. 1256, § 15](#); [1995 \(1st Ex. Sess.\), No. 13, § 2](#); [1997, No. 788, § 10](#); [1997, No. 1341, § 10](#); [2003, No. 1185, § 54](#); [2009, No. 166, § 2](#); [2011, No. 1132, § 3](#); [2013, No. 504, § 2](#); [2013, No. 1107, § 13](#); [2015, No. 268, §§ 1, 2](#); [2017, No. 913, § 40](#).

16-10-311. Transfer of funds from State Administration of Justice Fund.

The Department of Finance and Administration may transfer funds, from time to time, from the State Administration of Justice Fund to the State Central Services Fund in such amounts as may be required to reimburse the State Central Services Fund for expenses of the Administration of Justice Funds Section of the Department of Finance and Administration.

History

[Acts 1997, No. 855, § 4.](#)

16-10-312. [Repealed.]

16-10-313. Support for State Crime Laboratory.

Notwithstanding [§§ 16-10-306](#), [16-10-307](#), [16-10-603](#), [16-10-604](#), and [19-5-993](#) or any other law to the contrary, twenty-five dollars (\$25.00) of the uniform filing fee collected in circuit court under [§ 21-6-403\(b\)\(1\)](#) shall be deposited into the State Treasury as special revenues to the credit of the Miscellaneous Agencies Fund Account, there to be used solely for the operations and support of the State Crime Laboratory. These moneys shall be in addition to all other sources of funding for the State Crime Laboratory and shall not be used to supplant any other source of funding for the State Crime Laboratory.

History

[Acts 2005, No. 65, § 2.](#)

16-10-314. Support for Arkansas publicly funded law schools.

(a) Notwithstanding §§ [16-10-306](#), [16-10-307](#), [16-10-603](#), [16-10-604](#), and [19-5-993](#) or any other law to the contrary, fifteen dollars (\$15.00) of the uniform filing fee collected in circuit court under [§ 21-6-403\(b\)\(1\)](#) shall be deposited as follows:

(1) Fifty percent (50%) of the revenues shall be deposited into the State Treasury as special revenues to the credit of the University of Arkansas Fund, there to be used for the support of the University of Arkansas School of Law; and

(2) Fifty percent (50%) of the revenues shall be deposited into the State Treasury as special revenues to the credit of the University of Arkansas at Little Rock Fund, there to be used for the support of the University of Arkansas at Little Rock School of Law.

(b) These moneys shall be in addition to all other sources of funding for the law schools and shall not be used to supplant any other source of funding for the law schools.

History

[Acts 2005, No. 431, § 2.](#)

16-10-315. [Repealed.]
