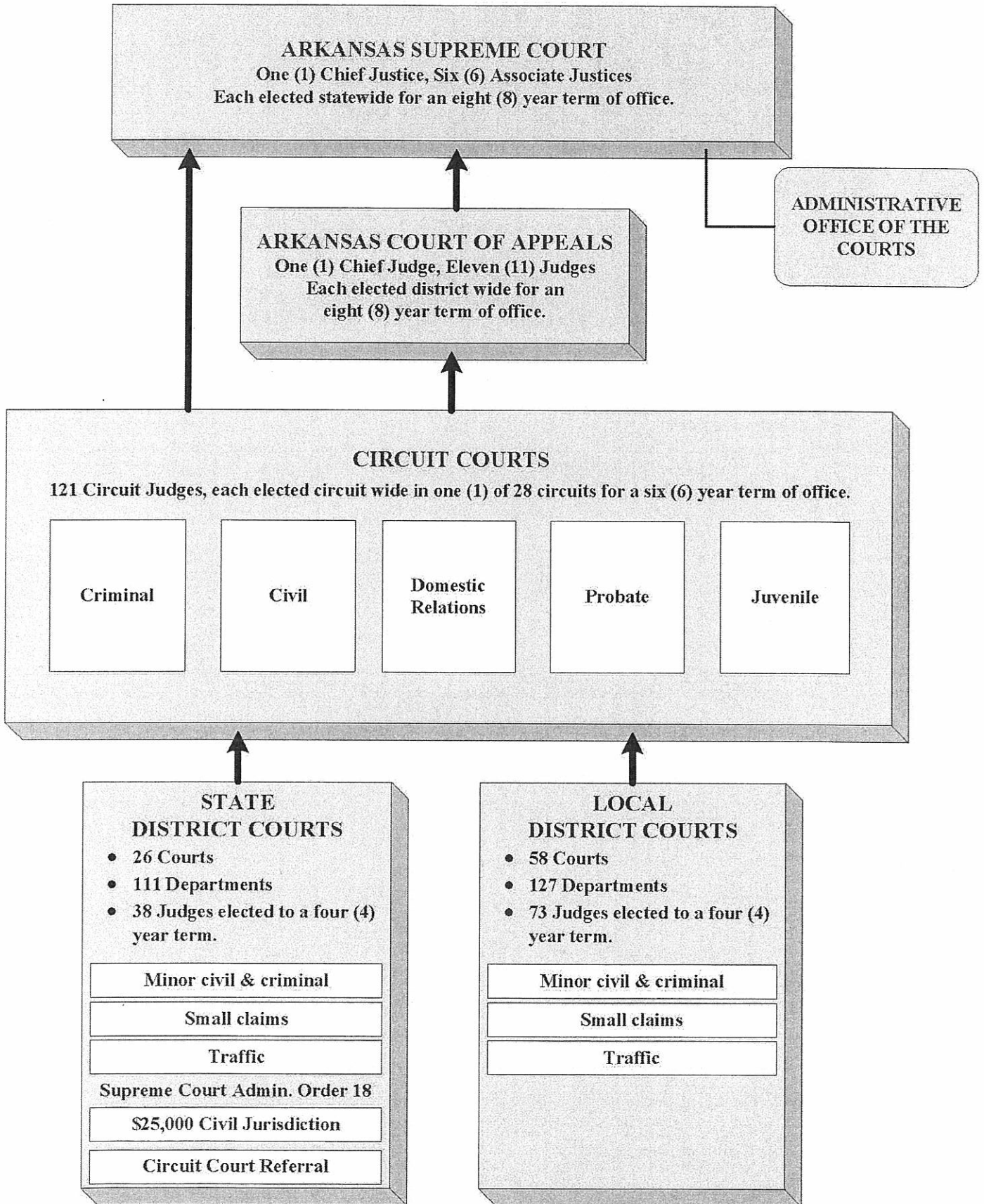


# ARKANSAS COURT STRUCTURE



*State District Courts and Local District Courts as of 9/3/2014*

## State District Courts Amendment 80's Final Frontier

*by Keith Caviness*

**E**ach regular session of the Arkansas General Assembly is a unique event in which particular legislative goals may or may not be achieved. Each session presents varying opportunities and obstacles to the participants. The most recent regular session was that of the 88th General Assembly which convened on Monday, January 10th, 2011 and adjourned on Wednesday, April 27th, 2011. One item during this session which proved to be of particular interest to the state bar, judiciary, local government, law enforcement, and of course legislators, was a proposal to create state district courts.

HB 1869, "An Act to Create State District Courts," was filed on March 3, 2011, and after considerable discussion in the halls of the capitol, in committee meetings, debate on the floor of the house and senate, five amendments and though a Governor veto loomed as a possibility, finally became Act 1219 of 2011 after its approval on April 6.

A bit of explanation is in order of how Act 1219 of 2011 came to be within the confines of Amendment 80 to the Arkansas Constitution, our state judicial article.

### **Impact of Amendment 80**

In Arkansas prior to the passage of Amendment 80 in November 2000, there were five different kinds of limited jurisdiction courts in the state with overlapping jurisdiction. Limited jurisdiction courts are courts in which issues specifically authorized by statute or constitution are the only issues that may be considered.

Since the passage of Amendment 80, the following changes have been made to the system of limited jurisdiction courts: (1) Justice of the Peace Courts were abolished;<sup>1</sup> (2) Courts of Common Pleas were abolished;<sup>2</sup> (3) The name of each of the state's municipal courts was changed from "municipal" to "district" courts;<sup>3</sup> (4) City Courts continued in existence after the effective date of Amendment 80 unless abolished by the governing body of the city or action of the General Assembly;<sup>4</sup> and (5) The timing of election of district judges was changed, and all judicial elections were declared nonpartisan.<sup>5</sup> The limited jurisdiction court landscape was narrowed to district courts and city courts.

In 2002, the Arkansas Supreme Court issued a statement on limited jurisdiction courts.<sup>6</sup> The statement was the court's vision for the future of the state's district and city courts. The specific statement of the court appears in the endnotes.

In the aftermath of the court's statement, the authority for the appointment of full-time district judges for temporary assignments in district courts was established.<sup>7</sup> New and specific geographical boundaries were set for every district court in the state, and a new structure of "departments" was established within each court when the court sits in multiple locations or when the court has multiple judges.<sup>8</sup> A state-

administered district judge retirement system was created, and the funding and administration was transferred from local retirement boards to the state.<sup>9</sup> Police courts were abolished, the criminal jurisdiction of district and city courts was established, further statutory references were removed to other limited jurisdiction courts, and statutory provisions were repealed that, pursuant to Amendment 80, are to be governed by Supreme Court rule.<sup>10</sup>

### **Amendment 80 Committee Recommendations**

In 2004 the Amendment 80 Implementation Committee,<sup>11</sup> after working for most of the year entirely on district court issues, made a recommendation to the Supreme Court. In response, the court acted and four subject matter divisions were established in each district court, the civil jurisdiction was set for district courts, and rules were adopted for the operation of the small claims division.<sup>12</sup>

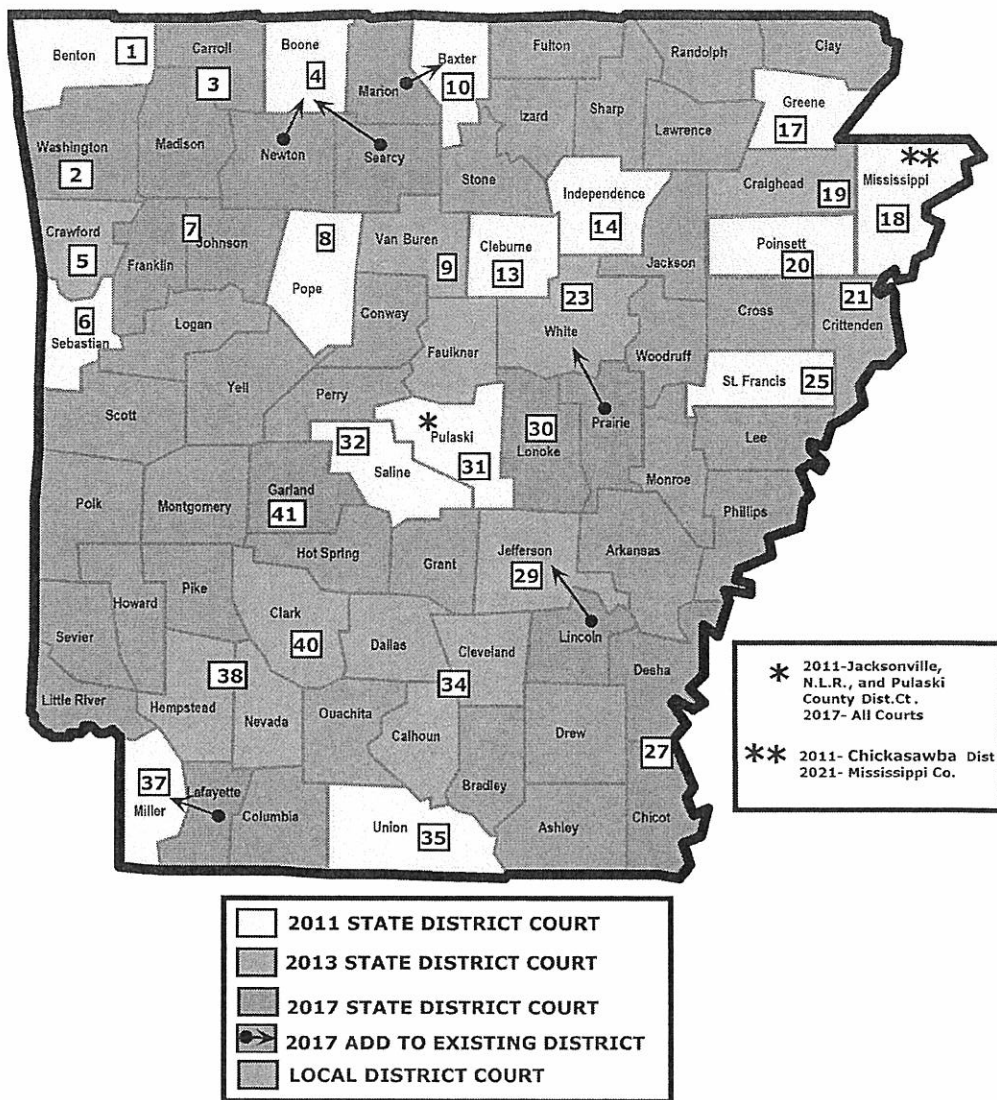
On December 14, 2004, the Amendment 80 Committee concluded its work and again made recommendations to the Supreme Court on specific issues affecting district courts.<sup>13</sup> The court noted that unlike the adoption of Administrative Order 18 and the District Court Rules, these recommendations could not be adopted by the court but would require legislative action.

The opinion from the court discussed each recommendation as it was presented and repeated what was said in the Statement on Limited



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Arkansas District Courts  
2011-2017



Jurisdiction Courts as being equally true today: “[T]he responsibility for implementation ... is shared between the Supreme Court and the General Assembly. ... These policy statements ... are offered as a guide to insure consistency in the measures adopted by the judicial and legislative branches...”<sup>14</sup>

Though the Amendment 80 Committee had concluded its work, the Supreme Court had not and in early 2005 responding to the requests of certain judges in the state, Ark. R. Crim. P. 1.8 was adopted.<sup>15</sup> This rule, which authorized the appointment of a district judge as a criminal magistrate to carry out certain preliminary matters in criminal cases in circuit court, did not change the powers of district judges as judicial officers and it did not require their designation as magistrate in any area of the state. The General Assembly, in the 2005 regular session, addressed the issue of additional compensation to be paid to district

judges who are appointed to serve as criminal magistrates in circuit court.<sup>16</sup>

**Pilot District Court Judges**

Based on a report from the interim Legislative Task Force on District Courts in 2006,<sup>17</sup> major changes were made to the District Court system in Arkansas in the 2007 legislative session. The changes were aimed at providing a true “three-tiered court” court system in the state. SB235 was introduced and was signed into law on March 29 as Act 663.<sup>18</sup>

Over time, the Act would consolidate the 219 district and city courts then existing into a smaller number of district courts. The Act ensured that court proceedings will continue to be held in the same locations that presently hold court. Judicial salaries would be equal and paid by the state. An attempt was made to equalize the caseload for each district.

One important feature of Act 663 of 2007

is that the Act is “revenue neutral.” It allows cities and counties to keep 100% of all revenue and fines currently generated by the court. A new court fee on statutory foreclosures<sup>19</sup> and an increased fee on small claims cases<sup>20</sup> were enacted to provide the funding necessary to assume the additional costs of judicial salaries and benefits. Cities and counties which have a pilot state district court judgeship will transfer to the state an amount equal to their proportionate share of one-half of the base judicial salary established by law for that county and town or city’s pilot state district court judge.

The legislation began as a pilot program on January 1, 2008, in twelve counties in the state and involving 17 district courts.<sup>21</sup> These courts in total are served by 19 full-time judges, each of whom is a state employee.

The recommendations of the task force included suggesting that the Arkansas Supreme Court adopt an administrative rule to expand



subject-matter jurisdiction for the pilot district courts. Acting under the task-force proposal and after publishing for comment an alternative proposal<sup>22</sup> the Supreme Court issued a per curiam opinion September 27, 2007.<sup>23</sup> The opinion amended Supreme Court Administrative Order 18 concerning district courts. Under the amended order, the pilot district courts' civil jurisdictional limit increased to \$25,000 and certain matters pending in the circuit court which arose within the territorial jurisdiction of the pilot district court may be referred to a pilot district court judge.

#### **District Court Resource Assessment Board**

Act 663 of 2007 also created the District Court Resource Assessment Board.<sup>24</sup> The Board consists of two members of the House of Representatives, two Senators, a mayor, a county judge, a circuit judge, two district judges, the Chief Justice of the Supreme Court and a member of the Arkansas Bar Association who is engaged in the full-time practice of law. The legislation directs the Board to recommend to the General Assembly at each regular session criteria for the creation and placement of full-time, state funded district court judgeships and revisions of current district court judgeships or the redistricting of the district court districts of the state.

The Board met numerous times throughout 2008 and accepted applications to become pilot state district courts. Fifteen applications were received but only six met the criteria established by the Board.<sup>25</sup> The Board's recommendation was filed in the 2009 regular session of the General Assembly as House Bill 1398 and was signed into law as Act 345 of 2009.<sup>26</sup> The act created six additional pilot state district court judgeships<sup>27</sup> and also increased the civil filing fee in district court<sup>28</sup> to help fund the judicial salaries.

#### **Supreme Court Administrative Orders**

The Supreme Court continued to support the concept of a state-wide system of full-time state district courts while recognizing the duties of the District Court Resource Assessment Board and that the court's actions must coincide with legislative enactments. In May 2010 the court amended Administrative Order Number 16 to update it to allow state district court judges to be assigned to circuit court.<sup>29</sup>

In February 2011, the court issued a per curiam opinion amending the civil jurisdiction of state district court judges pertaining to cer-

tain matters in circuit court that may be heard and permitting some of the changes by allowing the use of electronic recording equipment to make the record.<sup>30</sup> These changes were to be effective July 1, 2011. The court noted that the changes came in conjunction with the Board's recommendation to the General Assembly for the creation and placement of state district courts and that the recommendations were the product of numerous meetings, including a meeting of the state district court judges and the administrative judges of the circuit courts.

#### **Act 1219 of 2011**

The District Court Resource Assessment Board's recommendation to the 2011 regular session of the General Assembly was to enact legislation to implement the Board's goal for a three-tiered unified court system. The proposal would establish state district courts for the entire state and state district judges for those courts. This plan deviated from the past practice of taking applications for state district court judgeships. The realization was that if that practice continued the end result would be excluded areas of the state which could not ever justify a full-time judgeship in that area.

Act 1219 of 2011<sup>31</sup> creates "State District Courts" and designates geographic districts for these courts. Also, dates are set for the election of judges in the various districts, territorial jurisdiction is established, geographic areas from which the judge is elected are prescribed and the departments of the courts are stated. The current 'pilot district courts' consisting of 25 judgeships in 15 counties are redefined as 'state district courts' comprising 15 numerical districts effective July 27, 2011. Effective January 1, 2013, an additional nine districts with 13 state district court judgeships in 13 counties are created. Effective January 1, 2017, an additional six districts with 10 state district court judgeships in nine counties are created. The act creates one final judgeship in 2021. The remainders of the state's district courts are designated as "local district courts." A map which outlines these changes may be found at the end of this article.

A companion to the creation of state district courts was Act 1137.<sup>32</sup> Arkansas Code Title 16 is amended to add a new section providing that if authorized by the administrative plan for a judicial circuit, a state district court judge may preside over 1) a drug court program; 2) a probation supervision program; and 3) a parole supervision program. Act 1137 also amends 16-98-303 to provide that if a county is in a judicial district that does not have a

circuit judge who is able to administer the drug court program on a consistent basis the administrative plan for the circuit may designate a district court judge to administer the program.

#### **Why Such a Struggle, Issues, Suggestions**

As mentioned in the beginning of this article, Act 1219 of 2011 though a major piece of legislation elicited much opposition during the legislative session. The original proposal would have created 64 full-time state district court judgeships in 40 district court districts in all 75 counties in the state. After considerable legislative wrangling, the result was those proposed districts voicing the loudest opposition being removed from House Bill 1869. Fortunately, the bill was drafted in a manner which allowed these deletions while saving the intent and structure of the bill as whole. Certain other amendments were made in a few proposed districts to gain the support of those in favor of the state district court model. The act, by 2017, will have created 53 full-time state district court judgeships in 43 counties. 32 counties were left out of the act but, this large geographical area was projected to be served by only 10 full-time state district court judges.

Looking back, this legislation did not have a large organized opposition. There were legislators expressing dissatisfaction as presented to them by constituents. Those constituents in this matter might be the mayor, the county judge, the district court judge, and local law enforcement. The mayor and the county judge might have funding issues, and there are funding issues which must be addressed at some point, or fears of losing the court in their area. Some district court judges appeared in committee hearings to state their opposition such as the importance of having a local judge residing in the community.

The law enforcement opposition came primarily from worries over obtaining search warrants and arrest warrants if the local district court judge now resided one county away under the state plan. Perhaps a change in our criminal procedure rules to clarify that this segment of court business may be conducted by phone, fax, or other internet related audio-visual communications would alleviate this concern.

It has been expressed in discussions after the legislative session that perhaps a lack of understanding of the specifics of the proposal or a misunderstanding of its effects was a

**Courts continued on page 44**

## Courts continued from page 12

contributor to the less than total inclusion. If that is true, more effective education on the issues for those impacted is a great place to start.

Maybe an article in a glossy legal publication ...?

### Endnotes

1. ARK. CONST. amend. 80 § 22(A).
2. Act of March 19, 2001, No. 915 Section 1, 2001 ARK. ACTS 915.
3. Act of April 17, 2001, No. 1693, 2001 ARK. ACTS 1693.
4. ARK. CONST. amend. 80§ 19(B)(2).
5. Act of April 19, 2001, No. 1789, 2001 Ark. Acts 1789.
6. *In Re: Amended Supreme Court Statement on Limited Jurisdiction Courts Under Amendment 80*, 351 Ark. App'x. 708 (2002). The court said: (1) One district court should be created in each county. In counties which have two county seats and in which the General Assembly has created two judicial districts, one district court should be created in each district. No district judge should have the authority to act outside of the area from which he or she is elected; (2) To the extent that the number of cases within a county or district is sufficient to support a full caseload, district judges should serve on a full-time basis and should be prohibited from practicing law. To the extent that there is not a sufficient number of cases within a district or county to support a full caseload, two or more districts and/or counties should be combined for the purposes of creating an electoral district for the election of a full-time judge to serve the courts so designated; (3) The state should assume the responsibility for the payment of the salary and retirement of full-time district court judges. The salary paid to full-time district court judges should be commensurate with their role and status as members of the state judiciary and relative to the state salaries paid to general jurisdiction and appellate court judges. The source of funding for full-time district court judges should be the same as that for general jurisdiction and appellate court judges. Local government should continue to fund the salary and retirement of part-time district court judges and the other costs of operating the district court; (4) The Supreme Court Committee on the Implementation of Amendment 80 should study and review the possible enhancement of the subject matter jurisdiction of district courts and make recommendations to the court for action and

for further recommendation to the General Assembly; (5) The district court should be established as the unified limited jurisdiction court in Arkansas. Statutory authorization for the continuation of Municipal Courts, City Courts, Police Courts and Justice of the Peace Courts should be repealed, effective January 1, 2005. The current statutory provisions authorizing magistrates in district courts should be repealed; and (6) There should be created the following subject matter divisions for district court: criminal, traffic, civil and small claims.

7. *In Re Administrative Order Number 16–Procedures Regarding the Assignment of Judges*, 351 Ark. Appx. 719 (2003).

8. Act of April 22, 2003, No. 1727, 2003 ARK. ACTS 1727.

9. Act of April 15, 2003, No. 1374, 2003 ARK. ACTS 1374.

10. Act of April 9, 2003, No. 1185, 2003 ARK. ACTS 1185.

11. *In Re Appointment of Special Supreme Court Committee to be known as “Amendment 80 Committee”*, 343 Ark. App'x. 877 (2000).

12. *In Re: Adoption of Administrative Order Number 18 and Amendment of Court Rules (Formerly Known As Inferior Court Rules)*, 360 Ark. Appx. 601 (2004).

13. *In Re: Supreme Court Amendment 80 Committee’s Recommendations for Limited Jurisdiction Courts*, 360 Ark. Appx. 620 (2005). The specific recommendations and the court’s responses were as follows. “(a) Issue 1: Committee recommended unanimously the consolidation of city and district courts with district judges to hear cases at the location of the former city courts and with no changes to the distribution of revenues among the cities and/or counties. We accept the committee’s recommendation and adopt the recommendation as our own. (b) Issue 2: Committee recommended unanimously the creation of full-time district judge positions to be paid by the state from general revenue. Issue 3: Committee recommended (13 members in favor and 1 against) the establishment of a timetable and process for the incremental transfer of part-time district court positions paid by local government to full-time positions paid by the state. (A minimum of 20 positions by the 2005 General Assembly with additional positions by each General Assembly through the 2013 General Assembly). We accept the committee’s recommendations with respect to Issues 2 and 3 and adopt the recommendations as our own. In our Statement on Limited Jurisdiction Courts, we said: While Amendment 80 does

not require that district court judges serve in a full-time capacity it certainly contemplates that as the standard. ... If the district court is to become a true third tier of the state court system it must be a full-time court served by full-time judges. (c) The committee also reviewed proposals regarding the salaries of district judges and the funding of salaries. The committee took the following actions with respect to salary issues: Issue 4 (a): There was not a majority vote in favor of specific, uniform salary recommendations for district judges as set out in draft legislation. (For: 6 members; Against: 3 members; Abstain: 5 members). Issue 4 (b): Unanimously endorsed the revision of the current schedule of district judge salaries paid by cities and/or counties to a uniform and equitable system which is based primarily on the caseload of the court. Where such changes have the effect of lowering the salaries of any individual judges, the salaries of such judges shall remain unaffected and the new salary adopted upon the election/appointment of a successor judge. Issue 5: There was not a majority vote to increase the civil filing fees in district courts by \$15.00 to raise revenues for salaries. (For: 5 members; Against: 4 members; Abstain: 5 members). With respect to Issues 4 and 5, we take no position regarding the specific salary amounts for district judges or the raising of filing fees in the district court, because we believe these are matters not within the purview of the Supreme Court.”

14. *Id.*

15. *In Re: Adoption of Rules of Criminal Procedure, Rule 1.8*, 361 Ark. Appx. 447 (2005).

16. ARK. CODE ANN. § 16-17-135 (Lexis Repl. 2010).

17. Report of the Legislative Task Force on District Courts (Act 1849 of 2005 created the Legislative Task Force on District Courts, and it was charged with conducting a comprehensive study of the transition of district court judges to state employee status and the funding and role of district courts). **Recommendations From the Report of The Legislative Task Force on District Courts:** (1) A voluntary pilot program should be created by selecting up to twenty full-time district judges from counties that are capable of sustaining at least one full-time district judge to begin January 1, 2008; (2) The salary for full-time district judges participating in the pilot program should be set at one hundred fifteen thousand dollars (\$115,000), plus benefits; (3) The duties for all city judgeships in the pilot

program counties shall be assumed by the pilot program district judges as of January 1, 2008, and all city courts now in existence in a county of a pilot program may continue as departments of the appropriate district court unless the city determines it is in its best interest to discontinue the court. In that event, the district judge with jurisdiction and the city or county, or both, shall determine where those cases are heard. However, any city court that currently has court held in a specific location shall continue to have court held in that location by the district judge of the pilot program; (4) The state's portion of the cost for the pilot program should be paid through general revenues as recommended by the Supreme Court; (5) The General Assembly should add a filing fee to non-judicial foreclosure equal to the current circuit court filing fee and it should increase the small claims filing fee by twenty-five dollars (\$25.00); (6) All city judgeships in the pilot program counties should be eliminated effective January 1, 2008, and all city judgeships should be eliminated statewide January 1, 2009; (7) A cost-sharing formula should be used in which the state and the local governments within the county share equally the salary of the district judge with the state paying all benefits, including retirement, FICA, and insurance. It is the intent of the task force that at such time as the program should become statewide, the goal would be full state funding of the district judges; (8) For purposes of the pilot 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; and (9) The Supreme Court should adopt an administrative rule dealing with the subject matter jurisdiction of district courts, specifically limiting the new order to the judges participating in the pilot program and making reference to district judges rather than magistrates.

18. Act of March 3, 2007, No. 663, 2007 ARK. ACTS 663.

19. ARK. CODE ANN. § 21-6-402 (Lexis Supp. 2011).

20. ARK. CODE ANN. § 16-17-705 (Lexis Repl. 2010).

21. Boone County, Baxter County, Pope County, Greene County, Mississippi County/Chickasawaba District, Poinsett County, Saline County/Benton department, Saline County/Bryant department, Bentonville, Sebastian County/Fort Smith department, Sebastian County/Greenwood department, Independence County, Miller

County, Union County, Rogers, Siloam Springs and Benton County West District.

22. *In Re: Report of Legislative Task Force on District Courts—Alternative Proposal Being Published for Comment*, 368 Ark. App'x. 707 (2007).

23. *In Re: Administrative Order Number 18—Adoption of New Section 6—Jurisdiction of Pilot State District Court Judgeships*, 371 Ark. App'x. 673 (2007).

24. ARK. CODE ANN. § 16-17-1001-1003 (Lexis Repl. 2010).

25. The criteria initially established by the Board included:

- Interest of the local district judge;
- Demonstrated need for a full-time, state-funded district judge;
- Caseload statistics from the jurisdiction;
- Local government support, including but not limited to state senators, state representatives, county judge, mayor, local bar associations, etc;
- Support of circuit judges in the pilot court's circuit, including an explanation by the administrative circuit judge of the proposed duties of the pilot court district judge(s);
- Geographical composition of the judicial district and its affect on the need for a pilot judgeship; and
- Travel time and distance between courts in the district, if that is a reason for the necessity of the judgeship.

26. Act of March 10, 2009, No. 345, 2009 ARK. ACTS 345.

27. The pilot judgeships were located in St. Francis County, Cleburne County, Independence County, and in Pulaski County in the Jacksonville District Court, the North Little Rock District Court – Departments 1 and 2, and in the Pulaski County District Court.

28. ARK. CODE ANN. § 16-17-705 (Lexis Repl. 2010).

29. *In Re Amendments to Administrative Orders Nos. 1, 14, & 16*, 2010 Ark. 269.

30. *In Re Amendments to Administrative Orders Nos. 4 and 18 and Regulations of the Arkansas Board of Certified Court Reporter Examiners* § 1, 2011 Ark. 57.

31. ARK. CODE ANN. §§ 16-17-1101-1112 (Lexis Supp. 2011).

32. ARK. CODE ANN. § 16-17-137 (Lexis Supp. 2011). ■

West's Arkansas Code Annotated
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Title 16. Practice, Procedure, and Courts
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Subtitle 2. Courts and Court Officers (Chapters 10 to 29)
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Chapter 10. General Provisions
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Subchapter 3. Uniform Filing Fees and Court Costs (Refs & Annos)
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A.C.A. § 16-10-310

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

Effective: July 1, 2015

Currentness

(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 Behavioral Health Services;

(3) The Department 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 Department 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 for the Executive Director;
- (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 for the Executive Director; 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.

§ 16-10-310. State Administration of Justice Fund--Distribution..., AR ST § 16-10-310

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(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.

### Credits

Acts of 1995, Act 1256, § 15, eff. April 13, 1995; Acts of 1995, 1st Ex. Sess., Act 13, § 2, eff. Oct. 23, 1995; Acts of 1997, Act 788, § 10, eff. July 1, 1997; Acts of 1997, Act 1341, § 10, eff. July 1, 1997; Acts of 2003, Act 1185, § 54, eff. July 16, 2003; Acts of 2009, Act 166, § 2, eff. July 31, 2009; Acts of 2011, Act 1132, § 3, eff. July 27, 2011; Acts of 2013, Act 504, § 2, eff. March 26, 2013; Acts of 2013, Act 1107, § 13, eff. Aug. 16, 2013; Acts of 2015, Act 268, §§ 1, 2, eff. July 1, 2015.

A.C.A. § 16-10-310, AR ST § 16-10-310

Current through 2015 Reg. Sess. and 2015 1st Ex. Sess. of the 90th Arkansas General Assembly., including changes made by the Ark. Code Rev. Comm. received through 11/1/2015.

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End of Document

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FILINGS	CONVICTIONS	DISMISSALS	APPEALS	FINES ASSESSED	FINES COLLECTED	Percentage FINES COLLECTED	COSTS ASSESSED	COSTS COLLECTED	Percentage COSTS COLLECTED
<b>STATEWIDE TOTAL</b>									
Misdemeanor	209,726	82,773	22,440	75,056,890	21,294,410	28.37%	29,765,078	12,502,466	42.00%
Local Ordinance	34,133	5,779	325	3,145,867	2,255,113	71.68%	2,069,815	1,784,396	86.21%
<b>TOTAL</b>	<b>243,859</b>	<b>88,552</b>	<b>22,765</b>	<b>78,202,757</b>	<b>23,549,523</b>	<b>30.11%</b>	<b>31,834,893</b>	<b>14,286,862</b>	<b>44.88%</b>
<b>Felonies Bound Over</b>									
DWI 1	12,103	1,481	688	7,634,745	4,657,806	61.01%	3,633,930	2,805,966	77.22%
DWI 2	2,274	137	152	2,324,122	1,337,637	57.55%	640,629	503,402	78.58%
DWI 3	648	54	60	1,115,526	384,377	34.46%	190,375	113,961	59.86%
Other Traffic	354,880	101,631	14,509	47,192,284	28,828,580	61.09%	29,185,750	21,156,115	72.49%
<b>TOTAL</b>	<b>369,905</b>	<b>103,303</b>	<b>15,409</b>	<b>58,266,677</b>	<b>35,208,400</b>	<b>60.43%</b>	<b>33,650,684</b>	<b>24,579,444</b>	<b>73.04%</b>
<b>FILINGS DISPOSITIONS</b>									
Small Claims	10,064	4,289					348,882	388,358	111.32%
Other Civil	43,651	22,437					2,308,510	2,498,507	108.23%
<b>TOTAL</b>	<b>49,819</b>	<b>24,303</b>					<b>2,419,607</b>	<b>2,740,555</b>	