

Act 28 of the Third Special Session of 1989.

Act 28

SB17

By: Senate Committee on Judiciary

CALL ITEM 8

For An Act To Be Entitled  
"AN ACT TO CREATE NEW CIRCUIT-CHANCERY JUDGESHIPS; TO  
PROVIDE EACH NEW JUDGE A COURT REPORTER AND COURT FACILITIES;  
AND FOR OTHER PURPOSES."

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

SECTION 1. (a) (1) The following additional circuit-chancery judgeships are hereby created:

(A) One (1) circuit-chancery judgeship in the Second Judicial District;

(B) Two (2) circuit-chancery judgeships in the Sixth Judicial District;

(C) One (1) circuit-chancery judgeship in the Seventeenth-East Judicial District;

(2) The circuit chancery judgeship created by this section within the Second Judicial District shall primarily perform the duties of a judge of the juvenile division of chancery court and conduct hearings for the involuntary admission or commitment of persons to the Arkansas State Hospital or any other public or private hospital with a fully trained psychiatrist on the active or consultant staff, and shall sit as judge of the circuit, chancery and probate courts as time permits.

(3) Of the judgeships created by this section within the Sixth Judicial District, the chancery judges of the Sixth Judicial District may designate by agreement one (1) of the Sixth Judicial District circuit-chancery judges whose primary responsibility shall include conducting hearings for the involuntary admission or commitment of persons to the Arkansas State Hospital or any other public or private hospital with a fully trained psychiatrist on the active or consultant staff, and may designate by agreement one (1) of the Sixth Judicial District circuit-chancery judges whose primary responsibility shall be to perform the duties of a judge of the juvenile division of chancery court. Each of these judges shall sit as judge of the circuit, chancery, or probate courts as time permits.

(4) The circuit-chancery judgeship created by this section within the Seventeenth-East Judicial District, whose primary responsibility shall be to perform the duties of a judge of the juvenile division of chancery court, shall sit as judge of the circuit, chancery and probate courts as time permits.

(b) The qualified electors of the respective judicial circuits shall elect the additional circuit-chancery judges at the November, 1990, General Election to take office on January 1, 1991. The additional judges shall be elected in the same manner and shall satisfy the same qualifications for holding office and shall receive the same salary, expenses and other allowances as provided by law for judges of circuit-chancery courts. The judges shall serve for elected terms of four (4) years.

(c) As soon as possible after the effective date of this Act, the Governor shall appoint a qualified person to temporarily fill the Second and Sixth Judicial District circuit-chancery judgeships created by this Act, and such persons shall serve until December 31, 1990 or until their successors have been elected and qualified, whichever occurs last.

SECTION 2. In each judicial circuit in which an additional circuit-chancery judge is created pursuant to this Act, the county or counties located in the judicial circuit shall provide courtroom and office facilities and supplies, which shall be paid out of the county treasury of the county or counties in the same manner as other demands against the county or counties, out of funds appropriated by the quorum court of the county or counties for such purposes. Provided, however, that the additional judgeship for the Sixth Judicial District who is to conduct commitment hearings shall be provided courtroom and office facilities and supplies by the Arkansas State Hospital located in Pulaski County.

SECTION 3. In each judicial circuit in which additional circuit-chancery judgeships are created pursuant to this Act, there shall be provided court reporters whose salary shall be fixed and paid in the manner provided by law for court reporters of the circuit and chancery courts of this state.

SECTION 4. Each probate judge within the Sixth Judicial District may conduct involuntary commitment hearings prescribed by Sections 9 and 10 of Act 861 of 1989 provided that the person sought to be committed is detained within the boundaries of the Sixth Judicial District at the time of the hearing. Provided, however, if the person was transported to a location within the Sixth Judicial District by order of a court outside the Sixth Judicial District, the court of original jurisdiction may conduct the hearings prescribed by Section 9 and Section 10 of Act 861 of 1989.

SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. EMERGENCY. It is hereby found and determined by the General Assembly that the caseload of the Second and Sixth Judicial Districts necessitates the appointment of additional circuit-chancery judges immediately; and that this Act so provides and should therefore be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being immediately necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

APPROVED: November 7, 1989

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