

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

A Bill

Act 1231 of 2001
HOUSE BILL 1636

5 By: Representative Ledbetter
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE 9-12-320(a)(2) REGARDING
10 A CHANGE OF VENUE IN PROCEEDINGS SUBSEQUENT TO A
11 DIVORCE DECREE; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT TO AMEND ARKANSAS CODE 9-12-320
15 (a)(2) REGARDING A CHANGE OF VENUE IN
16 PROCEEDINGS SUBSEQUENT TO A DIVORCE
17 DECREE.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code 9-12-320(a)(2) is amended to read as follows:

24 (2)(A) If more than six (6) months subsequent to the final
25 decree, however, (i) when both of the parties to the divorce proceedings have
26 established a residence in a county of another ~~chancery~~ judicial district
27 within the state, ~~one or both of the parties~~ or (ii) one of the parties has
28 moved to a county of another judicial district within the state, and the other
29 party has moved from the State of Arkansas, the court on its own motion or
30 either party may petition the court which granted the final decree to request
31 that the case be transferred to another county in which at least one party
32 resides. The decision to transfer a case is within the discretion of the
33 court where the final decree of divorce was rendered.

34 (B) The case shall not be transferred absent a showing that
35 the best interest of the parties justifies the transfer.

36 (C) In cases where children are involved and a

1 justification for transfer of the case has been made, there shall be an
2 initial presumption for transfer of the case to the county of residence of the
3 custodial parent.

4 (D) Justification for transfer of a case may be based on
5 the establishment of residence by both parties in a county or state other than
6 the county where the final decree of divorce was rendered.

7
8
9 APPROVED: 4/2/2001
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36