

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.

Act 72 of the Regular Session

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H1/12/05 H1/19/05

A Bill

HOUSE BILL 1003

5 By: Representative Boyd
6
7

For An Act To Be Entitled

9 AN ACT TO CLARIFY THE CREATION AND LOCATIONS OF
10 THE DEPARTMENTS OF VARIOUS DISTRICT COURTS; AND
11 FOR OTHER PURPOSES.
12

Subtitle

14 AN ACT TO CLARIFY THE CREATION AND
15 LOCATIONS OF THE DEPARTMENTS OF VARIOUS
16 DISTRICT COURTS.
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 16-17-902 is amended to read as follows:

22 16-17-902. Counties having one district court.

23 (a)(1) Each of the following counties shall have one (1) district
24 court and one (1) district judge:

25 (2) Baxter, Boone, Bradley, Calhoun, Clark, Cleburne, Cleveland,
26 Columbia, Conway, Crawford, Cross, Dallas, Drew, Faulkner, Fulton, Grant,
27 Greene, Hempstead, Hot Spring, Howard, Independence, Iazard, Jackson, Johnson,
28 ~~Lawrence~~, Lafayette, Lee, Lincoln, Little River, Madison, Marion, Miller,
29 Montgomery, Nevada, Newton, Perry, Pike, ~~Poinsett~~, Polk, Pope, Randolph,
30 Scott, Searcy, Sevier, ~~Sharp~~, St. Francis, Stone, Union, and Van Buren, ~~and~~
31 ~~Woodruff~~.

32 (b) The district court shall be located in the county seat of the
33 counties listed in subdivision (a)(2) of this section.

34 (c)(1) The judge of any district court located in a county with one
35 (1) district court shall be elected countywide.



1 (2) If there is only one (1) district court in a county, it
2 shall have countywide jurisdiction.

3
4 SECTION 2. Arkansas Code § 16-17-904 is amended to read as follows:

5 16-17-904. Counties having two district courts.

6 (a) Arkansas, Carroll, Franklin, Logan, and Mississippi, ~~and~~ ~~Prairie~~
7 counties, having two (2) judicial districts, shall have one (1) district
8 court in each district and one (1) district judge for each court.

9 (b) The district court in Arkansas, Carroll, Franklin, Logan, and
10 Mississippi, ~~and~~ ~~Prairie~~ counties shall be located in the county seat of each
11 judicial district in the county.

12 (c) The judge of any district court located in Arkansas, Carroll,
13 Franklin, Logan, and Mississippi, ~~and~~ ~~Prairie~~ counties shall be elected by
14 the electors of the judicial district in which the court is located.

15 (d) In Arkansas, Carroll, Franklin, Logan, and Mississippi, ~~and~~
16 ~~Prairie~~ counties, the jurisdiction of the district court shall be limited to
17 the district in which the court sits.

18
19 SECTION 3. Arkansas Code § 16-17-907 is amended to read as follows:

20 16-17-907. Clay County District Court.

21 (a) Clay County, ~~having two (2) judicial districts,~~ shall have one (1)
22 district court with ~~two (2)~~ three (3) departments, one (1) ~~department~~ located
23 ~~in the county seat of each judicial district~~ Corning, one (1) located in
24 Piggott, and one (1) located in Rector and both with all three (3)
25 departments ~~are~~ to be served by one (1) judge.

26 (b) The judge of the Clay County District Court shall be elected
27 countywide.

28 (c) The Clay County District Court shall have countywide jurisdiction.

29
30 SECTION 4. Arkansas Code § 16-17-914(a)(1), concerning the
31 establishment of district courts, is amended to read as follows:

32 (a) Lonoke County, having two (2) judicial districts, shall have the
33 following district courts and judges:

34 (1) The Northern District of Lonoke County shall have:

35 (A) One (1) district court with two (2) departments, one
36 (1) located in Cabot and one (1) located in Ward; and

1 (B) One (1) district judge.

2

3 SECTION 5. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended
4 to add additional sections to read as follows:

5 16-17-924. Poinsett County District Court.

6 (a) Poinsett County shall have one (1) district court with five (5)
7 departments, one (1) located in Marked Tree, one (1) located in Trumann, one
8 (1) located in Tyronza, one (1) located in Lepanto, and one (1) located in
9 Harrisburg with all five (5) departments to be served by one (1) judge.

10 (b) The judge of the Poinsett County District Court shall be elected
11 countywide.

12 (c) The Poinsett County District Court shall have countywide
13 jurisdiction.

14

15 16-17-925. Sharp County District Court.

16 (a) Sharp County shall have one (1) district court with two (2)
17 departments, one (1) located in Ash Flat and one (1) located in Cherokee
18 Village with both departments to be served by one (1) judge.

19 (b) The judge of the Sharp County District Court shall be elected
20 countywide.

21 (c) The Sharp County District Court shall have countywide
22 jurisdiction.

23

24 16-17-926. Woodruff County District Court.

25 (a) Woodruff County shall have one (1) district court with three (3)
26 departments, one (1) located in Augusta, one (1) located in Cotton Plant, and
27 one (1) located in McCrory with all three (3) departments to be served by one
28 (1) judge.

29 (b) The judge of the Woodruff County District Court shall be elected
30 countywide.

31 (c) The Woodruff County District Court shall have countywide
32 jurisdiction.

33

34 16-17-927. Prairie County District Courts.

35 (a) Prairie County, having two (2) judicial districts, shall have the
36 following district courts and judges:

(1) The Northern District shall have:

(A) One (1) district court located in Des Arc; and

(B) One district judge.

(2) The Southern District shall have:

(A) One (1) district court with three (3) departments, one (1) located in Hazen, one (1) located in Biscoe, and one (1) located in DeValls Bluff; and

(B) One district judge.

(b) The judge of any district court located in Prairie County shall be elected by the electors of the judicial district, as now or in the future may be constituted, in which the court is located.

(c) The jurisdiction of the district court in Prairie County shall be limited to the judicial district, as now or in the future may be constituted, in which the court is located.

16-17-928. Lawrence County District Court.

(a) Lawrence County shall have one (1) district court with two (2) departments, one (1) located in Walnut Ridge and one (1) located in Hoxie, with both departments to be served by one (1) judge.

(b) The judge of the Lawrence County District Court shall be elected countywide.

(c) The Lawrence County District Court shall have countywide jurisdiction.

SECTION 6. Arkansas Code § 16-17-906 is amended to read as follows:

16-17-906. Craighead County District Court.

(a) Craighead County shall have one (1) district court ~~in Jonesboro~~ and with two (2) departments, one (1) department located in Jonesboro and one (1) department located in Lake City, with both departments to be served by one (1) judge.

(b) The judge of the Craighead County District Court shall be elected countywide.

(c) The Craighead County District Court shall have countywide jurisdiction.

SECTION 7. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that the districts courts in
2 various counties must have departments located in various parts of the county
3 to ensure that sufficient courtrooms and resources are available for the
4 operation of the court system in the counties; that the statutes creating the
5 district courts must be clarified to reflect the establishment of the various
6 departments; and that this act is immediately necessary to ensure the
7 continued operation of the departments of the district courts. Therefore, an
8 emergency is declared to exist and this act being immediately necessary for
9 the preservation of the public peace, health, and safety shall become
10 effective on:

11 (1) The date of its approval by the Governor;

12 (2) If the bill is neither approved nor vetoed by the Governor,
13 the expiration of the period of time during which the Governor may veto the
14 bill; or

15 (3) If the bill is vetoed by the Governor and the veto is
16 overridden, the date the last house overrides the veto.

17
18 */s/ Boyd*

19
20
21 *APPROVED: 2/07/2005*
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

1