

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 168 of the Regular Session

As Engrossed: H2/14/07 S2/21/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

HOUSE BILL 1400

4
5 By: Representatives Wills, Abernathy, Adcock, Allen, Anderson, T. Baker, Berry, Blount, Bond, T.
6 Bradford, Breedlove, E. Brown, J. Brown, Burkes, Cash, Cheatham, Cornwell, L. Cowling, D.
7 Creekmore, Davenport, Davis, Dickinson, S. Dobbins, Dunn, Edwards, L. Evans, Everett, Flowers,
8 Garner, Gaskill, George, R. Green, Greenberg, Hall, Hardwick, Hardy, Harrelson, Harris, Hawkins,
9 House, Hoyt, D. Hutchinson, Hyde, Jeffrey, J. Johnson, D. Johnson, Kenney, Kidd, King, Lovell,
10 Lowery, Pace, Patterson, Pennartz, Pickett, Pierce, Powers, S. Prater, Ragland, Rainey, Reep, Reynolds, J.
11 Roebuck, Rogers, Saunders, Schulte, L. Smith, Stewart, Sullivan, Sumpter, Wagner, Walters, Webb,
12 Wells, Wood, Woods, Wyatt
13 By: Senators Baker, Bisbee, Bookout, Broadway, Bryles, Critcher, Crumbly, Glover, Hendren, B.
14 Johnson, Laverty, Wilkinson

15
16
17 **For An Act To Be Entitled**

18 AN ACT TO CREATE ADDITIONAL CIRCUIT JUDGESHIPS IN
19 THE SECOND JUDICIAL DISTRICT, THE NINETEENTH
20 JUDICIAL DISTRICT-WEST, THE TWENTIETH JUDICIAL
21 DISTRICT, THE TWENTY-SECOND JUDICIAL DISTRICT,
22 AND THE TWENTY-THIRD JUDICIAL DISTRICT; TO
23 PROVIDE FOR THE APPOINTMENT AND ELECTION OF THE
24 CIRCUIT JUDGES; AND FOR OTHER PURPOSES.

25
26 **Subtitle**

27 AN ACT TO CREATE FIVE (5) ADDITIONAL
28 CIRCUIT JUDGESHIPS.

29
30
31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

32
33 SECTION 1. The Judicial Resources Assessment Committee has reviewed
34 the caseloads of various judicial districts and has determined that to ensure
35 the smooth, efficient, and timely administration of justice additional



1 circuit judgeships are needed in the Second Judicial District, the Nineteenth
2 Judicial District-West, the Twentieth Judicial District, the Twenty-second
3 Judicial District, and the Twenty-third Judicial District. This act
4 authorizes the establishment of five (5) additional circuit judgeships,
5 articulates the applicable appointment and election process of the additional
6 circuit judges, and identifies various resources that will be available.

7
8 SECTION 2. Arkansas Code § 16-13-1003, concerning judges of the Second
9 Judicial District, is amended to add an additional subsection to read as
10 follows:

11 (e)(1) Effective July 1, 2007, there is created in the Second Judicial
12 District an additional circuit judgeship that shall have jurisdiction in law,
13 equity, probate, and juvenile matters.

14 (2) The Governor shall appoint a qualified person who is a
15 resident of the district to temporarily fill the Second Judicial District
16 circuit judgeship created by subdivision (e)(1) of this section, and the
17 appointed person shall serve until January 1, 2009, or until a successor has
18 been elected and qualified.

19 (3)(A) The qualified electors of the district shall elect the
20 additional circuit judge created by subdivision (e)(1) of this section at the
21 2008 preferential primary election to take office on January 1, 2009.

22 (B) The additional circuit judge shall be elected from the
23 district, shall satisfy the same qualifications for holding office, and shall
24 receive the same salary, expenses, and other allowances as provided by law
25 for judges of the circuit courts.

26 (C) The circuit judge shall serve for elected terms of six
27 (6) years.

28 (4) The counties that compose the Second Judicial District shall
29 provide courtroom and office facilities and supplies for the judge of the
30 circuit judgeship created by subdivision (e)(1) of this section, which shall
31 be paid out of the county treasuries in the same manner as other demands
32 against the counties and out of funds appropriated by the respective quorum
33 courts of the counties for these purposes.

34 (5) There shall be provided for the judge of the circuit
35 judgeship created by subdivision (e)(1) of this section a court reporter and
36 a trial court administrative assistant whose salaries shall be fixed and paid

1 in the manner provided by law for court reporters and trial court
2 administrative assistants of the circuit courts of this state.

3
4 SECTION 3. Arkansas Code § 16-13-2503, concerning judges of the
5 Twenty-third Judicial District, is amended to add an additional subsection to
6 read as follows:

7 (c)(1) Effective July 1, 2007, there is created in the Twenty-third
8 Judicial District an additional circuit judgeship that shall have
9 jurisdiction in law, equity, probate, and juvenile matters.

10 (2) The Governor shall appoint a qualified person who is a
11 resident of the district to temporarily fill the Twenty-third Judicial
12 District circuit judgeship created by subdivision (c)(1) of this section, and
13 the appointed person shall serve until January 1, 2009, or until a successor
14 has been elected and qualified.

15 (3)(A) The qualified electors of the district shall elect the
16 additional circuit judge created by subdivision (c)(1) of this section at the
17 2008 preferential primary election to take office on January 1, 2009.

18 (B) The additional circuit judge shall be elected from the
19 district, shall satisfy the same qualifications for holding office, and shall
20 receive the same salary, expenses, and other allowances as provided by law
21 for judges of the circuit courts.

22 (C) The circuit judge shall serve for elected terms of six
23 (6) years.

24 (4) The county that composes the Twenty-third Judicial District
25 shall provide courtroom and office facilities and supplies for the judge of
26 the circuit judgeship created by subdivision (c)(1) of this section, which
27 shall be paid out of the county treasury in the same manner as other demands
28 against the county and out of funds appropriated by the quorum court of the
29 county for these purposes.

30 (5) There shall be provided for the judge of the circuit
31 judgeship created by subdivision (c)(1) of this section a court reporter and
32 a trial court administrative assistant whose salaries shall be fixed and paid
33 in the manner provided by law for court reporters and trial court
34 administrative assistants of the circuit courts of this state.

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36 SECTION 4. Arkansas Code § 16-13-2803, concerning judges of the

1 Twentieth Judicial District, is amended to add an additional subsection to
2 read as follows:

3 (f)(1) Effective July 1, 2007, there is created in the Twentieth
4 Judicial District an additional circuit judgeship that shall have
5 jurisdiction in law, equity, probate, and juvenile matters.

6 (2) The Governor shall appoint a qualified person who is a
7 resident of the district to temporarily fill the Twentieth Judicial District
8 circuit judgeship created by subdivision (f)(1) of this section, and the
9 appointed person shall serve until January 1, 2009, or until a successor has
10 been elected and qualified.

11 (3)(A) The qualified electors of the district shall elect the
12 additional circuit judge created by subdivision (f)(1) of this section at the
13 2008 preferential primary election to take office on January 1, 2009.

14 (B) The additional circuit judge shall be elected from the
15 district, shall satisfy the same qualifications for holding office, and shall
16 receive the same salary, expenses, and other allowances as provided by law
17 for judges of the circuit courts.

18 (C) The circuit judge shall serve for elected terms of six
19 (6) years.

20 (4) The counties that compose the Twentieth Judicial District
21 shall provide courtroom and office facilities and supplies for the judge of
22 the circuit judgeship created by subdivision (f)(1) of this section, which
23 shall be paid out of the county treasuries in the same manner as other
24 demands against the counties and out of funds appropriated by the respective
25 quorum courts of the counties for these purposes.

26 (5) There shall be provided for the judge of the circuit
27 judgeship created by subdivision (f)(1) of this section a court reporter and
28 a trial court administrative assistant whose salaries shall be fixed and paid
29 in the manner provided by law for court reporters and trial court
30 administrative assistants of the circuit courts of this state.

31

32 SECTION 5. Arkansas Code § 16-13-3002, concerning judges of the
33 Nineteenth Judicial District-West, is amended to add an additional subsection
34 to read as follows:

35 (h)(1) Effective January 1, 2009, there is created in the Nineteenth
36 Judicial District-West an additional circuit judgeship that shall have

1 jurisdiction in law, equity, probate, and juvenile matters.

2 (2)(A) The qualified electors of the district shall elect the
3 additional circuit judge created by subdivision (h)(1) of this section at the
4 2008 preferential primary election to take office on January 1, 2009.

5 (B) The additional circuit judge shall be elected from the
6 district, shall satisfy the same qualifications for holding office, and shall
7 receive the same salary, expenses, and other allowances as provided by law
8 for judges of the circuit courts.

9 (C) The circuit judge shall serve for elected terms of six
10 (6) years.

11 (3) The county that composes the Nineteenth Judicial District-
12 West shall provide courtroom and office facilities and supplies for the judge
13 of the circuit judgeship created by subdivision (h)(1) of this section, which
14 shall be paid out of the county treasury in the same manner as other demands
15 against the county and out of funds appropriated by the quorum court of the
16 county for these purposes.

17 (4) There shall be provided for the judge of the circuit
18 judgeship created by subdivision (h)(1) of this section a court reporter and
19 a trial court administrative assistant whose salaries shall be fixed and paid
20 in the manner provided by law for court reporters and trial court
21 administrative assistants of the circuit courts of this state.

22
23 SECTION 6. Arkansas Code § 16-13-3103, concerning judges of the
24 Twenty-second Judicial District, is amended to add an additional subsection
25 to read as follows:

26 (e)(1) Effective January 1, 2009, there is created in the Twenty-
27 second Judicial District an additional circuit judgeship that shall have
28 jurisdiction in law, equity, probate, and juvenile matters.

29 (2)(A) The qualified electors of the district shall elect the
30 additional circuit judge created by subdivision (e)(1) of this section at the
31 2008 preferential primary election to take office on January 1, 2009.

32 (B) The additional circuit judge shall be elected from the
33 district, shall satisfy the same qualifications for holding office, and shall
34 receive the same salary, expenses, and other allowances as provided by law
35 for judges of the circuit courts.

36 (C) The circuit judge shall serve for elected terms of six

1 (6) years.

2 (3) The county that composes the Twenty-second Judicial District
3 shall provide courtroom and office facilities and supplies for the judge of
4 the circuit judgeship created by subdivision (e)(1) of this section, which
5 shall be paid out of the county treasury in the same manner as other demands
6 against the county and out of funds appropriated by the quorum court of the
7 county for these purposes.

8 (4) There shall be provided for the judge of the circuit
9 judgeship created by subdivision (e)(1) of this section a court reporter and
10 a trial court administrative assistant whose salaries shall be fixed and paid
11 in the manner provided by law for court reporters and trial court
12 administrative assistants of the circuit courts of this state.

13
14 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the
15 General Assembly of the State of Arkansas that the Judicial Resources
16 Assessment Committee has reviewed the caseloads of the various judicial
17 districts; that the caseloads of the Second Judicial District, the Nineteenth
18 Judicial District-West, the Twentieth Judicial District, the Twenty-second
19 Judicial District, and the Twenty-third Judicial District necessitate the
20 appointment of an additional circuit judges; and that this act is necessary
21 to ensure the smooth, efficient, and timely administration of justice in the
22 counties affected. Therefore, an emergency is declared to exist and this act
23 being immediately necessary for the preservation of the public peace, health,
24 and safety shall become effective on July 1, 2007.

25
26 /s/ Wills

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28 APPROVED: 2/28/2007

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