

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 663 of the Regular Session

1 State of Arkansas As Engrossed: S2/13/07 S2/15/07 S2/22/07 H2/26/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 235

4

5 By: Senators Womack, Altes, Bisbee, Bryles, Broadway, Critcher, Faris, Hendren, Horn, G. Jeffress,
6 Miller, R. Thompson, Wilkinson

7 By: Representatives Harrelson, Jeffrey, Lowery, Key, Norton, Cash, Cornwell, Gaskill, R. Green,
8 Greenberg, J. Johnson, Pennartz, Wyatt

9

10

11

For An Act To Be Entitled

12

AN ACT TO CREATE THE DISTRICT COURT RESOURCE
13 ASSESSMENT BOARD; TO CREATE A PILOT PROGRAM OF
14 FULL-TIME DISTRICT COURT JUDGES THAT ARE
15 EMPLOYEES OF THE STATE OF ARKANSAS; TO
16 CONSOLIDATE CITY COURTS WITH DISTRICT COURTS; AND
17 FOR OTHER PURPOSES.

18

19

Subtitle

20

AN ACT TO CREATE THE DISTRICT COURT
21 RESOURCE ASSESSMENT BOARD; TO CREATE A
22 PILOT PROGRAM OF FULL-TIME DISTRICT
23 COURT JUDGES THAT ARE EMPLOYEES OF THE
24 STATE OF ARKANSAS; TO CONSOLIDATE CITY
25 COURTS WITH DISTRICT COURTS.

26

27

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

29

30 SECTION 1. Arkansas Code Title 16, Chapter 17 is amended to add an
31 additional subchapter to read as follows:

32 Subchapter 10 – District Court Resource Assessment

33 16-17-1001. Legislative findings.

34 The General Assembly finds that:

35 (1) The goal expressed by Arkansas citizens with the adoption of



1 Amendment 80 to the Arkansas Constitution was the creation of a three-tiered,
2 unified court system;

3 (2) The current structure of limited jurisdiction courts consists of a
4 combination of full-time and part-time district and city court judges funded
5 by city and county governments;

6 (3) Based on availability of local resources, the cumulative effect of
7 the creation and funding of those courts by local governments has been an
8 unequal level of access to and an inequitable distribution of judicial
9 services to communities;

10 (4) While Amendment 80 does not require the state to fund the district
11 court system, there is a state interest in providing a more uniform level of
12 judicial resources to all of the citizens of the state;

13 (5) Because the current system of limited jurisdiction courts is not
14 uniform, it is contrary to the interest of the state to merely shift the
15 funding of the system from local government to state government without
16 addressing the district court system's structure;

17 (6) A way of addressing the shortage of resources for circuit courts
18 in some areas of the state is the expansion of the jurisdiction of the
19 district court which will shift cases from the circuit court to the district
20 court and reduce expenses for the state;

21 (7) A state-funded district court system should include an analysis by
22 the state that furthers the goal of a unified and equitable system for the
23 delivery of judicial services; and

24 (8) It is the intent of this subchapter to begin that analysis process
25 by establishing a pilot program that creates a limited number of state-
26 funded, district court judgeships and a process for the study and
27 consideration of establishing additional district courts in the future.

28
29 16-17-1002. District Court Resource Assessment Board.

30 (a) There is created the District Court Resource Assessment Board.

31 (b)(1) The board shall consist of eleven members appointed as follows:

32 (A) Two (2) members of the Senate appointed by the Chair
33 of the Senate Interim Committee on Judiciary;

34 (B) Two (2) members of the House of Representatives
35 appointed by the Chair of the House Interim Committee on Judiciary; and

36 (C) Seven members appointed by the Supreme Court as

1 follows:
2 (i) Two (2) members of the Arkansas District Judges
3 Council;
4 (ii) One (1) member of the Association of Arkansas
5 Counties;
6 (iii) One (1) member of the Arkansas Municipal
7 League;
8 (iv) One (1) Justice of the Supreme Court;
9 (v) One (1) member of the Arkansas Bar Association
10 who is engaged in the full-time private practice of law; and
11 (vi) One (1) circuit judge.
12 (2) The board shall have three (3) ex officio members who shall
13 serve as nonvoting members:
14 (A) The Chair of the Senate Judiciary Committee or his or
15 her designee;
16 (B) The Chair of the House Judiciary Committee or his or
17 her designee; and
18 (C) The Attorney General or his or her designee.
19 (3)(A) Each member of the board shall serve a term of four (4)
20 years.
21 (B) However, the initial board members shall serve terms
22 to be determined by lot so that:
23 (i) Two (2) member serves an initial term of one (1)
24 year;
25 (ii) Three (3) members serve an initial term of two
26 (2) years;
27 (iii) Three (3) members serve an initial term of
28 three (3) years; and
29 (iv) Three (3) members serve an initial term of four
30 (4) years.
31 (C) A member may be reappointed successively for one (1)
32 four-year term.
33 (4) If a vacancy occurs on the board, the original appointing
34 authority shall appoint a successor to serve the remainder of the unexpired
35 term.
36 (5) The board shall elect annually one (1) member to serve as

1 chair and one (1) member to serve as secretary.

2 (6) The board shall meet:

3 (A) Initially whenever called by the Supreme Court;

4 (B) On or before the first Tuesday of the December before
5 each regular session of the General Assembly to consider making a
6 recommendation to the General Assembly for:

7 (i) The creation and placement of new state-funded
8 district court judgeships;

9 (ii) Any redistricting of the district courts; and

10 (iii) The reorganization, consolidation,
11 abolishment, or creation of any district court or district court judgeship;

12 (C) Upon the end of the term, resignation, retirement,
13 death, or election to another judicial office of any district judge to:

14 (i) Recommend the reorganization, consolidation,
15 abolition, or continuation of that district court judgeship to the General
16 Assembly; and

17 (ii)(a) Evaluate the status of the vacated district
18 court judgeship and make a recommendation to the General Assembly before the
19 next regular or special session or during a current session.

20 (b) An appointment or election to fill a
21 vacant district court judgeship does not affect the mandatory evaluation
22 required by subdivision (6)(C)(ii) of this section; and

23 (D) Upon the call of the chair or a majority of the board.

24 (7) Six (6) members of the board is a quorum for the transaction
25 of business.

26 (8) Members of the board shall serve without pay but may be
27 reimbursed for expenses under § 25-16-902.

28
29 16-17-1003. Duties of the Board.

30 The District Court Resource Assessment Board shall recommend to the
31 General Assembly biennially at each regular session:

32 (1) Criteria for the creation and placement of full-time, state-
33 funded district court judgeships;

34 (2) Revisions of current district court judgeships or the
35 redistricting of the district court districts of this state after
36 considering:

1 (A) The caseload and the geographic area of the district
2 court district;

3 (B) The November 25, 2002, Per Curiam Opinion of the
4 Supreme Court; and

5 (C) Any other matter the board determines to be
6 appropriate; and

7 (3) The number and placement of full-time, state-funded district
8 court judgeships.

9
10 SECTION 2. Arkansas Code Title 16, Chapter 17 is amended to add an
11 additional subchapter as follows:

12 Subchapter 11 – Pilot State District Courts

13 16-17-1101. Legislative findings.

14 The General Assembly finds that:

15 (1) The goal expressed by Arkansas citizens with the adoption of
16 Amendment 80 to the Arkansas Constitution was the creation of a three-tiered
17 unified court system;

18 (2) The current structure of limited jurisdiction courts
19 consists of a combination of full-time and part-time district and city courts
20 funded by city and county governments;

21 (3) Based on availability of local resources, the cumulative
22 effect of the creation and funding of those courts by local governments has
23 been an unequal level of access to and an inequitable distribution of
24 judicial services to communities;

25 (4) While Amendment 80 does not require the state to fund the
26 district court system, there is a state interest in providing a more uniform
27 level of judicial resources to all citizens of the state;

28 (5) Because the current system of limited jurisdiction courts is
29 not uniform, it is contrary to the interest of the state to merely shift the
30 funding of the system from local government to state government without
31 addressing the structure of the district court system;

32 (6) A way of addressing the shortage of resources for circuit
33 courts in some areas of the state is the expansion of the jurisdiction of the
34 district court which will shift cases from circuit court to district court
35 and reduce expenses for the state;

36 (7) A state-funded system should include an analysis by the

1 state that furthers the goal of a unified and equitable system for the
2 delivery of judicial services;

3 (8) It is the intent of this subchapter to begin that analysis
4 process by establishing a pilot program that creates a limited number of
5 state-funded pilot state district court judgeships and a process for the
6 study and consideration of establishing additional district courts in the
7 future; and

8 (9) For purposes of the pilot program, cities and counties
9 should keep one-hundred percent (100%) of all their current revenue from
10 finances and costs with the exception of the adjustment from the cost-sharing
11 formula.

12
13 16-17-1102. Definitions.

14 As used in this subchapter:

15 (1)(A) "District court" means a court created under § 16-17-901
16 et seq.

17 (B) "District court" includes a department of a district
18 court;

19 (2) "Pilot state district court judge" means a full-time judge:

20 (A) Whose salary is paid by the state;

21 (B) Who is not engaged in the private practice of law; and

22 (C) Who is available for work in circuit court under rules
23 adopted by the Arkansas Supreme Court; and

24 (3) "Pilot state district court judgeship" means a district
25 court that has:

26 (A) Criminal jurisdiction, as established by the General
27 Assembly; and

28 (B) Civil jurisdiction, as established by the Arkansas
29 Supreme Court.

30
31 16-17-1103. Creation of pilot state district court judgeships.

32 (a) There are established nineteen (19) pilot state district court
33 judgeships.

34 (b) The following counties or judicial district of a county and the
35 towns and cities in that county or judicial district of a county in which a
36 district court is located shall participate in a program of full-time pilot

1 state district court judges:

- 2 (1) Baxter;
- 3 (2) Benton;
- 4 (3) Boone;
- 5 (4) Greene;
- 6 (5) Independence;
- 7 (6) Miller;
- 8 (7) Mississippi-Chickasawba District;
- 9 (8) Poinsett;
- 10 (9) Pope;
- 11 (10) Saline;
- 12 (11) Sebastian; and
- 13 (12) Union.

14
15 16-17-1104. Pilot state district court judges – Salaries.

16 (a) The pilot state district court judges who serve the judgeships
17 created under § 16-17-1003 are state district court judges.

18 (b) The salaries of the pilot state district court judges shall be
19 paid with moneys appropriated by the General Assembly.

20
21 16-17-1105. Consolidation of city courts with district courts.

22 (a) The city courts located in the following cities or towns shall be
23 consolidated with district courts:

- 24 (1) Alexander;
- 25 (2) Atkins;
- 26 (3) Barling;
- 27 (4) Bauxite;
- 28 (5) Bethel Heights;
- 29 (6) Briarcliff;
- 30 (7) Cave Springs;
- 31 (8) Centerton;
- 32 (9) Central City;
- 33 (10) Cotter;
- 34 (11) Dell;
- 35 (12) Dover;
- 36 (13) Gassville;

- 1 (14) Gosnell;
2 (15) Gravette;
3 (16) Haskell;
4 (17) Lakeview;
5 (18) Leachville;
6 (19) Little Flock;
7 (20) London;
8 (21) Lowell;
9 (22) Manila;
10 (23) Marmaduke;
11 (24) Norfolk;
12 (25) Pea Ridge;
13 (26) Pottsville;
14 (27) Shannon Hills;
15 (28) Sulphur Springs; and
16 (29) Weiner.

17 (b) Each city court under subsection (a) of this section:

- 18 (1) Is consolidated with the pilot state district court having
19 jurisdiction over the geographical area of the abolished city court;
20 (2) Shall continue to exist as a department of that pilot state
21 district court unless abolished by town or city ordinance; and
22 (3) Is redesignated as the “_____ District
23 Court, _____ Department”.
24 (4) Shall continue to levy and collect the court costs
25 applicable in city court under § 16-10-305.

26 (c) Under the Arkansas District Courts Accounting Law, § 16-10-201 et
27 seq., each department of a pilot state district court shall maintain a docket
28 and set court dates for hearing that docket in the town or city unless the
29 district court and the town or city in which the department is located agree
30 otherwise.

31 (d)(1) A town or city that operated a city court prior to January 1,
32 2008, and became a department of a pilot state district court under this
33 subchapter may abolish that department by ordinance.

34 (2) The clerk of the town or city shall send a copy of the
35 ordinance issued under subdivision (d)(1) of this section to the
36 Administrative Office of the Courts.

1 (3) After a department has been abolished under subdivision
2 (d)(1) of this section:

3 (A) The nearest district court in the county shall
4 exercise jurisdiction over the geographical area of that abolished
5 department;

6 (B) The abolished city court shall transfer all its papers
7 and records to the court described in subdivision (d)(3)(A) of this section;
8 and

9 (C)(i) All of the following existing on January 1, 2008,
10 shall continue unaffected unless otherwise affected by this subchapter:

11 (a) Actions;

12 (b) Appeals;

13 (c) Causes of action;

14 (d) Civil proceedings;

15 (e) Criminal proceedings;

16 (f) Decrees;

17 (g) Judgments;

18 (h) Liabilities;

19 (i) Orders;

20 (j) Prosecutions;

21 (k) Regulations;

22 (l) Sentences;

23 (m) Suits; and

24 (n) Writs.

25 (ii) No suit or prosecution of any kind or nature
26 shall abate as a result of this subchapter.

27 (4) No town or city may reinstate a department of district court
28 that has been abolished under subdivision (d)(1) of this section.

29
30 16-17-1106. Salary of pilot state district court judge – Cost-sharing.

31 (a) The state shall pay the salary and benefits of pilot state
32 district court judges created under this subchapter.

33 (b)(1)(A) Each county and town or city that has a pilot state district
34 court judgeship created under this subchapter shall pay to the state an
35 amount equal to its proportionate share of one-half (1/2) of the base salary
36 established by law for that county and town or city's pilot state district

1 court judge.

2 (B) On a form provided by the Administration of Justice
3 Fund Section of the Office of Administrative Services of the Department of
4 Finance and Administration, each county and town or city shall certify
5 annually on or before October 31 the amount to be paid to the state for its
6 share of one-half (1/2) of the salary established by law for its pilot state
7 district court judge.

8 (2)(A) Nothing in this section prohibits a county and town or
9 city that has a pilot state district court judgeship created under this
10 subchapter from agreeing in writing on the amount to be paid to the state by
11 the county and the town or city for its proportionate share of one-half (1/2)
12 of the salary established by law for its pilot state district court judge.

13 (B) If a written agreement is reached under subdivision
14 (b)(2)(A) of this section, the county and town or city shall submit on or
15 before October 31 a copy of that written agreement to the Administration of
16 Justice Fund Section.

17 (c) The amount of the pilot state district court judge's salary paid
18 by the county and the town or city for calendar year 2008 and annually
19 afterwards shall be the amount determined under subsection (b) of this
20 section.

21 (d)(1) Beginning with its annual meeting of 2007, the quorum court in
22 each county that has a pilot state district court judgeship created under
23 this subchapter and the council in each town or city that has a pilot state
24 district court judgeship created under this subchapter shall appropriate
25 annually from its general revenues an amount sufficient to pay its share of
26 the pilot state district court judgeship salary allocated to it under
27 subsection (b) of this section.

28 (2) The duty under subdivision (d)(1) of this section may be
29 enforced in a court of competent jurisdiction.

30 (e) On or before December 15, 2007, and annually afterwards, the
31 Administration of Justice Fund Section shall certify to the county and the
32 town or city the amount of its share of one-half (1/2) of the base salary
33 established by law for that county and town or city's pilot state district
34 court judge.

35 (f) On or before January 15, 2008, and annually afterwards, the county
36 and the town or city shall remit to the Administration of Justice Fund

1 Section for deposit in the Constitutional Officers Fund the sum necessary to
2 fund its share of the base salary allocated to it under subsection (e) of
3 this section.

4
5 16-17-1107. Nothing in this subchapter shall in any way limit the
6 power and authority of other district courts currently existing. Except for
7 the pilot state district court judgeships created under this subchapter, a
8 judge serving in another full-time or part-time district court position shall
9 continue to be an employee of the cities or counties, or both, that he or she
10 serves and shall be paid according to state law.

11
12 SECTION 3. Arkansas Code § 16-17-705, concerning civil filing fees in
13 district court, is amended to read as follows:

14 16-17-705. Filing fees and costs.

15 (a)(1) The uniform filing fee to be charged by the clerks of the
16 district courts for initiating a cause of action in district court in this
17 state shall be as prescribed in this section.

18 (2) No portion of the filing fee shall be refunded.

19 (b)(1) For initiating a cause of action in the civil division of
20 district court.....\$50.00

21 (2) For initiating a cause of action in the small claims
22 division of district court, ~~if that division is established pursuant to the~~
23 ~~Arkansas Constitution, Amendment 80, § 7(D)~~~~\$25.00~~ \$50.00

24 (c) No ~~municipality~~ town, city, or county shall authorize and no
25 district court clerk shall assess or collect any other filing fees than those
26 authorized by this section, unless specifically provided by state law.

27
28 SECTION 4. Arkansas Code § 16-17-902, concerning the establishment of
29 district courts, is amended to read as follows:

30 16-17-902. Counties having one district court.

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

33 ~~(1) Baxter;~~

34 ~~(2) Boone;~~

35 ~~(3)~~ (1) Bradley;

36 ~~(4)~~ (2) Calhoun;

1 ~~(5)~~ (3) Clark;
2 ~~(6)~~ (4) Cleburne;
3 ~~(7)~~ (5) Cleveland;
4 ~~(8)~~ (6) Columbia;
5 ~~(9)~~ (7) Conway;
6 ~~(10)~~ (8) Crawford;
7 ~~(11)~~ (9) Cross;
8 ~~(12)~~ (10) Dallas;
9 ~~(13)~~ (11) Drew;
10 ~~(14)~~ (12) Faulkner;
11 ~~(15)~~ (13) Fulton;
12 ~~(16)~~ (14) Grant;
13 ~~(17)~~ ~~Greene~~;
14 ~~(18)~~ (15) Hempstead;
15 ~~(19)~~ (16) Hot Spring;
16 ~~(20)~~ (17) Howard;
17 ~~(21)~~ (18) Independence;
18 ~~(22)~~ (19) Izard;
19 ~~(23)~~ (20) Jackson;
20 ~~(24)~~ (21) Johnson;
21 ~~(25)~~ (22) Lafayette;
22 ~~(26)~~ (23) Lee;
23 ~~(27)~~ (24) Lincoln;
24 ~~(28)~~ (25) Little River;
25 ~~(29)~~ (26) Madison;
26 ~~(30)~~ (27) Marion;
27 ~~(31)~~ (28) Miller;
28 ~~(32)~~ (29) Montgomery;
29 ~~(33)~~ (30) Nevada;
30 ~~(34)~~ (31) Newton;
31 ~~(35)~~ (32) Perry;
32 ~~(36)~~ (33) Pike;
33 ~~(37)~~ (34) Polk;
34 ~~(38)~~ ~~Pope~~;
35 ~~(39)~~ (35) Randolph;
36 ~~(40)~~ (36) Scott;

1 ~~(41)~~ (37) Searcy;
 2 ~~(42)~~ (38) Sevier;
 3 ~~(43)~~ (39) St. Francis;
 4 ~~(44)~~ (40) Stone;
 5 ~~(45)~~ (41) Union; and
 6 ~~(46)~~ (42) Van Buren.

7 (b) The district court shall be located in the county seat of each
 8 county listed in subsection (a) of this section.

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

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

13

14 SECTION 5. Arkansas Code § 16-17-904, concerning the establishment of
 15 district courts, is amended to read as follows:

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

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

20 (b) The district court in Arkansas, Carroll, Franklin, and Logan, ~~and~~
 21 ~~Mississippi~~ counties shall be located in the county seat of each judicial
 22 district in the county.

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

26 (d) In Arkansas, Carroll, Franklin, and Logan, ~~and Mississippi~~
 27 counties, the jurisdiction of the district court shall be limited to the
 28 district in which the court sits.

29

30 SECTION 6. Arkansas Code § 16-17-905, concerning the establishment of
 31 district courts, is amended to read as follows:

32 16-17-905. Sebastian County District Courts.

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

35 (1)(A) One (1) district court in Fort Smith with two (2)
 36 departments, and one (1) judge for each department, ~~and.~~

1 (B) Effective January 1, 2009, the Fort Smith District
 2 shall have:

3 (i) One (1) district court with three (3)
 4 departments located in Fort Smith; and
 5 (ii)(a) One (1) judge for each department; and
 6 (b) The additional district court judgeship
 7 created under subdivision (a)(1)(B) of this section shall be elected by the
 8 qualified electors of the Fort Smith District at the 2008 nonpartisan
 9 judicial general election; and

10 ~~(2) One district court in Greenwood with one (1) district judge.~~
 11 The Greenwood District shall have:

12 (A) One (1) district court with three (3) departments:
 13 (i) One (1) located in Greenwood;
 14 (ii) One (1) located in Barling; and
 15 (iii) One (1) located in Central City; and
 16 (B) One (1) district judge to serve all three (3)
 17 departments.

18 (b) The judge of any district court in Sebastian County shall be
 19 elected by the electors of the judicial district in which the court is
 20 located.

21 (c) The jurisdiction of the district courts in Sebastian County shall
 22 be limited to the judicial district in which the court is located.

23
 24 SECTION 7. Arkansas Code § 16-17-909, concerning the establishment of
 25 district courts, is amended to read as follows:

26 16-17-909. Benton County District Courts.

27 (a)(1) Effective until January 1, 2009, Benton County shall have the
 28 following district courts and judges:

29 ~~(1)~~(A) Rogers shall have one (1) district court and one (1)
 30 district judge;

31 ~~(2)~~(B) Bentonville shall have one (1) district court and one (1)
 32 district judge and three (3) departments:

33 (i) One (1) located in Bentonville
 34 (ii) One (1) located in Cave Springs; and
 35 (iii) One (1) located in Pea Ridge;

36 ~~(3)~~(C) Siloam Springs shall have one (1) district court and one

1 (1) district judge;

2 ~~(4)~~(D) Benton County West shall have one (1) district court and
3 one (1) district judge; and

4 (2) Effective January 1, 2009:

5 (A) Benton County shall have the following district courts
6 and judges:

7 (i) Rogers shall have one (1) district court and one
8 (1) district judge;

9 (ii) Bentonville shall have one (1) district court
10 and one (1) district judge;

11 (iii) Siloam Springs shall have one (1) district
12 court and one (1) district judge; and

13 (iv) Benton County West shall have one (1) district
14 court and one (1) district judge; and

15 (B)(i) Benton County shall have the following departments:

16 (a) One (1) located in Bethel Heights;

17 (b) One (1) located in Cave Springs;

18 (c) One (1) located in Centerton;

19 (d) One (1) located in Gravette;

20 (e) One (1) located in Little Flock;

21 (f) One (1) located in Lowell;

22 (g) One (1) located in Pea Ridge; and

23 (h) One (1) located in Sulphur Springs.

24 (ii) The presiding judge of the departments under
25 subdivision (a)(2)(B) of this section shall be determined by the mutual
26 agreement of the district court judges under the superintending control of
27 the Nineteenth West Administrative Circuit Judge.

28 ~~(5)~~(3) For the purpose of venue, ~~the~~ The district court
29 boundaries in Benton County shall be as follows:

30 (A) Rogers District Court (District Court 1):

31 (i) All of District 94, District 95, and District 96
32 of the House of Representatives as drawn by the Board of Apportionment in
33 2002;

34 (ii) That part of District 98 of the House of
35 Representatives as drawn by the Board of Apportionment in 2002 that is in
36 Benton County Quorum Court District 1 as established by the Benton County

1 Election Commission;

2 (iii) That part of Benton County Quorum Court
3 District 6 as established by the Benton County Election Commission that is in
4 District 96 and District 98 of the House of Representatives as drawn by the
5 Board of Apportionment in 2002; and

6 (iv) All of the now-existing precinct 43, precinct
7 44, and precinct 49;

8 (B) Bentonville District Court (District Court 2 –
9 Bentonville):

10 (i) All of District 7, District 8, ~~District 9~~, and
11 District 10, and District 9 except for the now existing precinct 22, of the
12 Benton County Quorum Court as established by the Benton County Election
13 Commission;

14 (ii) All of District 99 of the House of
15 Representatives as drawn by the Board of Apportionment in 2002 except for the
16 now-existing precinct 43, precinct 44, and precinct 49; and

17 (iii) All of the now-existing precinct 45;

18 (C) Siloam Springs District Court (District Court 3 –
19 Siloam Springs):

20 (i) All of District 97 of the House of
21 Representatives as drawn by the Board of Apportionment in 2002; and

22 (ii) All of the now-existing precinct 7, precinct
23 14, precinct 16, and precinct 17; and

24 (D) Benton County West District Court (District Court 4 –
25 Benton County West):

26 (i) All of Benton County Quorum Court District 11 as
27 established by the Benton County Election Commission;

28 (ii) All of the now-existing precinct 6, precinct 15,
29 precinct 18, ~~and precinct 19~~, and precinct 22.

30 (b) The judge of any district court in Benton County shall be elected
31 countywide ~~by the qualified electors within the district in which the court~~
32 ~~is located.~~

33 (c) Effective January 1, 2009, ~~The the~~ jurisdiction of any district
34 court in Benton County shall be countywide ~~limited to the district in which~~
35 ~~the court is located.~~

36

1 SECTION 8. Arkansas Code § 16-17-918, concerning the establishment of
2 district courts, is amended to read as follows:

3 16-17-918. Saline County District Court.

4 (a)(1) Saline County shall have one (1) district court with ~~two (2)~~ six
5 (6) departments as follows:

6 ~~(1) (A) One (1) located in Benton with one (1) judge; and;~~

7 (B) One (1) located in Bryant;

8 (C) One (1) located in Alexander;

9 (D) One (1) located in Bauxite;

10 (E) One (1) located in Haskell; and

11 (F) One (1) located in Shannon Hills.

12 ~~(2)(A) One located in Bryant with one (1) judge.~~ The department
13 in Benton shall have one (1) judge.

14 (B) One (1) judge shall serve all five (5) departments in
15 Bryant, Alexander, Bauxite, Haskell, and Shannon Hills.

16 (b) The judges of the Saline County District Court shall be elected
17 countywide by the qualified electors of Saline County and the City of
18 Alexander.

19 (c) The Saline County District Court shall have ~~countywide~~
20 of Saline County and the City of Alexander.

21
22 SECTION 9. Arkansas Code § 16-17-924, concerning the establishment of
23 district courts, is amended to read as follows:

24 16-17-924. Poinsett County District Court.

25 (a)(1) Poinsett County shall have one (1) district court with ~~five (5)~~
26 six (6) departments:

27 (A) One (1) located in Marked Tree;

28 (B) One (1) located in Trumann;

29 (C) One (1) located in Tyronza;

30 (D) One (1) located in Lepanto; ~~and~~

31 (E) One (1) located in Harrisburg; and

32 (F) One (1) located in Weiner.

33 (2) All ~~five (5)~~ six (6) departments are to be served by one (1)
34 judge.

35 (b) The Poinsett County District Court Judge shall be elected
36 countywide.

1 (c) The Poinsett County District Court shall have countywide
2 jurisdiction.

3
4 SECTION 10. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
5 amended to add an additional section to read as follows:

6 16-17-929. Mississippi County District Courts.

7 (a) Mississippi County, having two (2) judicial districts, shall have
8 the following district courts and judges:

9 (1) The Osceola District shall have:

10 (A) One (1) district court located in Osceola; and

11 (B) One (1) district judge; and

12 (2) The Chickasawba District shall have:

13 (A) One (1) district court with five (5) departments:

14 (i) One (1) located in Blytheville;

15 (ii) One (1) located in Manila;

16 (iii) One (1) located in Leachville;

17 (iv) One (1) located in Gosnell; and

18 (v) One (1) located in Dell.

19 (B) All five (5) departments established under subdivision
20 (a)(2)(A) of this section are to be served by one (1) district judge.

21 (b) The judges of each district court established under subdivision
22 (a) of this section shall be elected by the electors of the judicial district
23 in which the court is located.

24 (c) The jurisdiction of each district court established under
25 subsection (a) of this section shall be limited to the judicial district in
26 which that court is located.

27
28 SECTION 11. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
29 amended to add an additional section to read as follows:

30 16-17-930. Greene County District Court.

31 (a)(1) Greene County shall have one (1) district court with two (2)
32 departments:

33 (A) One (1) located in Paragould; and

34 (B) One (1) located in Marmaduke.

35 (2) Both departments are to be served by one (1) judge.

36 (b) The Greene County District Court Judge shall be elected

1 countywide.

2 (c) The Greene County District Court shall have countywide
3 jurisdiction.

4
5 SECTION 12. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
6 amended to add an additional section to read as follows:

7 16-17-931. Pope County District Court.

8 (a)(1) Pope County shall have one (1) district court with five (5)
9 departments:

10 (A) One (1) located in Russellville;

11 (B) One (1) located in Atkins;

12 (C) One (1) located in Dover;

13 (D) One (1) located in London; and

14 (E) One (1) located in Pottsville.

15 (2) All five (5) departments are to be served by one (1) judge.

16 (b) The Pope County District Court Judge shall be elected countywide.

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

18
19 SECTION 13. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
20 amended to add an additional section to read as follows:

21 16-17-932. Baxter County District Court:

22 (a)(1) Baxter County shall have one (1) district court with six (6)
23 departments:

24 (A) One (1) located in Mountain Home;

25 (B) One (1) located in Briarcliff;

26 (C) One (1) located in Lakeview;

27 (D) One (1) located in Cotter;

28 (E) One (1) located in Gassville; and

29 (F) One (1) located in Norfolk.

30 (2) All six (6) departments are to be served by one (1) judge.

31 (b) The Baxter County District Court Judge shall be elected
32 countywide.

33 (c) The Baxter County District Court shall have countywide
34 jurisdiction.

35
36 SECTION 14. Arkansas Code Title 16, Chapter 17, Subchapter 9 is

1 amended to add an additional section to read as follows:

2 16-17-934. Boone County District Court.

3 (a)(1) Boone County shall have one (1) district court with two (2)
4 departments:

5 (A) One (1) located in Harrison; and

6 (B) One (1) located in Alpena.

7 (2) Both departments are to be served by one (1) judge.

8 (b) The Boone County District Court Judge shall be elected countywide.

9 (c) The Boone County District Court shall have countywide
10 jurisdiction.

11
12 SECTION 15. Arkansas Code § 21-6-403(b), concerning uniform filing
13 fees in circuit court, is amended to read as follows:

14 (b) The uniform filing fees shall be:

15 (1) For initiating a cause of action in the circuit court,
16 including appeals.....\$140.00

17 (2) For filing a mortgagee's or trustee's notice of default and
18 intention to sell pursuant to § 18-50-104140.00

19 ~~(2)~~ (3) For reopening a cause of action in the circuit court
2050.00

21 ~~(3)~~ (4) For any cause of action which by court order is
22 transferred from any district or circuit court to a circuit court.....50.00

23
24 SECTION 16. Arkansas Code Title 16, Chapter 17 is amended to add an
25 additional subchapter to read as follows:

26 Subchapter 12 – City Court Consolidation

27 16-17-1201. Findings and intent.

28 (a) The General Assembly finds that:

29 (1) The intent of Amendment 80 to the Arkansas Constitution was
30 to create a unified court system to provide judicial economy and a fair
31 administration of justice;

32 (2) The judicial system in this state should be composed of
33 three (3) tiers to accomplish the intent of Amendment 80 to the Arkansas
34 Constitution:

35 (A) Appellate courts to be composed of the Arkansas
36 Supreme Court and the Arkansas Court of Appeals;

1 (B) General jurisdiction trial courts to be composed of
2 the circuit courts; and

3 (C) Limited jurisdiction courts to be composed of the
4 district courts;

5 (3) The city courts of this state should be consolidated with
6 district courts in order to provide judicial and administrative functions in
7 limited jurisdiction courts that are both necessary and cost-effective; and

8 (4) City courts provide a valuable service for the citizens of
9 towns and cities that operate city courts and also revenue for those towns
10 and cities and for this state. However, many towns and cities provide law
11 enforcement officers for the safety of citizens but do not operate a city
12 court.

13 (b) It is the intent of the General Assembly that a town or city that
14 has operated a city court is to continue to receive revenue from cases that
15 originate in its town or city limits and to establish a procedure to allow a
16 town or city that has never operated a city court but that now or in the
17 future may have law enforcement officers to be able to receive a portion of
18 the revenue from cases that originate in its town or city limits.

19 (c) It is also the intent of the General Assembly that this subchapter
20 will consolidate all limited jurisdiction courts in the state as of January
21 1, 2012.

22 (d)(1) On January 1, 2012, the district courts shall be regarded as a
23 continuation of the city courts now existing.

24 (2)(A) All papers and records pertaining to the city courts
25 shall be transferred to the appropriate district courts and no suit or
26 prosecution of any kind or nature shall abate because of any change made by
27 this subchapter.

28 (B) Except as modified in accordance with this subchapter,
29 any of the following existing on January 1, 2012, shall continue unaffected:

30 (i) A writ;

31 (ii) An action;

32 (iii) A suit;

33 (iv) A proceeding;

34 (v) Civil liability;

35 (vi) Criminal liability;

36 (vii) A prosecution;

- 1 (viii) A judgment;
2 (ix) A decree;
3 (x) An order;
4 (xi) A sentence;
5 (xii) A regulation;
6 (xiii) A cause of action; and
7 (xiv) An appeal.

8
9 16-17-1202. Consolidation of city courts with district courts.

10 (a) As used in this subchapter, "district court" shall include a
11 department of a district court.

12 (b)(1) Effective January 1, 2012, all city courts shall be
13 consolidated with district courts and continue to exist as departments of
14 district courts unless a city court is abolished by town or city ordinance
15 pursuant to this subchapter.

16 (2) A city court formerly known as the " _____ City Court"
17 shall be redesignated as the " _____ District Court,
18 Department".

19 (c)(1) A district court that has a department or departments shall
20 maintain a docket in each department and set court dates for hearing the
21 docket in the town or city in which the department is located, as required by
22 the Arkansas District Courts Accounting Law, § 16-10-201 et seq.

23 (2) By common agreement, a district court and the town or city
24 where the department of the district court is located may provide locations
25 and dates for hearing the docket.

26 (d)(1)(A) A town or city that prior to January 1, 2012, operated a
27 city court that becomes a department of a district court may by ordinance of
28 the town or city in which the department is located abolish the department of
29 district court.

30 (B) A copy of the ordinance abolishing the department of a
31 district court shall be sent to the Administrative Office of the Courts.

32 (2)(A) On and after the effective date of the ordinance
33 abolishing the department of a district court, the nearest district court in
34 the county shall be regarded as a continuation of the department of district
35 court that was abolished. The transfer of administration shall be pursuant to
36 § 16-17-1101.

1 (B) All papers and records pertaining to a department of a
2 district court abolished by ordinance shall be transferred to the appropriate
3 district court, and no suit or prosecution of any kind or nature shall abate
4 because of any change made by this subchapter.

5 (C) Except as modified in accordance with this subchapter,
6 any of the following existing on the effective date of the ordinance
7 abolishing the department of a district court shall continue unaffected:

8 (i) A writ;

9 (ii) An action;

10 (iii) A suit;

11 (iv) A proceeding;

12 (v) Civil liability;

13 (vi) Criminal liability;

14 (vii) A prosecution;

15 (viii) A judgment;

16 (ix) A decree;

17 (x) An order;

18 (xi) A sentence;

19 (xii) A regulation;

20 (xiii) A cause of action; and

21 (xiv) An appeal.

22 (e) No town or city shall have the authority to reinstate a department
23 of district court abolished by ordinance.

24
25 16-17-1203. Procedure for expense cost sharing.

26 (a)(1) Any town or city that has a police department but does not have
27 a district court may contribute to the operational expenses of the nearest
28 district court in the county where the town or city is located pursuant to a
29 written agreement entered into between the governing body of the town or city
30 and the governing bodies of the political subdivisions that contribute to the
31 operational expenses of the district court.

32 (2)(A) The contribution to the operational expenses of a
33 district court described in subdivision (a)(1) of this section shall be a
34 prorated amount based on the number of cases filed in the district court from
35 each of the towns and cities and the county during the preceding calendar
36 year.

1 (B) The prorated amount of operational expenses shall
 2 apply to all fines, fees, and costs not obligated under law that are
 3 collected pursuant to § 16-13-701 et seq. in all:

4 (i) Nontraffic cases that are misdemeanors or
 5 violations of a town or city ordinance;

6 (ii) Cases that are misdemeanors or violations under
 7 state law; and

8 (iii) Traffic offenses that are misdemeanors or
 9 violations under state law or town or city ordinance committed within the
 10 corporate limits of a town or city that is a party to an agreement described
 11 in subdivision (a)(1) of this section.

12 (b) Apportionment of the costs of a district court shall be by order
 13 of the district court upon certification of the cases filed by the clerk of
 14 the district court.

15 (c) On and after the effective date of the agreement described in
 16 subdivision (a)(1) of this section, all fines, fees, penalties, and costs
 17 received by a town or city that is a party to the agreement shall be
 18 collected and distributed in the manner provided by laws affecting district
 19 courts.

20
 21 SECTION 17. Arkansas Code § 14-43-409 is amended to read as follows:

22 14-43-409. Compensation of officials generally.

23 ~~All officers~~ Any officer provided for in this subtitle, and by
 24 ordinance of any city under this subtitle, shall receive such salary as the
 25 council of any city may designate, and in no instance shall ~~they~~ he or she
 26 receive an additional compensation by way of fees, fines, or perquisites. ~~All~~
 27 ~~fees, fines, or perquisites shall be paid into the city treasury.~~

28
 29 SECTION 18. Arkansas Code § 14-44-108 is amended to read as follows:

30 14-44-108. Mayor ~~and city court~~ of a city of the second class.

31 ~~(a) The mayor and city court of a city of the second class shall be~~
 32 ~~subject to § 16-18-112.~~

33 ~~(b) The city court shall have jurisdiction as provided by § 16-88-101.~~

34 ~~(c)~~ (e) The mayor of a city of the second class shall perform all duties
 35 required by the ordinances of the city and shall give bond and security in
 36 any amount to be determined and approved by the city council.

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SECTION 19. Arkansas Code § 14-45-106 is amended to read as follows:

14-45-106. Mayor ~~and city court~~ of an incorporated town.

~~(a) The mayor and city court of an incorporated town shall be subject to § 16-18-112.~~

~~(b) The city court shall have jurisdiction as provided by § 16-88-101.~~

~~(e)~~(a) The mayor of an incorporated town shall perform all duties required by the ordinances of the city and shall give bond and security in any amount to be ascertained and approved by the city council.

~~(d)~~(b) In addition for his or her services as mayor, the council, by ordinance, may make proper allowance for, and payment of, compensation.

SECTION 20. Arkansas Code § 14-55-608 is repealed.

~~14-55-608. Disposition of fines.~~

~~(a) All fines and penalties imposed by the city, police, or municipal court in any city or incorporated town in this state shall be paid into the city or town treasury.~~

~~(b) The city or town councils shall have power to prescribe all necessary regulations for the collection of, and accounting for, fines and penalties.~~

SECTION 21. Arkansas Code § 16-10-201 is amended to read as follows:

16-10-201. Title

This subchapter shall be known and cited as the “Arkansas District Courts ~~and City Courts~~ Accounting Law”.

SECTION 22. Arkansas Code § 16-10-202 is amended to read as follows:

16-10-202. Definition.

As used in this subchapter, ~~unless the context otherwise requires,~~ “court” means any and all of the district ~~and city~~ courts in the State of Arkansas.

SECTION 23. Arkansas Code § 16-10-203 is amended to read as follows:

16-10-203. Applicability of subchapter.

This subchapter shall apply to all district courts ~~and city courts~~ within the State of Arkansas.

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SECTION 24. Arkansas Code § 16-10-303 is repealed.

~~16-10-303. Filing fees.~~

~~(a)(1) The uniform filing fee to be charged by clerks for initiating a civil cause of action in city courts in this state shall be twenty five dollars (\$25.00).~~

~~(2) No portion of the filing fee shall be refunded.~~

~~(b) No city shall authorize, and no city court clerk shall assess or collect, any other filing fees than those authorized by this act, unless specifically provided by state law.~~

SECTION 25. Arkansas Code § 16-10-305 is amended to read as follows:

16-10-305. Court costs.

(a) There shall be levied and collected the following court costs from each defendant upon each conviction, each plea of guilty or nolo contendere, or each forfeiture of bond:

(1) For misdemeanor or felony violations of state law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, one hundred fifty dollars (\$150);

(2) For offenses which are misdemeanors or violations of state law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in district court, one hundred dollars (\$100);

(3) For traffic offenses which are misdemeanors or violations under state law or ~~local~~ town or city ordinance, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in district court, seventy-five dollars (\$75.00);

(4) For nontraffic offenses which are misdemeanors or violations under ~~local~~ town, city, or county ordinance in district ~~or city~~ court, twenty-five dollars (\$25.00); and

(5) For violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, or district court ~~or city court~~, three hundred dollars (\$300);

~~(6) For offenses which are misdemeanors or violations under state law, excluding violations of the Omnibus DWI Act, 5-65-101 et seq., seventy five dollars (\$75.00) in city court court; and~~

~~(7) For traffic offenses which are misdemeanors or violations~~

1 ~~under state law or local ordinance, excluding violations of the Omnibus DWI~~
2 ~~Act, 5-65-101 et seq., fifty dollars (\$50.00) in city court.~~

3 (b)(1) The costs set forth in this section shall be imposed at the
4 conclusion of any criminal case enumerated in subsection (a) of this section
5 that does not end in an acquittal, dismissal, or, with the consent of the
6 prosecution, an order nolle prosequi.

7 (2) The costs shall be imposed at the conclusion of cases
8 involving a suspended or probated sentence even though that sentence may be
9 expunged or otherwise removed from the defendant's record.

10 (c) No county, ~~municipality~~ city, or town shall be liable for the
11 payment of the costs taxed under this section in any instance where they are
12 not collected, or in any case in which the defendant pays the costs by
13 serving time in a jail, on a county farm, or at any other official place of
14 detention or work.

15 (d) No ~~municipality~~ town, city, or county shall authorize and no ~~city~~
16 ~~court~~, district court, or circuit court shall assess or collect any other
17 court costs other than those authorized by this act, unless specifically
18 provided by state law.

19 (e) This section shall become effective July 1, 2001, and the revised
20 court costs shall be imposed on all cases which come before the court for
21 final disposition on or after July 1, 2001.

22 (f)(1) There shall be levied and collected from each defendant who
23 pleads guilty or nolo contendere to an offense, is found guilty of an
24 offense, or forfeits bond in city court on or before December 31, 2011, the
25 court costs applicable in city court at that time.

26 (2) The court costs applicable in district court shall be levied
27 and collected in all cases filed in city court but in which a defendant
28 pleads guilty or nolo contendere to an offense, is found guilty of an
29 offense, or forfeits bond in district court on or after January 1, 2012.

30
31 SECTION 26. Arkansas Code § 16-10-306 is amended to read as follows:
32 16-10-306. State Administration of Justice Fund.

33 (a) There is hereby created on the books of the Treasurer of State,
34 the Auditor of State, and the Chief Fiscal Officer of the State a trust fund
35 account to be known as the "State Administration of Justice Fund".

36 (b)(1) There is hereby created in the Department of Finance and

1 Administration an Administration of Justice Funds Section, to which shall be
2 remitted court costs and filing fees enumerated in §§ 21-6-403, ~~16-14-105,~~
3 16-17-705, ~~16-10-303,~~ and 16-10-305, as provided in this act, which are
4 assessed and collected in the ~~city courts,~~ district courts, and circuit
5 courts in this state.

6 (2)(A) Said funds shall be deposited by the section in the State
7 Administration of Justice Fund.

8 (B) The section shall keep an accurate account of all
9 receipts by type of case and type and location of court from which such fees
10 and costs are submitted.

11 ~~(c) The section shall also prescribe, in cooperation with the~~
12 ~~Administrative Office of the Courts and the Association of Arkansas Counties,~~
13 ~~appropriate forms for the reporting and allocation of all funds and such~~
14 ~~other information relevant to the income derived by, and the costs associated~~
15 ~~with, the operation of the justice system by cities and counties, and shall~~
16 ~~require, beginning July 1, 1995, the use thereof by all parties remitting~~
17 ~~funds.~~

18
19 SECTION 27. Arkansas Code § 16-10-308 is amended to read as follows:
20 16-10-308. City administration of justice fund.

21 (a)(1) There is hereby created in each ~~municipality~~ town or city which
22 operates a ~~police, city, or~~ district court a fund in the office of the town
23 or city treasurer to be known as the "city administration of justice fund".

24 (2)(A) A town or city operating a city court that becomes a
25 department of district court shall continue to maintain the city
26 administration of justice fund as originally established by this section.

27 (B) The city administration of justice fund of any town or
28 city shall cease to exist on and after the effective date of the ordinance
29 that abolishes the department of district court for that town or city
30 pursuant to state law.

31 (b) The city administration of justice fund shall be used to defray a
32 part of the expense of the administration of justice in the town or city.
33 From the fund, the town or city shall continue to finance the following town
34 or city agencies and programs which are currently funded, in whole or in
35 part, by filing fees and court costs, at a funding level equal to not less
36 than the greater of the amount which was collected by the town or city from

1 court costs and filing fees for the agency or program in the calendar year
2 ending December 31, 1994, or the amount appropriated by ordinance enacted
3 prior to December 31, 1994, to the agency or program for the calendar year
4 ending December 31, 1995:

5 (1) The municipal court judge and clerk retirement fund for
6 disbursement as otherwise provided by law;

7 (2) The police and fire pension fund;

8 (3) The intoxication detection equipment fund;

9 (4) All municipal-level programs and agencies funded in whole or
10 in part by court costs and filing fees assessed and collected by the
11 ~~municipal, city, or police~~ district court, notwithstanding the repeal by this
12 act of laws authorizing the collection of court costs and filing fees; and

13 (5) All county-level programs and agencies funded in whole or in
14 part by court costs and filing fees assessed and collected by the ~~municipal,~~
15 ~~city, or police~~ district court, notwithstanding the repeal by this act of
16 laws authorizing the collection of court costs and filing fees and the
17 disbursement of all or a part thereof to the county.

18 (c)(1)(A) The city administration of justice fund of each town or city
19 may retain an amount equal to the amount which was collected by the town or
20 city from court costs and filing fees for city administration of justice
21 expense in the calendar year ending December 31, 1994, or the amount
22 appropriated from court costs and filing fees by ordinance enacted prior to
23 December 31, 1994, for city or county administration of justice expense from
24 court costs and filing fees for the calendar year ending December 31, 1995,
25 plus, for calendar years 1995 - 2001, an additional amount based upon the
26 average percentage increase in the Consumer Price Index for All Urban
27 Consumers or its successor, as published by the United States Department of
28 Labor for the two (2) years immediately preceding.

29 (B)(i) The amount retained during calendar years 2002,
30 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.

31 (ii) Except as provided in subdivision

32 (c)(1)(B)(iii) of this section, for calendar years beginning 2006 and each
33 calendar year thereafter, an additional amount shall be added to the amount
34 to be retained based on the average percentage increase in the Consumer Price
35 Index for All Urban Consumers or its successor, as published by the United
36 States Department of Labor for the two (2) years immediately preceding.

1 (iii) The provisions of subdivision (c)(1)(B)(ii) of
2 this section shall not be effective if the Chief Fiscal Officer of the State
3 determines that the additional amount retained under subdivision
4 (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000)
5 in a calendar year, and any additional amount to be retained must be
6 authorized by the General Assembly.

7 (C) Notwithstanding the creation of the Arkansas District
8 Judge Retirement System on January 1, 2005, all local ordinances of the
9 counties and cities authorized and adopted under § 24-8-318 shall remain in
10 full force and effect.

11 (2) For the calendar year beginning January 1, 1998, the base
12 amount to be retained shall be:

13 (A) Increased by any increase in the Consumer Price Index,
14 as provided for in subdivision (c)(1) of this section; and

15 (B) Decreased by eighty-five percent (85%) of the total
16 dollar amount which was certified by the town or city as having been
17 collected during calendar year 1994 for the purpose of funding the office and
18 operation of the public defender and public defender investigator.

19 (d) Nothing in this act shall prevent the town or city from funding
20 any additional costs for the administration of justice from other town or
21 city funds.

22 (e) The town or city shall remit, on or before the fifteenth day of
23 each month, all sums received in excess of the amounts necessary to fund the
24 expenses enumerated in subsections (b) and (c) of this section during the
25 previous month from the uniform filing fees provided for in ~~§§ 16-10-303 and~~
26 § 16-17-705 and the uniform court costs provided for in § 16-10-305 to the
27 Administration of Funds Section of the Office of Administrative Services of
28 the Department of Finance and Administration for deposit in the State
29 Administration of Justice Fund.

30
31 SECTION 28. Arkansas Code § 16-10-602 is amended to read as follows:
32 16-10-602. Establishment of city and county shares.

33 (a) Pursuant to §§ 16-10-307(c) and 16-10-308(c), each town, city, and
34 county may retain a portion of the uniform court costs and filing fees
35 collected and deposited into the city or county administration of justice
36 fund.

1 (b) On or before the first day of October of each year, the Department
 2 of Finance and Administration shall certify in writing to each county and to
 3 each town or city which operates a district court ~~or city court~~, the amount
 4 of money which may be retained during each month of the following calendar
 5 year by the town, city, or county.

6
 7 SECTION 29. Arkansas Code § 16-10-603 is amended to read as follows:
 8 16-10-603. Procedure – County administration of justice funds.

9 (a)(1) Pursuant to § 16-10-307, each county is to create a county
 10 administration of justice fund.

11 (2) Each county treasurer should deposit into the fund:

12 (A) All receipts from the collection of uniform filing
 13 fees established by § 21-6-403 which are collected by the circuit clerk,
 14 county clerk, or other official and remitted to the county treasurer;

15 (B) All receipts from the collection of uniform court
 16 costs established by § 16-10-305 which are collected by the county official,
 17 agency, or department designated pursuant to § 16-13-709 as primarily
 18 responsible for the collection of fines assessed in circuit court ~~circuit~~
 19 ~~clerk, county clerk, county sheriff, or other official~~ and remitted to the
 20 county treasurer;

21 (C) All receipts of the county's share of uniform filing
 22 fees established by ~~§§~~ § 16-17-705 ~~and 16-10-303~~ which are collected by the
 23 district ~~and city~~ courts within the county and remitted to the county
 24 treasurer; and

25 (D) All receipts of the county's share of uniform court
 26 costs established by § 16-10-305 which are collected by the official, agency,
 27 or department of the county, town, or city designated pursuant to § 16-13-709
 28 as primarily responsible for the collection of fines assessed in ~~district and~~
 29 ~~city~~ courts within the county and remitted to the county treasurer.

30 (b) From the county administration of justice fund, the county
 31 treasurer is to make, on a monthly basis, the following fund transfers or
 32 disbursements:

33 (1)(A) Pursuant to ~~§§~~ § 16-10-307(c), ~~and 21-6-403~~ the
 34 Department of Finance and Administration will certify for each county the
 35 county's monthly share of uniform court costs and filing fees to be retained
 36 by the county.

1 (B)(i) Each year the quorum court shall establish the
 2 amount of uniform filing fees and court costs to be appropriated to each of
 3 the county programs or agencies enumerated in § 16-10-307(b) from the
 4 county's share of uniform court costs and filing fees; ~~provided, that each~~
 5 ~~program or agency shall receive, as a minimum, the amount established by §~~
 6 ~~16-10-307(b); and.~~

7 (ii) Each program or agency shall receive, as a
 8 minimum, the amount established by § 16-10-307(b);

9 (2) The excess of the monthly receipts into the fund from
 10 subdivisions (a)(2)(A) and (B) of this section, less the county's certified
 11 monthly share and the county treasurer's commission, if any, as authorized by
 12 § 21-6-302, shall be remitted to the Department of Finance and
 13 Administration, pursuant to § 16-10-307(e).

14
 15 SECTION 30. Arkansas Code § 16-10-604 is amended to read as follows:
 16 16-10-604. Procedure – City administration of justice funds.

17 (a)(1) Pursuant to § 16-10-308, each ~~municipality~~ town or city which
 18 operates a ~~city or~~ district court is to create a city administration of
 19 justice fund.

20 (2)(A) Any town or city operating a city court that becomes a
 21 department of district court shall continue to maintain the city
 22 administration of justice fund as originally established pursuant to § 16-10-
 23 308.

24 (B) The city administration of justice fund of any town or
 25 city shall cease to exist on and after the effective date of an ordinance
 26 that abolishes the department of district court for the town or city pursuant
 27 to state law.

28 ~~(2)~~ (3) There shall be deposited into the fund:

29 (A) All receipts from the collection of uniform filing
 30 fees established by ~~§§~~ § 16-17-705 and 16-10-303 which are collected by the
 31 ~~city or~~ district court operated by the ~~municipality~~ town or city; and

32 (B) All receipts from the collection of uniform court
 33 costs, established by § 16-10-305 which are collected by the ~~city or district~~
 34 ~~court~~ county, town, or city official, agency, or department designated
 35 pursuant to § 16-13-709 as primarily responsible for the collection of fines
 36 assessed in the district court operated by the municipality town or city.

1 (b) From the city administration of justice fund, the following fund
2 transfers or disbursements shall be made on a monthly basis:

3 (1)(A) Pursuant to ~~§§~~ § 16-10-308(c) ~~and 21-6-403~~, the
4 Department of Finance and Administration will certify for each town or city
5 the town's or city's monthly share of uniform court costs and filing fees to
6 be retained by the town or city.

7 (B)(i) Each year the town or city council shall establish
8 the amount of uniform filing fees and court costs to be appropriated to each
9 of the town or city programs or agencies enumerated in § 16-10-308(b) from
10 the town's or city's share of uniform court costs and filing fees, ~~provided~~
11 ~~that each.~~

12 (ii) Each program or agency shall receive, as a
13 minimum, the amount established by § 16-10-308(b).

14 (C) Each program or agency shall be paid, by warrant or
15 fund transfer, a monthly installment of at least one-twelfth (1/12) of the
16 annual appropriation provided for each by the town or city council;

17 (2)(A) Pursuant to § 16-10-308(b)(5), the town or city shall
18 remit to the county treasurer for deposit into the county administration of
19 justice fund a portion of the town's or city's share of uniform court costs
20 and filing fees.

21 (B) The amount of the remittance shall be based upon the
22 amount, if any, of uniform court costs and filing fees which had been
23 remitted by the town or city to the county to fund county-level programs and
24 agencies during the base year defined in § 16-10-308(b).

25 (C) By common agreement, towns, cities, and counties may
26 establish a different fixed dollar amount or percentage of the town's or
27 city's monthly share of filing fees and court costs which shall be remitted
28 to the county treasurer;

29 (3) For the calendar year beginning January 1, 1998, the amount
30 of the remittance shall be based upon the amount, if any, of uniform court
31 costs and filing fees which had been remitted by the town or city to fund
32 county-level programs and agencies during the base year defined in § 16-10-
33 308(b), less eighty-five percent (85%) of the total dollar amount which was
34 certified by the town or city as having been collected during calendar year
35 1994 for the purpose of funding the office and operation of the public
36 defender and public defender investigator; and

1 (4) The excess of the monthly receipts into the fund, less the
2 town or city's certified monthly share, shall be remitted to the department,
3 pursuant to § 16-10-308(e).

4 (c)(1) If a district court is operated solely by a county rather than
5 a town or city and all of the uniform court costs and filing fees collected
6 by the court are remitted to the county, the town or city shall not be
7 required to create a city administration of justice fund; ~~rather, the~~.

8 (2) The town's or city's share of uniform court costs and filing
9 fees shall be remitted directly to the county treasurer for deposit into the
10 county administration of justice fund.

11 (d)(1)(A) For any ~~municipal, city, or police~~ district court which was
12 created after January 1, 1994, such that the base year used to calculate the
13 town or city share pursuant to § 16-10-308 was not complete, the town or city
14 share shall be deemed to be fifty percent (50%) of the uniform court costs
15 and filing fees collected and remitted to the city administration of justice
16 fund.

17 (B) District courts created pursuant to § 16-17-901 et
18 seq. shall not be considered for purposes of this section to have been
19 created after January 1, 1994, or to have a base year that is not complete if
20 the district court is merely a continuation of a district or city court that
21 was in existence on December 31, 2007, or December 31, 2011.

22 ~~(B)(C)~~ From ~~this~~ the fifty-percent share described in
23 subdivision (d)(1)(A) of this section, the town or city shall disburse or
24 transfer fifty percent (50%) of the funds to the local programs or agencies
25 pursuant to subdivision (b)(1) of this section and fifty percent (50%) to the
26 county treasurer pursuant to subdivision (b)(2) of this section.

27 (2) The remaining fifty percent (50%) shall be remitted to the
28 Department of Finance and Administration, pursuant to § 16-10-308(e).

29
30 SECTION 31. Arkansas Code § 16-13-701 is amended to read as follows:
31 16-13-701. Scope.

32 (a) The procedures established by this subchapter shall apply to the
33 assessment and collection of all monetary fines, however designated, imposed
34 by circuit courts, and district courts, ~~or city courts~~ for criminal
35 convictions, traffic convictions, civil violations, and juvenile delinquency
36 adjudications and shall be utilized to obtain prompt and full payment of all

1 such fines.

2 (b) For purposes of this subchapter, the term "fine" or "fines" means
3 all monetary penalties imposed by the courts of this state, which include
4 fines, court costs, restitution, probation fees, and public service work
5 supervisory fees.

6

7 SECTION 32. Arkansas Code § 16-13-704 is amended to read as follows:
8 16-13-704. Installment payments.

9 (a)(1) If the court concludes that the defendant has the ability to
10 pay the fine, but that requiring the defendant to make immediate payment in
11 full would cause a severe and undue hardship for the defendant and the
12 defendant's dependents, the court may authorize payment of the fine by means
13 of installment payments in accordance with this subchapter.

14 (2)(A) When a court authorizes payment of a fine by means of
15 installment payments, it shall issue, without a separate disclosure hearing,
16 an order that the fine be paid in full by a date certain and that in default
17 of payment, the defendant must appear in court to explain the failure to pay.

18 (B) In fixing the date of payment, the court shall issue
19 an order which will complete payment of the fine as promptly as possible
20 without creating a severe and undue hardship for the defendant and the
21 defendant's dependents.

22 (b)(1)(A) In addition to the fine and any other assessments authorized
23 by this subchapter, an installment fee of five dollars (\$5.00) per month
24 shall be assessed on each person who is authorized to pay a fine on an
25 installment basis.

26 (B) This fee shall be collected in full each month in
27 which a defendant makes an installment payment.

28 (C) This fee shall accrue each month that a defendant does
29 not make an installment payment and the fine has not been paid in full.

30 (2)(A)(i) One-half (1/2) of the installment fee collected in
31 circuit court shall be remitted by the tenth day of each month to the
32 Administration of Justice Fund Section of the Office of Administrative
33 Services of the Department of Finance and Administration, on a form provided
34 by that office, for deposit in the Judicial Fine Collection Enhancement Fund
35 established by § 16-13-712.

36 (ii) The other half of the installment fee shall be

1 remitted by the tenth day of each month to the county treasurer to be
2 deposited in a fund entitled the circuit court automation fund to be used
3 solely for circuit court-related technology.

4 (B)(i) Expenditures from the circuit court automation fund
5 shall be approved by the administrative circuit judge of each judicial
6 circuit.

7 (ii) Funds in each county in a judicial circuit may
8 be pooled for expenditure pursuant to a circuit wide technology plan approved
9 by the administrative circuit judge.

10 (iii) All expenditures from the circuit court
11 automation fund shall be authorized, pursuant to the county accounting law,
12 by the quorum court.

13 (3)(A) One-half (1/2) of the installment fee collected in
14 district court ~~or city court~~, shall be remitted by the tenth day of each
15 month to the Administration of Justice Fund Section of the Office of
16 Administrative Services of the Department of Finance and Administration, on a
17 form provided by that office, for deposit in the Judicial Fine Collection
18 Enhancement Fund established by § 16-13-712.

19 (B)~~(i)~~ The other half of the installment fee collected in
20 district court shall be remitted by the tenth day of each month to the city
21 treasurer of the city in which the district court is located to be deposited
22 in a fund entitled the district court automation fund to be used solely for
23 district court-related technology.

24 ~~(ii) The other half of the installment fee collected~~
25 ~~in city court shall be remitted by the tenth day of each month to the~~
26 ~~treasurer of the city or town in which the city court is located to be~~
27 ~~deposited in a fund entitled the city court automation fund to be used solely~~
28 ~~for city court-related technology.~~

29 (C) In any district court which is funded solely by the
30 county, the other half of this fee shall be remitted by the tenth day of each
31 month to the county treasurer of the county in which the district court is
32 located to be deposited in the district court automation fund to be used
33 solely for district court-related technology.

34 (D) Expenditures from the district court automation fund
35 shall be approved by a district judge and shall be authorized, pursuant to
36 state accounting law, by the governing body or, if applicable, governing

1 bodies which contribute to the expenses of a district court.

2 ~~(E) Expenditures from the city court automation fund shall~~
3 ~~be approved by the city court judge and shall be authorized, pursuant to~~
4 ~~state accounting law, by the governing body of the city or town in which the~~
5 ~~city court is located.~~

6 (c) Any defendant who has been authorized by the court to pay a fine
7 by installments shall be considered to have irrevocably appointed the clerk
8 of the court as his or her agent upon whom all papers affecting his or her
9 liability may be served, and the clerk shall forthwith notify the defendant
10 thereof by ordinary mail at his or her last known address.

11 (d) "Ability to pay" means that the resources of the defendant,
12 including all available income and resources, are sufficient to pay the fine
13 and provide the defendant and his or her dependents with a reasonable
14 subsistence compatible with health and decency.

15
16 SECTION 33. Arkansas Code § 16-13-709 is amended to read as follows:
17 16-13-709. Responsibility for collection.

18 (a)(1)(A)(i) The quorum court of each county of the state shall
19 designate a county official, agency, or department, which shall be primarily
20 responsible for the collection of fines assessed in the circuit courts of
21 this state.

22 (ii) All fines collected each month in circuit court
23 by the designated county official, agency, or department shall be disbursed
24 by the fifth working day of the following month to ~~the appropriate county~~
25 ~~fund, state entity, or state agency as provided by law; the county~~
26 ~~administration of justice fund; and the State Administration of Justice Fund,~~
27 the county administration of justice fund, and the appropriate county fund,
28 state entity, or state agency as provided by law.

29 (iii) The sheriff shall remain responsible for
30 collecting bail or money deposited in lieu of bail on behalf of defendants
31 discharged from incarceration pursuant to law in circuit court.

32 (B)(i) The quorum court may delegate the responsibility
33 for the collection of delinquent fines assessed in circuit court to a private
34 contractor.

35 (ii) The contractor may receive, under a written
36 contract, a commission on delinquent fines collected for circuit court.

1 (C)(i) The commission agreed to be received by the private
2 contractor shall be a portion of the total fine owed by a defendant.

3 (ii) The court shall credit the defendant with the
4 gross amount remitted to the private contractor.

5 (iii) The private contractor shall remit the gross
6 amounts collected to the county official, agency, or department designated
7 under subdivision (a)(1)(A) of this section on at least a monthly basis.

8 (iv) Payment of the commission shall be through the
9 county claims process.

10 (v) The county treasurer shall make a pro rata
11 disbursement of the remaining fines to ~~the appropriate county fund, state~~
12 ~~entity, or state agency as provided by law; the county administration of~~
13 ~~justice fund; and the State Administration of Justice Fund, the county~~
14 administration of justice fund, and the appropriate county fund, state
15 entity, or state agency as provided by law.

16 (2)(A)(i) The governing body or, if applicable, each governing
17 body of a political subdivision which contributes to the expenses of a
18 district court, ~~or the governing body of the city in which a city court is~~
19 ~~located~~, shall designate a county, town or city official, agency, or
20 department who shall be primarily responsible for the collection of fines
21 assessed in the district courts, ~~city courts, or police courts~~ of this state.

22 (ii) All fines collected each month in district
23 court or a department of district court by the designated county, town, or
24 city official, agency, or department shall be disbursed by the tenth working
25 day of the following month pursuant to § 16-17-707.

26 ~~(B) All fines collected each month in city courts by the~~
27 ~~designated city official, agency, or department shall be disbursed by the~~
28 ~~tenth working day of the following month to the general fund or other city~~
29 ~~fund, state agency, or state entity as provided by law; the city~~
30 ~~administration of justice fund; the county administration of justice fund;~~
31 ~~and the State Administration of Justice Fund.~~

32 ~~(C)(B)~~ The chief of police of the town or city in which a
33 district court ~~or city court~~ is located shall remain responsible for
34 collecting bail or money deposited in lieu of bail on behalf of defendants
35 discharged from incarceration pursuant to law in district court ~~or city~~
36 ~~court.~~

1 ~~(D)~~(C)(i) The governing body or, if applicable, each
2 governing body of a political subdivision which contributes to the expenses
3 of a district court, ~~or the governing body of the city in which a city court~~
4 ~~is located~~, may delegate the responsibility for the collection of delinquent
5 fines assessed in district court ~~or city court~~ to a private contractor.

6 (ii) The contractor may receive under a written
7 contract a commission on delinquent fines collected for district court ~~or~~
8 ~~city court~~.

9 (iii) The commission agreed to be received by the
10 private contractor shall be a portion of the total fine owed by a defendant.

11 (iv) The court shall credit the defendant with the
12 gross amount remitted to the private contractor.

13 (v) The private contractor shall remit the gross
14 ~~amounts~~ amount collected to the county, town, or city official, agency, or
15 department designated under ~~subsection~~ subdivision (a)(2)(A) of this section
16 on a monthly basis.

17 (vi) The commission expense shall be apportioned
18 among each governing body of a political subdivision which contributes to the
19 expenses of a district court in proportion to the gross amount of fines
20 collected for that political subdivision.

21 (vii) Payment of the commission shall be according
22 to accounting procedures prescribed by law.

23 ~~(viii)~~ ~~Payment of the commission for city courts~~
24 ~~shall be made by the governing body of the city in which the court is~~
25 ~~located.~~

26 ~~(ix)~~(viii) The remainder of fines received shall be
27 disbursed pro rata under this section and §§ ~~14-44-108, 14-45-106,~~ 16-10-209,
28 16-10-308, and 16-17-707 ~~and 16-18-104.~~

29 (3) "Delinquent" means any fines assessed in the circuit courts,
30 or district courts, ~~or city courts~~ of this state which have not been paid as
31 ordered for a period of ninety (90) days or three (3) payments, either
32 consecutive or concurrent, since payment was ordered or since last partial
33 payment was received.

34 (4) A copy of the ordinance making the designation shall be
35 provided to the Administrative Office of the Courts.

36 (b)(1) If a private contractor is selected to collect delinquent

1 fines, then to ensure the integrity of the court and to protect the county,
2 town, or city, the contractor shall register with the Secretary of State and
3 shall file with the Secretary of State a surety bond or certificate of
4 deposit.

5 (2) The amount of the surety bond or certificate of deposit
6 shall be fifty thousand dollars (\$50,000).

7 (3) The county, town, city, or any person suffering damage by
8 reason of the acts or omissions of the contractor may bring action on the
9 bond for damages.

10 (4) A contractor shall be ineligible to provide such services if
11 the owner, operator, partner, or employee has been convicted of a felony.

12

13 SECTION 34. Arkansas Code § 16-13-710 is amended to read as follows:

14 16-13-710. Automated collection procedures.

15 The Administrative Office of the Courts shall have the responsibility
16 to assist circuit courts, and district courts, ~~and city courts~~ in the
17 assessment and collection of fines and the management and reporting of fine
18 revenue.

19

20 SECTION 35. Arkansas Code § 16-17-115 is amended to read as follows:

21 16-17-115. County's, town's, and city's portion of district court
22 expenses – Appropriation.

23 (a) Except as authorized otherwise, the county wherein a district
24 court is held shall pay one-half (1/2) of the salaries of the district judge
25 and ~~the~~ each chief court clerks clerk of ~~the~~ any district ~~courts~~ court
26 organized in that county under the provisions of § ~~16-17-201 et seq. and~~ §
27 ~~16-17-301 et seq.,~~ 16-17-901 et seq., and the quorum court in counties
28 subject to the provisions of ~~either § 16-17-201 et seq. or § 16-17-301 et~~
29 ~~seq., or both,~~ § 16-17-901 et seq. shall, at its annual meeting, make an
30 appropriation of a sum sufficient to pay the county's proportion of the
31 expenses of ~~all~~ any such district ~~courts~~ court. These payments shall be made
32 out of the district court cost fund and general revenues of the county ~~and~~
33 ~~this duty may be enforced by mandamus proceedings.~~

34 (b)(1)(A) Except as authorized otherwise, the town or city in which a
35 district court is held shall pay:

36 (i) One-half (1/2) of the salaries of the district

1 judge and the chief court clerk; and

2 (ii) The operational expenses of the district court
3 organized in that town or city under the provisions of § 16-17-901 et seq.
4 unless otherwise agreed to by the political subdivisions which contribute to
5 the expenses of the district court.

6 (B) The governing body of the town or city in a town or
7 city subject to the provisions of § 16-17-901 et seq. shall make at its
8 annual meeting an appropriation of a sum sufficient to pay the town's or
9 city's proportion of the salaries and operational expenses of the district
10 court.

11 (2) These payments shall be made out of the district court cost
12 fund and general revenues of the town or city.

13 (c)(1) Any town or city operating a city court on December 31, 2011,
14 that becomes a department of a district court shall continue to pay the
15 amount paid as the base salary of the city judge to the district judge who
16 has assumed the responsibility of attending the former city court.

17 (2) The base salary to be paid to the district judge under
18 subdivision (c)(1) of this section in calendar year 2012 and subsequent years
19 shall be the amount paid by the city or town to the city judge for the
20 calendar year 2011.

21 (3) The local salary supplement described in subdivision (c)(1)
22 of this section shall not be used when calculating any retirement benefit in
23 the Arkansas District Judge Retirement System, § 24-8-801 et seq.

24 (d)(1) A town or city operating a city court on December 31, 2011,
25 that becomes a department of district court shall continue to pay the salary
26 of the court clerk and provide for the operational expenses of that
27 department of district court unless otherwise agreed to by the political
28 subdivisions which contribute to the expenses of the district court.

29 (2) Subdivision (d)(1) of this section shall not apply to any
30 town or city which has abolished a department of district court pursuant to
31 state law.

32 (e) A district court operated solely by the county shall have the
33 salaries and operational expenses of that court paid solely by the county
34 unless otherwise agreed to by the political subdivisions which contribute to
35 the expenses of the district court.

36

1 SECTION 36. Arkansas Code § 16-17-119 is amended to read as follows:

2 16-17-119. Counties with populations over 250,000 - ~~Collection of Fees~~
3 District court expenses.

4 ~~(a) All funds, penalties, forfeitures, fees, and costs collected in~~
5 ~~district courts in any county having a population of two hundred fifty~~
6 ~~thousand (250,000) or more inhabitants according to the most recent federal~~
7 ~~census shall be collected by the clerk of the district court and deposited in~~
8 ~~the city treasury of the city or municipality in which the court is located,~~
9 ~~to be used for maintaining and operating the district courts in the county~~
10 ~~and for other general municipal purposes, but not limited to, state police~~
11 ~~retirement funds, library and building funds, legal education funds,~~
12 ~~prosecuting attorney funds, public defender funds, and funds established for~~
13 ~~the expenses of the judiciary in general other than in district courts shall~~
14 ~~be disposed of according to law.~~

15 ~~(b)(a)(1)~~ The salaries and operational expenses of district courts
16 described in this section in any county having a population of two hundred
17 fifty thousand (250,000) or more inhabitants according to the most recent
18 federal census shall be paid by the city or town in which the court is
19 located.

20 (2) No portion of these expenses shall be paid by the county in
21 which the court is located.

22 (c) This section shall not apply to a district court funded solely by
23 a county.

24 (d) This section shall not apply to any town or city that has
25 abolished a department of a district court pursuant to state law.

26
27 SECTION 37. Arkansas Code § 16-17-707 is amended to read as follows:

28 16-17-707. Separate accounting records of fines, etc. - Disbursements.

29 (a) The district court clerk shall keep three (3) separate accounting
30 records of all fines, penalties, forfeitures, fees, and costs received by him
31 or her for any of the officers of the town, city, or county, as provided in
32 this subchapter:

33 (1) The first class of accounting records shall embrace all sums
34 collected in the district court in all nontraffic cases which are
35 misdemeanors or violations of the town or city ordinances and all cases which
36 are misdemeanors or violations under state law or traffic offenses which are

1 misdemeanors or violations under state law or town or city ordinance
2 committed within the corporate limits of the town or city where the court
3 sits, where the arresting officer was a police officer or other officer of
4 the town or city, a Department of Arkansas State Police officer or other
5 certified law enforcement officer of the state, or an officer of a private or
6 public college or university located within the corporate limits of the town
7 or city where the court sits;

8 (2) The second class of accounting records shall embrace all
9 sums collected in the district court in all nontraffic cases which are
10 misdemeanors or violations of county ordinances or are misdemeanors or
11 violations of any of the laws of the state where the arresting officer was
12 the county sheriff or a deputy sheriff or was not a police officer or other
13 officer of the town or city where the court sits, and the offense was
14 committed outside the corporate limits of the town or city where the court
15 sits, and in all other criminal or traffic proceedings not specifically
16 enumerated in this section; and

17 (3)(A) The third class of accounting records shall embrace all
18 sums collected in the district court in all civil and small claims cases.

19 (B) The uniform filing fee collected under § 16-17-705
20 shall be remitted to the city administration of justice fund.

21 (C) The uniform court costs collected under § 16-10-305
22 shall be remitted to the city administration of justice fund.

23 (D) All other fees shall be disbursed to the treasurers of
24 the political subdivisions which contribute to the expense of the district
25 court in accordance with a written agreement between the political
26 subdivisions.

27 (b)(1)(A) After deducting the fees due the police department and
28 marshal's office and sheriff's office, the district court shall pay into the
29 town or city treasury all sums collected from the first class of accounting
30 records.

31 (B) The district court shall pay all sums collected from
32 the second class of accounting records into the county treasury.

33 (2) Any district court that is funded solely by the county shall
34 pay all sums collected from the first or second class of accounting records
35 into the county treasury and shall pay all uniform filing fees and court
36 costs collected into the county administration of justice fund.

1 (3) A town or city that has a police department and does not
2 operate a district court shall receive only the prorated sums collected as
3 provided in § 16-17-1203.

4 ~~(3)~~(4) Direct monetary settlements shall be made with state
5 entities or agencies as provided by law.

6 (c) All disbursements from all three (3) classes of accounting records
7 shall be pursuant to the provisions set forth in the Arkansas District Courts
8 ~~and City Courts~~ Accounting Law, § 16-10-201 et seq.

9
10 SECTION 38. Arkansas Code § 16-17-902 is amended to read as follows:
11 16-17-902. Counties having one district court.

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

- 14 ~~(1) Baxter;~~
- 15 ~~(2) Boone;~~
- 16 ~~(3)~~(1) Bradley;
- 17 ~~(4)~~(2) Calhoun;
- 18 ~~(5) Clark;~~
- 19 ~~(6) Cleburne;~~
- 20 ~~(7)~~(3) Cleveland;
- 21 ~~(8) Columbia;~~
- 22 ~~(9) Conway;~~
- 23 ~~(10) Crawford;~~
- 24 ~~(11) Cross;~~
- 25 ~~(12) Dallas;~~
- 26 ~~(13)~~(4) Drew;
- 27 ~~(14) Faulkner;~~
- 28 ~~(15) Fulton;~~
- 29 ~~(16)~~(5) Grant;
- 30 ~~(17) Greene;~~
- 31 ~~(18)~~(6) Hempstead;
- 32 ~~(19) Hot Spring;~~
- 33 ~~(20)~~(7) Howard;
- 34 ~~(21)~~(8) Independence;
- 35 ~~(22) Izard;~~
- 36 ~~(23) Jackson;~~

- 1 ~~(24) — Johnson;~~
- 2 ~~(25) — Lafayette;~~
- 3 ~~(26)~~(9) Lee;
- 4 ~~(27) — Lincoln;~~
- 5 ~~(28) — Little River;~~
- 6 ~~(29)~~(10) Madison;
- 7 ~~(30) — Marion;~~
- 8 ~~(31)~~(11) Miller;
- 9 ~~(32)~~(12) Montgomery;
- 10 ~~(33)~~(13) Nevada;
- 11 ~~(34)~~(14) Newton;
- 12 ~~(35) — Perry;~~
- 13 ~~(36) — Pike;~~
- 14 ~~(37)~~(15) Polk;
- 15 ~~(38) — Pope;~~
- 16 ~~(39)~~(16) Randolph;
- 17 ~~(40)~~(17) Scott;
- 18 ~~(41)~~(18) Searcy;
- 19 ~~(42)~~(19) Sevier;
- 20 ~~(43) — St. Francis;~~
- 21 ~~(44)~~(20) Stone; and
- 22 ~~(45)~~(21) Union; and.
- 23 ~~(46) — Van Buren.~~

24 (b) The district court shall be located in the county seat of each
25 county listed in subsection (a) of this section.

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

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

30

31 SECTION 39. Arkansas Code § 16-17-903 is amended to read as follows:
32 16-17-903. Crittenden County District Courts.

33 (a) Crittenden County shall have the following district courts and
34 judges:

35 (1)(A) Marion shall have one (1) district court ~~and one (1)~~
36 ~~district judge.~~ with six (6) departments:

- 1 (i) One (1) located in Marion;
- 2 (ii) One (1) located in Earle;
- 3 (iii) One (1) located in Gilmore;
- 4 (iv) One (1) located in Jericho;
- 5 (v) One (1) located in Sunset; and
- 6 (vi) One (1) located in Turrell.

7 (B) All six (6) departments are to be served by one (1)
 8 judge; and

9 (2)(A) West Memphis shall have one (1) district court ~~and one~~
 10 ~~(1) district judge,~~ with three (3) departments:

- 11 (i) One (1) located in West Memphis;
- 12 (ii) One (1) located in Edmonson; and
- 13 (iii) One (1) located in Jennette.

14 (B) All three (3) departments are to be served by one (1)
 15 judge.

16 ~~(3)(b)~~ The jurisdiction of any district court in Crittenden
 17 County shall be countywide.

18 ~~(4)(c)~~ The judge of any district court in Crittenden County
 19 shall be elected countywide.

20

21 SECTION 40. Arkansas Code § 16-17-904 is amended to read as follows:

22 16-17-904. ~~Counties having two district courts~~ Arkansas County
 23 District Courts.

24 (a) ~~Arkansas, Carroll, Franklin, Logan, and Mississippi counties~~
 25 ~~having two (2) judicial districts,~~ County shall have the following district
 26 courts and judges: one (1) district court in each district and one (1)
 27 district judge for each court.

28 (1) The Northern District shall have:

- 29 (A) One (1) district court located in Stuttgart; and
- 30 (B) One (1) district judge; and

31 (2) The Southern District shall have:

- 32 (A) One (1) district court with three (3) departments:
- 33 (i) One (1) located in Dewitt;
- 34 (ii) One (1) located in Gillett; and
- 35 (iii) One (1) located in St. Charles.

36 (B) All three (3) departments are to be served by one (1)

1 judge.

2 ~~(b) The district court in Arkansas, Carroll, Franklin, Logan, and~~
3 ~~Mississippi counties shall be located in the county seat of each judicial~~
4 ~~district in the county.~~

5 ~~(e)(b)~~ The judge of any district court located in Arkansas, ~~Carroll,~~
6 ~~Franklin, Logan, and Mississippi~~ County shall be elected by the electors of
7 the judicial district in which the court is located.

8 ~~(d)(c)~~ In Arkansas, ~~Carroll, Franklin, Logan, and Mississippi~~ County
9 County, the jurisdiction of the district court shall be limited to the
10 judicial district in which the court ~~sits~~ is located.

11

12 SECTION 41. Arkansas Code § 16-17-912 is amended to read as follows:
13 16-17-912. Garland County District Court.

14 (a)(1) Garland County shall have one (1) district court with three (3)
15 departments:

16 (A) Two (2) located in Hot Springs; and

17 (B) One (1) located in Mountain Pine.

18 ~~(1) One (1) district court with two (2) departments and;~~

19 ~~(2) One (1) judge for each department~~ All three (3) departments
20 are to be served by two (2) judges.

21 (b) The judges of Garland County District Court shall be elected
22 countywide.

23 (c) The Garland County District Court shall have countywide
24 jurisdiction.

25

26 SECTION 42. Arkansas Code § 16-17-913 is amended to read as follows:
27 16-17-913. Jefferson County District Courts.

28 (a) Jefferson County shall have the following district courts and
29 judges:

30 (1) ~~Two (2) district courts located in Pine Bluff~~ shall have one
31 (1) district court, known as the Pine Bluff District Court, and one (1)
32 judge; and

33 (2) ~~Two (2) district judges.~~ Jefferson County shall have:

34 (A) One (1) district court, known as the Jefferson County
35 District Court, with six (6) departments:

36 (i) One (1) located in Pine Bluff;

- 1 (ii) One (1) located in Altheimer;
 2 (iii) One (1) located in Humphrey;
 3 (iv) One (1) located in White Hall;
 4 (v) One (1) located in Wabaseka; and
 5 (vi) One (1) located in Redfield.

6 (B) All six (6) departments are to be served by one (1)
 7 judge.

8 (b)(1) The judge of the Pine Bluff District Court shall be elected by
 9 the qualified electors of the City of Pine Bluff.

10 (2) The Pine Bluff District Court shall have jurisdiction only
 11 within the city limits of Pine Bluff, as now or in the future may be
 12 constituted.

13 (c)(1) The judge of the Jefferson County District Court shall be
 14 elected countywide.

15 (2) The Jefferson County District Court shall have countywide
 16 jurisdiction.

17
 18 SECTION 43. Arkansas Code § 16-17-914 is amended to read as follows:
 19 16-17-914. Lonoke County District Courts.

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

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

23 (A) One (1) district court, with ~~two (2)~~ three (3)
 24 departments:

25 (i) One (1) located in Cabot; ~~and~~

26 (ii) One (1) located in Ward; ~~and~~

27 (iii) One (1) located in Austin.

28 (B) ~~One~~ All three (3) departments are to be served by one
 29 (1) district judge; ~~and~~

30 (2)(A) The Southern District of Lonoke County shall have one (1)
 31 district court with ~~three (3)~~ five (5) departments as follows:

32 (i) One (1) ~~department~~ located in Lonoke ~~to be~~
 33 ~~served by one (1) judge;~~

34 (ii) One (1) ~~department~~ located in England ~~to be~~
 35 ~~served by one (1) judge; and~~

36 (iii) One (1) ~~department~~ located in Carlisle ~~to be~~

1 ~~served by one (1) judge;~~

2 (iv) One (1) located in Allport; and

3 (v) One (1) located in Humnoke.

4 (B) The department in Lonoke is to be served by one (1)
5 judge.

6 (C) The department in England is to be served by one (1)
7 judge.

8 (D) All three (3) departments in Carlisle, Allport, and
9 Humnoke are to be served by one (1) judge.

10 (b) The district court boundaries in Lonoke County shall be as
11 follows:

12 (1) The Northern District of Lonoke County shall consist of the
13 townships of Butler, Caroline, Cleveland, Eagle, Goodrum, Magness, Oak Grove,
14 Prairie, Totten, Ward, and York; and

15 (2) The Southern District of Lonoke County shall consist of the
16 townships of Carlisle, Crooked Creek, Dortch, Fletcher, Furlow, Gum Woods,
17 Gray, Hamilton, Indian Bayou, Isbell, Lafayette, Lonoke, Pettus, Richwoods,
18 Pulaski, Scott, Williams, and Walls.

19 (c) The judge of any district court in Lonoke County shall be elected
20 by the qualified electors of the judicial district in which the court is
21 located.

22 (d) The jurisdiction of each district court in Lonoke County shall be
23 limited to the judicial district in which the court is located.

24
25 SECTION 44. Arkansas Code § 16-17-915 is amended to read as follows:
26 16-17-915. Monroe County District Court.

27 (a)(1) Monroe County shall have one (1) district court with ~~two (2)~~
28 three (3) departments as follows:

29 (A) One (1) located in Brinkley; ~~and~~

30 (B) One (1) located in Clarendon; ~~and~~

31 (C) One (1) located in Holly Grove.

32 ~~(2)(A) One (1) judge for each department~~ The Brinkley Department
33 is to be served by one (1) judge.

34 (B) The two (2) departments in Clarendon and Holly Grove
35 are to be served by one (1) judge.

36 (b) The judges of the Monroe County District Court shall be elected

1 countywide.

2 (c) The Monroe County District Court shall have countywide
3 jurisdiction.

4

5 SECTION 45. Arkansas Code § 16-17-916 is amended to read as follows:
6 16-17-916. Ouachita County District Courts.

7 (a)~~(1)~~ Ouachita County shall have ~~two (2) district courts as follows~~
8 the following district courts and judges:

9 ~~(A)(1) One (1) located in Camden, and shall have:~~

10 (A) One (1) district court; and

11 (B) One (1) judge.

12 (2) East Camden shall have:

13 (A) One (1) district court with four (4) departments:

14 (i) One (1) located in Bearden;

15 (ii) One (1) located in Chidester;

16 (iii) One (1) located in East Camden; and

17 (iv) One (1) located in Stephens.

18 (B) All four (4) departments are to be served by one (1)
19 judge.

20 ~~(2) One (1) judge for each court.~~

21 (b)(1) The judge of the Camden District Court shall be elected
22 countywide.

23 (2) The Camden District Court shall have countywide
24 jurisdiction.

25 (c)(1) The judge of the East Camden District Court shall be elected
26 countywide.

27 (2) The East Camden District Court shall have countywide
28 jurisdiction.

29

30 SECTION 46. Arkansas Code § 16-17-917 is amended to read as follows:
31 16-17-917. Phillips County District Court.

32 (a)(1) Phillips County shall have one (1) district court with ~~two (2)~~
33 five (5) departments as follows:

34 (A) ~~One (1)~~ Two (2) located in ~~Helena~~ Helena-West Helena;

35 and

36 (B) One (1) located in ~~West Helena~~ Lake View;

1 (C) One (1) located in Elaine; and

2 (D) One (1) located in Marvell.

3 ~~(2) One (1) judge for each department~~ All five (5) departments
4 are to be served by two (2) judges.

5 (b) The judges of the Phillips County District Court shall be elected
6 countywide.

7 (c) The Phillips County District Court shall have countywide
8 jurisdiction.

9

10 SECTION 47. Arkansas Code § 16-17-919 is amended to read as follows:
11 16-17-919. Washington County District Courts.

12 (a)(1) Washington County shall have the following district courts and
13 judges:

14 (A) Springdale shall have ~~one (1) district court and one~~
15 ~~judge;~~

16 (i) One (1) district court with three (3)
17 departments:

18 (a) One (1) located in Springdale

19 (b) One (1) located in Elm Springs; and

20 (c) One (1) located in Johnson.

21 (ii) All three (3) departments are to be served by
22 one (1) judge;

23 (B) Fayetteville shall have one (1) district court and one
24 (1) judge;

25 (C) Elkins shall have one (1) district court and one (1)
26 judge;

27 (D) West Fork shall have ~~one (1) district court and one~~
28 ~~judge; and;~~

29 (i) One (1) district court with two (2) departments:

30 (a) One (1) located in West Fork; and

31 (b) One (1) located in Greenland.

32 (ii) Both departments are to be served by one (1)
33 judge; and

34 (E) Prairie Grove shall have ~~one (1) district court and~~
35 ~~one judge;~~

36 (i) One (1) district court with three (3)

1 departments:

2 (a) One (1) located in Prairie Grove;

3 (b) One (1) located in Lincoln; and

4 (c) One (1) located in Farmington.

5 (ii) All three (3) departments are to be served by
6 one (1) judge.

7 (2) The district court boundaries in Washington County shall be
8 as follows:

9 (A) For Springdale District Court:

10 (i) The city limits of Springdale as now or in the
11 future constituted;

12 (ii) The township of Elm Springs;

13 (iii) The township of Tontitown;

14 (iv) The township of Harmon; and

15 (v) That portion of the township of Johnson that
16 lies outside the city limits of Fayetteville;

17 (B) For Fayetteville District Court, the city limits of
18 Fayetteville as now or in the future constituted;

19 (C) For Elkins District Court, the townships of:

20 (i) Brush Creek;

21 (ii) Springdale 1;

22 (iii) Prairie 1;

23 (iv) Goshen;

24 (v) Wyman;

25 (vi) Prairie 2;

26 (vii) Richland;

27 (viii) Richland Senate;

28 (ix) White River; and

29 (x) Durham;

30 (D) For West Fork District Court:

31 (i) The township of Valley;

32 (ii) The township of West Fork;

33 (iii) The township of Crawford;

34 (iv) The township of Reed;

35 (v) The township of Winslow;

36 (vi) The township of Lee's Creek;

1 (vii) The township of Cove Creek;
 2 (viii) The township of Boston;
 3 (ix) The township of Vineyard; and
 4 (x) That portion of the township of Greenland that
 5 lies outside the city limits of Fayetteville; and

6 (E) For Prairie Grove District Court, the townships of:

- 7 (i) Prairie 4;
- 8 (ii) Prairie 3;
- 9 (iii) Wheeler;
- 10 (iv) Litteral;
- 11 (v) Center House;
- 12 (vi) Center;
- 13 (vii) Prairie Grove Senate;
- 14 (viii) Prairie Grove;
- 15 (ix) Marrs Hill;
- 16 (x) Weddington;
- 17 (xi) Illinois;
- 18 (xii) Rheas;
- 19 (xiii) Price;
- 20 (xiv) Starr Hill;
- 21 (xv) Dutch Mills;
- 22 (xvi) Morrow; and
- 23 (xvii) Cane Hill; ~~+~~

24 (b) The judge of any district court in Washington County shall be
 25 elected by the qualified electors within the judicial district in which the
 26 court is located.

27 (c) The jurisdiction of any district court in Washington County shall
 28 be limited to the judicial district in which the court is located.

29
 30 SECTION 48. Arkansas Code § 16-17-920 is amended to read as follows:
 31 16-17-920. White County District Court.

32 (a) ~~(1)~~ White County shall have ~~one (1) district court with two (2)~~
 33 ~~departments as follows~~ the following district courts and judges:

34 ~~(A)(1) One (1) located in Beebe; and~~ Beebe shall have one (1)
 35 district court and one (1) judge; and

36 ~~(B)(2) One located in Searcy.~~ Searcy shall have:

- 1 (A) One (1) district court with eight (8) departments:
- 2 (i) One (1) located in Searcy;
- 3 (ii) One (1) located in Bald Knob;
- 4 (iii) One (1) located in Bradford;
- 5 (iv) One (1) located in Judsonia;
- 6 (v) One (1) located in McRae;
- 7 (vi) One (1) located in Kensett;
- 8 (vii) One (1) located in Pangburn; and
- 9 (viii) One (1) located in Rosebud.
- 10 (B) All eight (8) departments are to be served by one (1)
- 11 judge.

12 ~~(2) One (1) judge for each department.~~

13 (b) The judges of the White County District Court shall be elected
14 countywide.

15 (c) The White County District Court shall have countywide
16 jurisdiction.

17
18 SECTION 49. Arkansas Code § 16-17-921 is amended to read as follows:
19 16-17-921. Pulaski County District Courts.

20 Pulaski County shall have the following district courts and judges:

21 (1) Jacksonville shall have:

22 (A) One (1) district court with jurisdiction only within
23 the city limits of Jacksonville, as now or in the future may be constituted;
24 and

25 (B) One (1) judge to be elected by the qualified electors
26 of the City of Jacksonville;

27 (2) Little Rock shall have:

28 (A) Three (3) departments of one (1) district court with
29 jurisdiction only within the city limits of Little Rock, as now or in the
30 future may be constituted; and

31 (B) One (1) judge for each department to be elected by the
32 qualified electors of the City of Little Rock;

33 (3) North Little Rock shall have:

34 (A) Two (2) departments of one (1) district court with
35 jurisdiction only within the city limits of North Little Rock, as now or in
36 the future may be constituted; and

1 (B) One (1) judge for each department to be elected by the
2 qualified electors of the City of North Little Rock;

3 (4) Maumelle shall have:

4 (A) One (1) district court with jurisdiction only within
5 the city limits of Maumelle, as now or in the future may be constituted; and

6 (B) One (1) judge to be elected by the qualified electors
7 of the City of Maumelle; and

8 (5)(A) Pulaski County shall have one (1) district court with the
9 following ~~three (3)~~ four (4) departments:

10 (i) One (1) located in Pulaski County known as the
11 Pulaski County District Court;

12 (ii) One (1) located in Sherwood known as the
13 Sherwood District Court; ~~and~~

14 (iii) One (1) located in Wrightsville known as the
15 Wrightsville District Court; and

16 (iv) One (1) located in Cammack Village known as the
17 Cammack Village District Court.

18 ~~(B)(i) Each department shall have one (1) judge~~ One (1)
19 judge shall serve the department known as the Pulaski County District Court.

20 (ii) One (1) judge shall serve the department known
21 as the Sherwood District Court.

22 (iii) Both departments known as the Wrightsville
23 District Court and the Cammack Village District Court are to be served by one
24 (1) judge.

25 ~~(C)(C)~~ The judges of the district court in Pulaski County
26 shall be elected countywide.

27 (D) The district court located in Pulaski County shall
28 have countywide jurisdiction.

29
30 SECTION 50. Arkansas Code § 16-17-928 is amended to read as follows:
31 16-17-928. Lawrence County District Court.

32 (a)(1) Lawrence County shall have one (1) district court with ~~two (2)~~
33 four (4) departments:

34 (A) One (1) located in Walnut Ridge; ~~and~~

35 (B) One (1) located in Hoxie;

36 (C) One (1) located in Black Rock; and

1 (D) One (1) located in Portia.

2 (2) ~~Both~~ All four (4) departments are to be served by one (1)
3 judge.

4 (b) The Lawrence County District Court Judge shall be elected
5 countywide.

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

8

9 SECTION 51. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
10 amended to add additional sections to read as follows:

11 16-17-929. Mississippi County District Courts.

12 (a) Mississippi County, having two (2) judicial districts, shall have
13 the following district courts and judges:

14 (1) The Osceola District shall have:

15 (A) One (1) district court with two (2) departments:

16 (i) One (1) located in Osceola; and

17 (ii) One (1) located in Joiner.

18 (B) Both departments are to be served by one (1) district
19 judge; and

20 (2) The Chickasawba District shall have:

21 (A) One (1) district court with five (5) departments:

22 (i) One (1) located in Blytheville;

23 (ii) One (1) located in Manila;

24 (iii) One (1) located in Leachville;

25 (iv) One (1) located in Gosnell; and

26 (v) One (1) located in Dell.

27 (B) All five (5) departments are to be served by one (1)
28 judge.

29 (b) The judge of any district court located in Mississippi County
30 shall be elected by the electors of the judicial district in which the court
31 is located.

32 (c) In Mississippi County, the jurisdiction of the district court
33 shall be limited to the judicial district in which the court is located.

34

35 16-17-930. Carroll County District Courts.

36 (a) Carroll County, having two (2) judicial districts, shall have the

1 following district courts and judges:

2 (1) The Western District shall have:

3 (A) One (1) district court located in Eureka Springs; and

4 (B) One (1) district judge; and

5 (2) The Eastern District shall have:

6 (A) One (1) district court with two (2) departments:

7 (i) One (1) located in Berryville; and

8 (ii) One (1) located in Green Forest.

9 (B) Both departments are to be served by one (1) district
10 judge.

11 (b) The judge of any district court located in Carroll County shall be
12 elected by the electors of the judicial district in which the court is
13 located.

14 (c) In Carroll County, the jurisdiction of the district court shall be
15 limited to the judicial district in which the court is located.

16
17 16-17-931. Franklin County District Courts.

18 (a) Franklin County, having two (2) judicial districts, shall have the
19 following district courts and judges:

20 (1) The Charleston District shall have:

21 (A) One (1) district court located in Charleston; and

22 (B) One (1) district judge; and

23 (2) The Ozark District shall have:

24 (A) One (1) district court with two (2) departments:

25 (i) One (1) located in Ozark; and

26 (ii) One (1) located in Altus.

27 (B) Both departments are to be served by one (1) district
28 judge.

29 (b) The judge of any district court located in Franklin County shall
30 be elected by the electors of the judicial district in which the court is
31 located.

32 (c) In Franklin County, the jurisdiction of the district court shall
33 be limited to the judicial district in which the court is located.

34
35 16-17-932. Logan County District Courts.

36 (a) Logan County, having two (2) judicial districts, shall have the

1 following district courts and judges:

2 (1) The Northern District shall have:

3 (A) One (1) district court located in Paris; and

4 (B) One (1) district judge; and

5 (2) The Southern District shall have:

6 (A) One (1) district court with two (2) departments:

7 (i) One (1) located in Booneville; and

8 (ii) One (1) located in Magazine.

9 (B) Both departments are to be served by one (1) district
10 judge.

11 (b) The judge of any district court located in Logan County shall be
12 elected by the electors of the judicial district in which the court is
13 located.

14 (c) In Logan County the jurisdiction of the district court shall be
15 limited to the judicial district in which the court is located.

16
17 16-17-933. Cleburne County District Court.

18 (a)(1) Cleburne County shall have one (1) district court with four (4)
19 departments:

20 (A) One (1) located in Heber Springs;

21 (B) One (1) located in Greers Ferry;

22 (C) One (1) located in Concord; and

23 (D) One (1) located in Quitman.

24 (2) All four (4) departments are to be served by one (1) judge.

25 (b) The Cleburne County District Court Judge shall be elected
26 countywide.

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

29
30 16-17-934. Columbia County District Court.

31 (a)(1) Columbia County shall have one (1) district court with two (2)
32 departments:

33 (A) One (1) located in Magnolia; and

34 (B) One (1) located in Waldo.

35 (2) Both departments are to be served by one (1) judge.

36 (b) The Columbia County District Court Judge shall be elected

1 countywide.

2 (c) The Columbia County District Court shall have countywide
3 jurisdiction.

4
5 16-17-935. Conway County District Court.

6 (a)(1) Conway County shall have one (1) district court with three (3)
7 departments:

8 (A) One (1) located in Morrilton;

9 (B) One (1) located in Menifee; and

10 (C) One (1) located in Plumerville.

11 (2) All three (3) departments are to be served by one (1) judge.

12 (b) The Conway County District Court Judge shall be elected
13 countywide.

14 (c) The Conway County District Court shall have countywide
15 jurisdiction.

16
17 16-17-936. Crawford County District Court.

18 (a)(1) Crawford County shall have one (1) district court with five (5)
19 departments:

20 (A) One (1) located in Van Buren;

21 (B) One (1) located in Mountainburg;

22 (C) One (1) located in Alma;

23 (D) One (1) located in Mulberry; and

24 (E) One (1) located in Dyer.

25 (2) All five (5) departments are to be served by one (1) judge.

26 (b) The Crawford County District Court Judge shall be elected
27 countywide.

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

30
31 16-17-937. Cross County District Court.

32 (a)(1) Cross County shall have one (1) district court with three (3)
33 departments:

34 (A) One (1) located in Wynne;

35 (B) One (1) located in Cherry Valley; and

36 (C) One (1) located in Parkin.

1 (2) All three (3) departments are to be served by one (1) judge.

2 (b) The Cross County District Court Judge shall be elected countywide.

3 (c) The Cross County District Court shall have countywide
4 jurisdiction.

5
6 16-17-938. Dallas County District Court.

7 (a)(1) Dallas County shall have one (1) district court with two (2)
8 departments:

9 (A) One (1) located in Fordyce; and

10 (B) One (1) located in Sparkman.

11 (2) Both departments are to be served by one (1) judge.

12 (b) The Dallas County District Court Judge shall be elected
13 countywide.

14 (c) The Dallas County District Court shall have countywide
15 jurisdiction.

16

17 16-17-939. Faulkner County District Court.

18 (a)(1) Faulkner County shall have one (1) district court with six (6)
19 departments:

20 (A) One (1) located in Conway;

21 (B) One (1) located in Greenbrier;

22 (C) One (1) located in Mount Vernon;

23 (D) One (1) located in Mayflower;

24 (E) One (1) located in Guy; and

25 (F) One (1) located in Vilonia.

26 (2) All six (6) departments are to be served by one (1) judge.

27 (b) The Faulkner County District Court Judge shall be elected
28 countywide.

29 (c) The Faulkner County District Court shall have countywide
30 jurisdiction.

31

32 16-17-940. Fulton County District Court.

33 (a)(1) Fulton County shall have one (1) district court with two (2)
34 departments:

35 (A) One (1) located in Salem; and

36 (B) One (1) located in Mammoth Springs.

1 (2) Both departments are to be served by one (1) judge.

2 (b) The Fulton County District Court Judge shall be elected
3 countywide.

4 (c) The Fulton County District Court shall have countywide
5 jurisdiction.

6
7 16-17-941. Hot Spring County District Court.

8 (a)(1) Hot Spring County shall have one (1) district court with four
9 (4) departments:

10 (A) One (1) located in Malvern;

11 (B) One (1) located in Rockport;

12 (C) One (1) located in Friendship; and

13 (D) One (1) located in Donaldson.

14 (2) All four (4) departments are to be served by one (1) judge.

15 (b) The Hot Spring County District Court Judge shall be elected
16 countywide.

17 (c) The Hot Spring County District Court shall have countywide
18 jurisdiction.

19
20 16-17-942. Izard County District Court.

21 (a)(1) Izard County shall have one (1) district court with three (3)
22 departments:

23 (A) One (1) located in Melbourne;

24 (B) One (1) located in Calico Rock; and

25 (C) One (1) located in Horseshoe Bend.

26 (2) All three (3) departments are to be served by one (1) judge.

27 (b) The Izard County District Court Judge shall be elected countywide.

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

30
31 16-17-943. Jackson County District Court.

32 (a)(1) Jackson County shall have one (1) district court with four (4)
33 departments:

34 (A) One (1) located in Newport;

35 (B) One (1) located in Diaz;

36 (C) One (1) located in Swifton; and

1 (D) One (1) located in Tuckerman.

2 (2) All four (4) departments are to be served by one (1) judge.

3 (b) The Jackson County District Court Judge shall be elected
4 countywide.

5 (c) The Jackson County District Court shall have countywide
6 jurisdiction.

7
8 16-17-944. Johnson County District Court.

9 (a)(1) Johnson County shall have one (1) district court with three (3)
10 departments:

11 (A) One (1) located in Clarksville;

12 (B) One (1) located in Lamar; and

13 (C) One (1) located in Coal Hill.

14 (2) All three (3) departments are to be served by one (1) judge.

15 (b) The Johnson County District Court Judge shall be elected
16 countywide.

17 (c) The Johnson County District Court shall have countywide
18 jurisdiction.

19
20 16-17-945. Lafayette County District Court.

21 (a)(1) Lafayette County shall have one (1) district court with three
22 (3) departments:

23 (A) One (1) located in Lewisville;

24 (B) One (1) located in Bradley; and

25 (C) One (1) located in Stamps.

26 (2) All three (3) departments are to be served by one (1) judge.

27 (b) The Lafayette County District Court Judge shall be elected
28 countywide.

29 (c) The Lafayette County District Court shall have countywide
30 jurisdiction.

31
32 16-17-946. Lincoln County District Court.

33 (a)(1) Lincoln County shall have one (1) district court with three (3)
34 departments:

35 (A) One (1) located in Star City;

36 (B) One (1) located in Grady; and

1 (C) One (1) located in Gould.
2 (2) All three (3) departments are to be served by one (1) judge.
3 (b) The Lincoln County District Court Judge shall be elected
4 countywide.
5 (c) The Lincoln County District Court shall have countywide
6 jurisdiction.
7
8 16-17-947. Little River County District Court.
9 (a)(1) Little River County shall have one (1) district court with two
10 (2) departments:
11 (A) One (1) located in Ashdown; and
12 (B) One (1) located in Foreman.
13 (2) Both departments are to be served by one (1) judge.
14 (b) The Little River County District Court Judge shall be elected
15 countywide.
16 (c) The Little River County District Court shall have countywide
17 jurisdiction.
18
19 16-17-948. Marion County District Court.
20 (a)(1) Marion County shall have one (1) district court with four (4)
21 departments:
22 (A) One (1) located in Yellville;
23 (B) One (1) located in Bull Shoals;
24 (C) One (1) located in Flippin; and
25 (D) One (1) located in Summit.
26 (2) All four (4) departments are to be served by one (1) judge.
27 (b) The Marion County District Court Judge shall be elected
28 countywide.
29 (c) The Marion County District Court shall have countywide
30 jurisdiction.
31
32 16-17-949. Pike County District Court.
33 (a)(1) Pike County shall have one (1) district court with two (2)
34 departments:
35 (A) One (1) located in Murfreesboro; and
36 (B) One (1) located in Glenwood.

- 1 (2) Both departments are to be served by one (1) judge.
- 2 (b) The Pike County District Court Judge shall be elected countywide.
- 3 (c) The Pike County District Court shall have countywide jurisdiction.
- 4
- 5 16-17-950. St. Francis County District Court.
- 6 (a)(1) St. Francis County shall have one (1) district court with five
- 7 (5) departments:
- 8 (A) One (1) located in Forrest City;
- 9 (B) One (1) located in Hughes;
- 10 (C) One (1) located in Madison;
- 11 (D) One (1) located in Palestine; and
- 12 (E) One (1) located in Widener.
- 13 (2) All five (5) departments are to be served by one (1) judge.
- 14 (b) The St. Francis County District Court Judge shall be elected
- 15 countywide.
- 16 (c) The St. Francis County District Court shall have countywide
- 17 jurisdiction.
- 18
- 19 16-17-951. Van Buren County District Court.
- 20 (a)(1) Van Buren County shall have one (1) district court with two (2)
- 21 departments:
- 22 (A) One (1) located in Clinton; and
- 23 (B) One (1) located in Damascus.
- 24 (2) Both departments are to be served by one (1) judge.
- 25 (b) The Van Buren County District Court Judge shall be elected
- 26 countywide.
- 27 (c) The Van Buren County District Court shall have countywide
- 28 jurisdiction.
- 29
- 30 16-17-952. Perry County District Court.
- 31 (a)(1) Perry County shall have one (1) district court with two (2)
- 32 departments:
- 33 (A) One (1) located in Perryville; and
- 34 (B) One (1) located in Oppello.
- 35 (2) Both departments are to be served by one (1) judge.
- 36 (b) The Perry County District Court Judge shall be elected countywide.

1 (c) The Perry County District Court shall have countywide
2 jurisdiction.

3
4 16-17-953. Clark County District Court.

5 (a)(1) Clark County shall have one (1) district court with two (2)
6 departments:

7 (A) One (1) located in Arkadelphia; and

8 (B) One (1) located in Amity.

9 (2) Both departments are to be served by one (1) judge.

10 (b) The Clark County District Court judge shall be elected countywide.

11 (c) The Clark County District Court shall have countywide
12 jurisdiction.

13
14 SECTION 52. Arkansas Code § 16-18-112 is repealed.

15 ~~16-18-112. Schedule of fees or monthly allowance for judge of city~~
16 ~~court—Jurisdiction—Designation of substitute judge.~~

17 ~~(a)(1)(A) The governing body of any city or town having a city court~~
18 ~~may establish a schedule of fees to be paid by the city or town from the~~
19 ~~general fund to the judge of the court for the trial of cases in the court.~~

20 ~~(B) However, the fee schedule or monthly allowance shall~~
21 ~~not be based upon the conviction of any person tried in the court.~~

22 ~~(2)(A) Alternatively, the governing body of the city or town may~~
23 ~~provide for the payment of a monthly allowance from the~~
24 ~~general fund of the city or town as compensation to the judge for sitting as~~
25 ~~judge in that court.~~

26 ~~(B) However, the fee schedule or monthly allowance shall~~
27 ~~not be based upon the conviction of any person tried in the court.~~

28 ~~(b) The city court of any city or town shall have, within the limits of~~
29 ~~the city, jurisdiction as provided by § 16-88-101.~~

30 ~~(c) The mayor shall give bond and security in any amount to be~~
31 ~~determined and approved by the city council.~~

32 ~~(d)(1) The court may award and issue any process or writs that may be~~
33 ~~necessary to enforce the administration of justice throughout the city, and~~
34 ~~for the lawful exercise of its jurisdiction, according to the usages and~~
35 ~~principles of law.~~

36 ~~(2) For crimes and offenses committed within the limits of the~~

1 ~~city, the court's power with respect to process or writs extends throughout~~
2 ~~the county in which the city is located.~~

3 ~~(e)(1) Any mayor of a city of the first class meeting the limitations~~
4 ~~of this section, any city of the second class, or any town may designate, at~~
5 ~~such times as he or she shall choose to do so, any attorney licensed in the~~
6 ~~State of Arkansas who resides in the county in which the city or town is~~
7 ~~situated, to sit in the mayor's stead as judge of the city court.~~

8 ~~(2) Any person so designated by the mayor to sit as judge shall~~
9 ~~receive such remuneration as is provided by the governing body of the city or~~
10 ~~town as provided in this section.~~

11 ~~(f) Any conviction or sentence of the city court may be appealed to~~
12 ~~circuit court for a trial de novo.~~

13
14 SECTION 53. Arkansas Code § 16-88-101 is amended to read as follows:

15 16-88-101. Jurisdiction of courts for certain offenses generally.

16 (a) The jurisdiction of the various courts of this state for the trial
17 of offenses shall be as follows:

18 (1) The Senate shall have exclusive jurisdiction of impeachment;

19 (2) The Supreme Court shall have general supervision and control
20 over all inferior courts in criminal cases;

21 (3) The circuit court shall have original jurisdiction,
22 exclusive of the district court ~~and city court~~, for the trial of offenses
23 defined as felonies by state law and shall have original jurisdiction
24 concurrent with the district court ~~and city court~~ for the trial of offenses
25 defined as misdemeanors by state law.

26 (4) The district court shall have original jurisdiction,
27 exclusive of the circuit court, for the trial of violations of ordinances of
28 ~~the city or county~~ any town or city in the county in which the district court
29 is located, for the trial of violations of ordinances of the county in which
30 the district court is located, and shall have original jurisdiction
31 concurrent with the circuit court for the trial of offenses defined as
32 misdemeanors by state law and committed within the territorial jurisdiction
33 of the district court.

34 ~~(5) The city court shall have original jurisdiction, exclusive~~
35 ~~of the circuit court, for the trial of violations of ordinances of the city~~
36 ~~in which the city court is located and shall have original jurisdiction~~

1 ~~concurrent with the circuit court for the trial of offenses defined as~~
2 ~~misdemeanors by state law and committed within the city in which the circuit~~
3 ~~court is located.~~

4 (b) Where an indictment is found in the circuit court for an offense
5 within its jurisdiction, the court shall have jurisdiction of all the degrees
6 of the offense, and of all the offenses included in the one (1) charge,
7 although some of those degrees or included offenses are within the exclusive
8 jurisdiction of ~~an inferior or local court~~ the district court.

9 (c) A district court may issue arrest warrants and search warrants and
10 may perform other pretrial functions, as authorized by the Arkansas Rules of
11 Criminal Procedure, in the prosecution of a person for an offense within the
12 exclusive jurisdiction of the circuit court.

13
14 SECTION 54. Arkansas Code § 16-88-105 is amended to read as follows:

15 16-88-105. Territorial jurisdiction of certain courts generally.

16 (a) The jurisdiction of the Senate and Supreme Court embraces the
17 whole state.

18 (b) The local jurisdiction of circuit courts ~~and justices' courts~~
19 shall be of offenses committed within the respective counties in which they
20 are held.

21 (c) The local jurisdiction of ~~police or city~~ district courts shall be
22 of offenses committed within the limits of the jurisdiction of the courts, as
23 prescribed by the statutes creating or regulating them.

24
25 SECTION 55. Arkansas Code § 16-88-116 is amended to read as follows:

26 16-88-116. Traffic citations issued within a ~~municipality~~ town or city
27 with a ~~municipal court or city~~ district court - Placement on docket.

28 ~~(a)~~ All traffic citations issued within the boundaries of a
29 ~~municipality~~ town or city of this state which has a district ~~or city~~ court
30 shall be placed on the docket of the district ~~or city~~ court of that
31 ~~municipality~~ town or city, unless the presiding judge of that court
32 authorizes a transfer to another court exercising jurisdiction over the area
33 in which the citation was issued.

34 ~~(b)~~ ~~If a municipality has more than one (1) court exercising subject~~
35 ~~matter jurisdiction over traffic citations issued within the boundaries of~~
36 ~~that municipality, then all traffic citations issued within the boundaries of~~

1 ~~that municipality shall be placed on the docket of the municipality's~~
2 ~~district or city court in the closest proximity to where the offense~~
3 ~~occurred.~~

4
5 SECTION 56. Effective dates.

6 (a) Sections 2 through 15 of this act are effective January 1, 2008.

7 (b) Sections 16 through 55 of this act are effective January 1, 2012.

8
9 /s/ Womack

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11 APPROVED: 3/29/2007
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