

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

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

# A Bill

SENATE BILL 785

4  
5 By: Senator Everett  
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7

## For An Act To Be Entitled

9 AN ACT TO DESIGNATE FOR PURPOSES OF ELECTION THE  
10 DIVISIONS OF EACH OF THE CIRCUIT, CHANCERY, AND  
11 CIRCUIT-CHANCERY JUDGESHI PS IN THE STATE OF ARKANSAS;  
12 TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT TO DESIGNATE FOR PURPOSES OF  
16 ELECTION THE DIVISIONS OF EACH OF THE  
17 CIRCUIT, CHANCERY, AND CIRCUIT-CHANCERY  
18 JUDGESHI PS IN THE STATE OF ARKANSAS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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### SECTION 1. First Judicial Circuit.

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25 (a) The circuit judgeship which is currently designated as Circuit  
26 Division 1 and presently held by L.T. Simes, II shall be known and designated  
27 as Circuit Court, Division 1.

28 (b) The circuit judgeship which is currently designated as Circuit  
29 Division 2 and presently held by Harvey Yates shall be known and designated  
30 as Circuit Court, Division 2.

31 (c) The chancery judgeship which is currently designated as Chancery  
32 Division 1 and presently held by Bentley Story shall be known and designated  
33 as Circuit Court, Division 3.

34 (d) The chancery judgeship which is currently designated as Chancery  
35 Division 2 and presently held by Kathleen Bell shall be known and designated  
36 as Circuit Court, Division 4.

1       (e) The circuit-chancery judgeship which is currently designated as  
2 the Juvenile Division and presently held by Baird Kinney shall be known and  
3 designated as Circuit Court, Division 5.

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5       SECTION 2. Second Judicial Circuit.

6       (a) The chancery judgeship which is currently designated as Chancery  
7 Division 1 and presently held by Howard Templeton shall be known and  
8 designated as Circuit Court, Division 1.

9       (b) The circuit-chancery judgeship which is currently designated as  
10 Circuit-Chancery Division 2 and presently held by Graham Partlow shall be  
11 known and designated as Circuit Court, Division 2.

12       (c) The circuit-chancery judgeship which is currently designated as  
13 Circuit-Chancery Division 3 and presently held by David Burnett shall be  
14 known and designated as Circuit Court, Division 3.

15       (d) The circuit-chancery judgeship which is currently designated as  
16 Circuit-Chancery Division 4 and presently held by Rice Van Ausdall shall be  
17 known and designated as Circuit Court, Division 4.

18       (e) The circuit-chancery judgeship which is currently designated as  
19 Circuit-Chancery Division 5 and presently held by Ralph Wilson, Jr. shall be  
20 known and designated as Circuit Court, Division 5.

21       (f) The circuit judgeship which is currently designated as Circuit  
22 Division 6 and presently held by Victor Hill shall be known and designated as  
23 Circuit Court, Division 6.

24       (g) The circuit-chancery judgeship which is currently designated as  
25 Circuit-Chancery Division 7 and presently held by David Goodson shall be  
26 known and designated as Circuit Court, Division 7.

27       (h) The circuit-chancery judgeship which is currently designated as  
28 Circuit-Chancery Division 8 and presently held by John Fogleman shall be  
29 known and designated as Circuit Court, Division 8.

30       (i) The circuit-chancery judgeship which is currently designated as  
31 Circuit-Chancery Division 9 and presently held by David Laser shall be known  
32 and designated as Circuit Court, Division 9.

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34       SECTION 3. Third Judicial Circuit.

35       (a) The circuit-chancery judgeship which is presently held by Harold  
36 Erwin shall be known and designated as Circuit Court, Division 1.

1       (b) The chancery judgeship which is presently held by Tom L. Hilburn  
2 shall be known and designated as Circuit Court, Division 2.

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4       SECTION 4. Fourth Judicial Circuit.

5       (a) The circuit judgeship which is currently designated as Circuit  
6 Division 1 and presently held by William Storey shall be known and designated  
7 as Circuit Court, Division 1.

8       (b) The circuit judgeship which is currently designated as Circuit  
9 Division 2 and presently held by Kim Smith shall be known and designated as  
10 Circuit Court, Division 2.

11       (c) The chancery judgeship which is currently designated as Chancery  
12 Division 1 and presently held by Mike Mashburn shall be known and designated  
13 as Circuit Court, Division 5.

14       (d) The chancery judgeship which is currently designated as Chancery  
15 Division 2 and presently held by Mark Lindsay shall be known and designated  
16 as Circuit Court, Division 6.

17       (e) The circuit-chancery judgeship which is currently designated as  
18 Circuit-Chancery Division 3 and presently held by Stacey Zimmerman shall be  
19 known and designated as Circuit Court, Division 3.

20       (f) The circuit-chancery judgeship which is currently designated as  
21 Circuit-Chancery Division 4 and presently held by Mary Ann Gunn shall be  
22 known and designated as Circuit Court, Division 4.

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24       SECTION 5. Fifth Judicial Circuit.

25       (a) The circuit judgeship which is presently held by John S. Patterson  
26 shall be known and designated as Circuit Court, Division 1.

27       (b) The chancery judgeship which is presently held by Richard Gardner  
28 shall be known and designated as Circuit Court, Division 2.

29       (c) The circuit-chancery judgeship which is presently held by Ken  
30 Coker, Jr. shall be known and designated as Circuit Court, Division 3.

31       (d) The circuit-chancery judgeship which is presently held by Dennis  
32 Sutterfield shall be known and designated as Circuit Court, Division 4.

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34       SECTION 6. Sixth Judicial Circuit.

35       (a) The circuit judgeship which is currently designated as Circuit  
36 Division 1 and presently held by Marion Humphrey shall be known and

1 designated as Circuit Court, Division 1.

2 (b) The circuit judgeship which is currently designated as Circuit  
3 Division 2 and presently held by Chris Piazza shall be known and designated  
4 as Circuit Court, Division 2.

5 (c) The circuit judgeship which is currently designated as Circuit  
6 Division 3 and presently held by John Ward shall be known and designated as  
7 Circuit Court, Division 3.

8 (d) The circuit judgeship which is currently designated as Circuit  
9 Division 4 and presently held by John W. Langston shall be known and  
10 designated as Circuit Court, Division 4.

11 (e) The circuit judgeship which is currently designated as Circuit  
12 Division 5 and presently held by Willard Proctor, Jr. shall be known and  
13 designated as Circuit Court, Division 5.

14 (f) The circuit judgeship which is currently designated as Circuit  
15 Division 6 and presently held by David Bogard shall be known and designated  
16 as Circuit Court, Division 6.

17 (g) The circuit judgeship which is currently designated as Circuit  
18 Division 7 and presently held by John B. Plegge shall be known and designated  
19 as Circuit Court, Division 7.

20 (h) The chancery judgeship which is currently designated as Chancery  
21 Division 1 and presently held by Alice Gray shall be known and designated as  
22 Circuit Court, Division 12.

23 (i) The chancery judgeship which is currently designated as Chancery  
24 Division 2 and presently held by Collins Kilgore shall be known and  
25 designated as Circuit Court, Division 13.

26 (j) The chancery judgeship which is currently designated as Chancery  
27 Division 3 and presently held by Vann Smith shall be known and designated as  
28 Circuit Court, Division 14.

29 (k) The chancery judgeship which is currently designated as Chancery  
30 Division 4 and presently held by Robin Mays shall be known and designated as  
31 Circuit Court, Division 15.

32 (l) The chancery judgeship which is currently designated as Chancery  
33 Division 5 and presently held by Ellen Brantley shall be known and designated  
34 as Circuit Court, Division 16.

35 (m) The chancery judgeship which is currently designated as Chancery  
36 Division 6 and presently held by Mackie Pierce shall be known and designated

1 as Circuit Court, Division 17.

2 (n) The circuit-chancery judgeship which is currently designated as  
3 Circuit-Chancery Division 7 and presently held by Rita Gruber shall be known  
4 and designated as Circuit Court, Division 11.

5 (o) The circuit-chancery judgeship which is currently designated as  
6 Circuit-Chancery Division 8 and presently held by Wiley Branton shall be  
7 known and designated as Circuit Court, Division 8.

8 (p) The circuit-chancery judgeship which is currently designated as  
9 Circuit-Chancery Division 9 and presently held by Mary McGowan shall be known  
10 and designated as Circuit Court, Division 9.

11 (q) The circuit-chancery judgeship which is currently designated as  
12 Circuit-Chancery Division 10 and presently held by Joyce Williams Warren  
13 shall be known and designated as Circuit Court, Division 10.

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15 SECTION 7. Seventh Judicial Circuit.

16 (a) The circuit-chancery judgeship which is currently designated as  
17 Circuit-Chancery Division 1 and presently held by John W. Cole shall be known  
18 and designated as Circuit Court, Division 1.

19 (b) The circuit-chancery judgeship which is currently designated as  
20 Circuit-Chancery Division 2 and presently held by Phillip H. Shirron shall be  
21 known and designated as Circuit Court, Division 2.

22

23 SECTION 8. Eighth Judicial Circuit North.

24 (a) The circuit-chancery judgeship which is currently designated as  
25 Circuit-Chancery Division 1 and presently held by Jim Gunter shall be known  
26 and designated as Circuit Court, Division 1.

27 (b) The circuit-chancery judgeship which is currently designated as  
28 Circuit-Chancery Division 2 and presently held by Duncan Culpepper shall be  
29 known and designated as Circuit Court, Division 2.

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31 SECTION 9. Eighth Judicial Circuit South.

32 (a) The circuit-chancery judgeship which is currently designated as  
33 Circuit-Chancery Division 1 and presently held by Joe Griffin shall be known  
34 and designated as Circuit Court, Division 1.

35 (b) The circuit-chancery judgeship which is currently designated as  
36 Circuit-Chancery Division 2 and presently held by Jim Hudson shall be known

1 and designated as Circuit Court, Division 2.

2 (c) The circuit-chancery judgeship which is currently designated as  
3 Circuit-Chancery Division 3 and presently held by Philip B. Purifoy shall be  
4 known and designated as Circuit Court, Division 3.

5  
6 SECTION 10. Ninth Judicial Circuit East.

7 The circuit-chancery judgeship which is presently held by John Thomas  
8 shall be known and designated as Circuit Court, Division 1.

9  
10 SECTION 11. Ninth Judicial Circuit West.

11 (a) The circuit-chancery judgeship which is currently designated as  
12 Circuit-Chancery Division 1 and presently held by Ted Capeheart shall be  
13 known and designated as Circuit Court, Division 1.

14 (b) The circuit-chancery judgeship which is currently designated as  
15 Circuit-Chancery Division 2 and presently held by Charles Yeargan shall be  
16 known and designated as Circuit Court, Division 2.

17  
18 SECTION 12. Tenth Judicial Circuit.

19 (a) The circuit judgeship which is currently designated as Circuit  
20 Division 1 and presently held by Don Glover shall be known and designated as  
21 Circuit Court, Division 4.

22 (b) The circuit judgeship which is currently designated as Circuit  
23 Division 2 and presently held by Sam Pope shall be known and designated as  
24 Circuit Court, Division 1.

25 (c) The chancery judgeship which is currently designated as Chancery  
26 Division 1 and presently held by Robert C. Vittitow shall be known and  
27 designated as Circuit Court, Division 2.

28 (d) The chancery judgeship which is currently designated as Chancery  
29 Division 2 and presently held by Jerry Mazzanti shall be known and designated  
30 as Circuit Court, Division 5.

31 (e) The circuit-chancery judgeship which is currently designated as  
32 Circuit-Chancery Division 3 and presently held by Bynum Gibson shall be known  
33 and designated as Circuit Court, Division 3.

34  
35 SECTION 13. Eleventh Judicial Circuit East.

36 The circuit-chancery judgeship which is presently held by Russell

1 Rogers shall be known and designated as Circuit Court, Division 1.

2  
3 SECTION 14. Eleventh Judicial Circuit West.

4 (a) The circuit judgeship which is currently designated as Circuit  
5 Division 1 and presently held by Berlin Jones shall be known and designated  
6 as Circuit Court, Division 1.

7 (b) The circuit judgeship which is currently designated as Circuit  
8 Division 2 and presently held by H.A. Taylor shall be known and designated as  
9 Circuit Court, Division 2.

10 (c) The chancery judgeship which is currently designated as Chancery  
11 Division 1 and presently held by Eugene "Kayo" Harris shall be known and  
12 designated as Circuit Court, Division 3.

13 (d) The chancery judgeship which is currently designated as Chancery  
14 Division 2 and presently held by Leon Jamison shall be known and designated  
15 as Circuit Court, Division 4.

16 (e) The circuit-chancery judgeship which is currently designated as  
17 Circuit-Chancery Division 3 and presently held by Fred D. Davis shall be  
18 known and designated as Circuit Court, Division 5.

19 (f) The circuit-chancery judgeship which is currently designated as  
20 Circuit-Chancery Division 4 and presently held by Thomas E. Brown shall be  
21 known and designated as Circuit Court, Division 6.

22  
23 SECTION 15. Twelfth Judicial Circuit.

24 (a) The circuit judgeship which is currently designated as Circuit  
25 Division 1 and presently held by J. Michael Fitzhugh shall be known and  
26 designated as Circuit Court,  
27 Division 5.

28 (b) The circuit judgeship which is currently designated as Circuit  
29 Division 2 and presently held by Jim Marschewski shall be known and  
30 designated as Circuit Court, Division 6.

31 (c) The chancery judgeship which is currently designated as Chancery  
32 Division 1 and presently held by Norman Wilkinson shall be known and  
33 designated as Circuit Court, Division 1.

34 (d) The chancery judgeship which is currently designated as Chancery  
35 Division 2 and presently held by Harry Foltz shall be known and designated as  
36 Circuit Court,

1 Division 2.

2 (e) The chancery judgeship which is currently designated as Chancery  
3 Division 3 and presently held by Jim Spears shall be known and designated as  
4 Circuit Court,

5 Division 3.

6 (f) The circuit-chancery judgeship which is currently designated as  
7 Circuit-Chancery Division 4 and presently held by Mark Hewett shall be known  
8 and designated as Circuit Court, Division 4.

9  
10 SECTION 16. Thirteenth Judicial Circuit.

11 (a) The circuit judgeship which is currently designated as Circuit  
12 Division 2 and presently held by David Guthrie shall be known and designated  
13 as Circuit Court, Division 6.

14 (b) The chancery judgeship which is currently designated as Chancery  
15 Division 1 and presently held by Hamilton Singleton shall be known and  
16 designated as Circuit Court, Division 1.

17 (c) The chancery judgeship which is currently designated as Chancery  
18 Division 2 and presently held by Edward Jones shall be known and designated  
19 as Circuit Court, Division 2.

20 (d) The circuit-chancery judgeship which is currently designated as  
21 Circuit-Chancery Division 3 and presently held by Edwin Keaton shall be known  
22 and designated as Circuit Court, Division 3.

23 (e) The circuit-chancery judgeship which is currently designated as  
24 Circuit-Chancery Division 4 and presently held by Carol Anthony shall be  
25 known and designated as Circuit Court, Division 4.

26 (f) The circuit-chancery judgeship which is currently designated as  
27 Circuit-Chancery Division 5 and presently held by Larry Chandler shall be  
28 known and designated as Circuit Court, Division 5.

29  
30 SECTION 17. Fourteenth Judicial Circuit.

31 (a) The circuit judgeship which is currently designated as Circuit  
32 Division 1 and presently held by Robert McCorkindale shall be known and  
33 designated as Circuit Court, Division 3.

34 (b) The chancery judgeship which is currently designated as Chancery  
35 Division 1 and presently held by Roger Logan shall be known and designated as  
36 Circuit Court, Division 1.



1        (c) The circuit-chancery judgeship which is currently designated as  
2 Circuit-Chancery Division 2 and presently held by Gary Isbell shall be known  
3 and designated as Circuit Court, Division 2.

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5        SECTION 18. Fifteenth Judicial Circuit.

6        (a) The circuit judgeship which is currently designated as Circuit  
7 Division 1 and presently held by Paul Danielson shall be known and designated  
8 as Circuit Court, Division 1.

9        (b) The chancery judgeship which is currently designated as Chancery  
10 Division 1 and presently held by Van Taylor shall be known and designated as  
11 Circuit Court, Division 2.

12        (c) The circuit-chancery judgeship which is currently designated as  
13 Circuit-Chancery Division 2 and presently held by William Bullock shall be  
14 known and designated as Circuit Court, Division 3.

15  
16        SECTION 19. Sixteenth Judicial Circuit.

17        (a) The circuit-chancery judgeship which is currently designated as  
18 Circuit-Chancery Division 1 and presently held by John Dan Kemp shall be  
19 known and designated as Circuit Court, Division 1.

20        (b) The circuit-chancery judgeship which is currently designated as  
21 Circuit-Chancery Division 2 and presently held by John Norman Harkey shall be  
22 known and designated as Circuit Court, Division 2.

23        (c) The circuit-chancery judgeship which is currently designated as  
24 Circuit-Chancery Division 3 and presently held by Stephen Choate shall be  
25 known and designated as Circuit Court, Division 3.

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27        SECTION 20. Seventeenth Judicial Circuit.

28        (a) The circuit judgeship which is currently designated as Circuit  
29 Division 1 and presently held by Bill Mills shall be known and designated as  
30 Circuit Court, Division 1.

31        (b) The chancery judgeship which is currently designated as Chancery  
32 Division 1 and presently held by Darrell Hickman shall be known and  
33 designated as Circuit Court, Division 3.

34        (c) The circuit-chancery judgeship which is currently designated as  
35 Circuit-Chancery Division 2 and presently held by Robert Edwards shall be  
36 known and designated as Circuit Court, Division 2.

SECTION 21. Eighteenth Judicial Circuit East.

(a) The circuit judgeship which is currently designated as Circuit Division 1 and presently held by John Homer Wright shall be known and designated as Circuit Court, Division 1.

(b) The chancery judgeship which is currently designated as Chancery Division 1 and presently held by David Switzer shall be known and designated as Circuit Court, Division 3.

(c) The circuit-chancery judgeship which is currently designated as Circuit-Chancery Division 2 and presently held by Tom Smitherman shall be known and designated as Circuit Court, Division 4.

(d) The circuit-chancery judgeship which is currently designated as Circuit-Chancery Division 3 and presently held by Vicki Cook shall be known and designated as Circuit Court, Division 2.

SECTION 22. Eighteenth Judicial Circuit West.

The circuit-chancery judgeship which is presently held by Gayle Ford shall be known and designated as Circuit Court, Division 1.

SECTION 23. Nineteenth Judicial Circuit West.

(a) The circuit judgeship which is currently designated as Circuit Division 1 and presently held by Tom Keith shall be known and designated as Circuit Court, Division 1.

(b) The circuit judgeship which is currently designated as Circuit Division 2 and presently held by David Clinger shall be known and designated as Circuit Court, Division 2.

(c) The chancery judgeship which is currently designated as Chancery Division 1 and presently held by Xollie Duncan shall be known and designated as Circuit Court, Division 4.

(d) The chancery judgeship which is currently designated as Chancery Division 2 and presently held by Donald R. Huffman shall be known and designated as Circuit Court, Division 5.

(e) The circuit-chancery judgeship which is currently designated as Circuit-Chancery Division 3 and presently held by Jay Finch shall be known and designated as Circuit Court, Division 3.

1           SECTION 24. Nineteenth Judicial Circuit East.

2           The circuit-chancery judgeship which is presently held by Alan Epley  
3 shall be known and designated as Circuit Court, Division 1.

4  
5           SECTION 25. Twentieth Judicial Circuit.

6           (a) The circuit-chancery judgeship which is currently designated as  
7 Circuit-Chancery Division 1 and presently held by David Reynolds shall be  
8 known and designated as Circuit Court, Division 1.

9           (b) The circuit-chancery judgeship which is currently designated as  
10 Circuit-Chancery Division 2 and presently held by Linda Collier shall be  
11 known and designated as Circuit Court, Division 2.

12           (c) The circuit-chancery judgeship which is currently designated as  
13 Circuit-Chancery Division 3 and presently held by Charles E. Clawson, Jr.  
14 shall be known and designated as Circuit Court, Division 3.

15           (d) The circuit-chancery judgeship which is currently designated as  
16 Circuit-Chancery Division 4 and presently held by Mike Maggio shall be known  
17 and designated as Circuit Court, Division 4.

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19           SECTION 26. twenty-first Judicial Circuit.

20           (a) The circuit-chancery judgeship which is currently designated as  
21 Circuit-Chancery Division 1 and presently held by Floyd Rogers shall be known  
22 and designated as Circuit Court, Division 1.

23           (b) The circuit-chancery judgeship which is currently designated as  
24 Circuit-Chancery Division 2 and presently held by Gary Cottrell shall be  
25 known and designated as Circuit Court, Division 2.

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27           SECTION 27. twenty-second Judicial Circuit.

28           (a) The chancery judgeship which is currently designated as Chancery  
29 Division 1 and presently held by Robert Garrett shall be known and designated  
30 as Circuit Court, Division 1.

31           (b) The circuit-chancery judgeship which is currently designated as  
32 Circuit-Chancery Division 2 and presently held by Gary Arnold shall be known  
33 and designated as Circuit Court, Division 2.

34           (c) The circuit-chancery judgeship which is currently designated as  
35 Circuit-Chancery Division 3 and presently held by Grisham Phillips shall be  
36 known and designated as Circuit Court, Division 3.

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SECTION 28. twenty-third Judicial Circuit.

(a) The circuit-chancery judgeship which is currently designated as Circuit-Chancery Division 1 and presently held by Lance Hanshaw shall be known and designated as Circuit Court, Division 1.

(b) The circuit-chancery judgeship which is currently designated as Circuit-Chancery Division 2 and presently held by Phillip Whiteaker shall be known and designated as Circuit Court, Division 2.

SECTION 29. The word "Division" as used in this act shall refer only to the designation of the judicial positions for election purposes and does not refer to "subject matter divisions" pursuant to Amendment 80, Section 6 of the Arkansas Constitution.

SECTION 30. Should any additional circuit judgeships be created in a judicial circuit, there shall be created within that judicial circuit, an additional Division which shall be numbered sequentially and the judge appointed or elected thereto shall serve as the judge of the additional Division.

SECTION 34. EMERGENCY. It is found and determined by the General Assembly of the State of Arkansas that with the approval by the voters of Arkansas of Amendment 80 of the Arkansas Constitution, the effectiveness of this act on July 1, 2001 is essential to the operation of the state court system, and that in the event of an extension of the Regular Session, the delay in the effective date of this act beyond July 1, 2001 could work irreparable harm upon the proper administration and provision of essential governmental progress. Therefore, an emergency is declared to exist and this act being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from and after July 1, 2001.