

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 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1398

4  
5 By: Representatives Powers, Pennartz, Harrelson, Reynolds  
6 By: Senator D. Wyatt

## For An Act To Be Entitled

10 AN ACT TO INCREASE DISTRICT COURT FILING FEES;  
11 ESTABLISH ADDITIONAL PILOT STATE DISTRICT COURT  
12 JUDGESHIPS; CONSOLIDATE CITY COURTS WITH DISTRICT  
13 COURTS; AND FOR OTHER PURPOSES.

## Subtitle

16 TO INCREASE DISTRICT COURT FILING FEES;  
17 ESTABLISH ADDITIONAL PILOT STATE  
18 DISTRICT COURT JUDGESHIPS; CONSOLIDATE  
19 CITY COURTS WITH DISTRICT COURTS.

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

24 SECTION 1. Arkansas Code § 16-17-705 is amended to read as follows:  
25 16-17-705. Filing fees and costs.

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

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

30 (b)(1) For initiating a cause of action in the civil division of  
31 district court. . . . . ~~\$50.00~~ \$75.00

32 (2) For initiating a cause of action in the small claims  
33 division of district court . . . . . \$50.00

34 (c) ~~No~~ A town, city, or county shall not authorize and ~~no~~ a district  
35 court clerk shall not assess or collect any other filing fees than those  
36 authorized by this section, unless specifically provided by state law.



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SECTION 2. Arkansas Code § 16-17-902 is amended to read as follows:

16-17-902. Counties having one district court. [Effective January 1, 2008; effective until January 1, 2012.]

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

- (1) Bradley;
- (2) Calhoun;
- (3) Clark;
- ~~(4) Cleburne;~~
- ~~(5)~~(4) Cleveland;
- ~~(6)~~(5) Columbia;
- ~~(7)~~(6) Conway;
- ~~(8)~~(7) Crawford;
- ~~(9)~~(8) Cross;
- ~~(10)~~(9) Dallas;
- ~~(11)~~(10) Drew;
- ~~(12)~~(11) Faulkner;
- ~~(13)~~(12) Fulton;
- ~~(14)~~(13) Grant;
- ~~(15)~~(14) Hempstead;
- ~~(16)~~(15) Hot Spring;
- ~~(17)~~(16) Howard;
- ~~(18)~~(17) Independence;
- ~~(19)~~(18) Iizard;
- ~~(20)~~(19) Jackson;
- ~~(21)~~(20) Johnson;
- ~~(22)~~(21) Lafayette;
- ~~(23)~~(22) Lee;
- ~~(24)~~(23) Lincoln;
- ~~(25)~~(24) Little River;
- ~~(26)~~(25) Madison;
- ~~(27)~~(26) Marion;
- ~~(28)~~(27) Miller;
- ~~(29)~~(28) Montgomery;
- ~~(30)~~(29) Nevada;





- 1           (17) Greers Ferry;
- 2           ~~(16)~~(18) Haskell;
- 3           (19) Hughes;
- 4           ~~(17)~~(20) Lakeview;
- 5           ~~(18)~~(21) Leachville;
- 6           ~~(19)~~(22) Little Flock;
- 7           ~~(20)~~(23) London;
- 8           ~~(21)~~(24) Lowell;
- 9           (25) Madison;
- 10          ~~(22)~~(26) Manila;
- 11          ~~(23)~~(27) Marmaduke;
- 12          ~~(24)~~(28) Norfolk;
- 13          (29) Palestine;
- 14          ~~(25)~~(30) Pea Ridge;
- 15          ~~(26)~~(31) Pottsville;
- 16          (32) Quitman;
- 17          ~~(27)~~(33) Shannon Hills;
- 18          ~~(28)~~(34) Sulphur Springs; and
- 19          ~~(29)~~(35) Weiner; and
- 20          (36) Widner.

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

22                 (1) Is consolidated with the pilot state district court having  
 23 jurisdiction over the geographical area of the abolished city court;

24                 (2) Shall continue to exist as a department of that pilot state  
 25 district court unless abolished by town or city ordinance; and

26                 (3) Is redesignated as the “\_\_\_\_\_ District  
 27 Court, \_\_\_\_\_ Department”; ~~and.~~

28                 ~~(4) Shall continue to levy and collect the court costs  
 29 applicable in city court under § 16-10-305.~~

30           (c) Under the Arkansas District Courts and City Courts Accounting Law,  
 31 § 16-10-201 et seq., each department of a pilot state district court shall  
 32 maintain a docket and set court dates for hearing that docket in the town or  
 33 city unless the district court and the town or city in which the department  
 34 is located agree otherwise.

35           (d)(1) A town or city that operated a city court prior to January 1,  
 36 2008, and became a department of a pilot state district court under this

1 subchapter may abolish that department by ordinance.

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

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

7 (A) The nearest district court in the county shall  
8 exercise jurisdiction over the geographical area of that abolished  
9 department;

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

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

- 15 (a) Actions;
- 16 (b) Appeals;
- 17 (c) Causes of action;
- 18 (d) Civil proceedings;
- 19 (e) Criminal proceedings;
- 20 (f) Decrees;
- 21 (g) Judgments;
- 22 (h) Liabilities;
- 23 (i) Orders;
- 24 (j) Prosecutions;
- 25 (k) Regulations;
- 26 (l) Sentences;
- 27 (m) Suits; and
- 28 (n) Writs.

29 (ii) ~~No~~ A suit or prosecution of any kind or nature  
30 shall not abate as a result of this subchapter.

31 (4) ~~No~~ A town or city may not reinstate a department of district  
32 court that has been abolished under subdivision (d)(1) of this section.

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34 SECTION 6. Arkansas Code Title 16, Chapter 17, Subchapter 11 is  
35 amended to add an additional section to read as follows:

36 16-17-1108. Travel expense reimbursement.

1 From the appropriation provided for the expenses of pilot state  
2 district court judges, a pilot state district court judge is authorized to be  
3 reimbursed for those travel expenses at the rate as authorized for state  
4 employees and for mileage at the rate established in the state travel  
5 regulations for state employees while traveling within the state in the  
6 performance of their official duties.

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8 SECTION 7. Section 56 of Act 663 of 2007 is amended to read as  
9 follows:

10 SECTION 56. Effective dates.

11 (a) Sections 2 through 15 of this act are effective January 1, 2008.

12 (b) Sections 16 through 50 and 52 through 55 of this act are effective  
13 January 1, 2012.

14 (c) Section 51 of Act 663 of 2007 is effective January 1, 2012,  
15 except:

16 (1) That portion of Section 51 of Act 663 of 2007 that is  
17 referred to in Act 663 of 2007 as 16-17-933, establishing the Cleburne County  
18 District Court and departments of that court, codified as § 16-17-936 is  
19 effective January 1, 2010; and

20 (2) That portion of Section 51 of Act 663 of 2007 that is  
21 referred to in Act 663 of 2007 as 16-17-950, establishing the St. Francis  
22 County District Court and departments of that court, codified as § 16-17-954  
23 is effective January 1, 2010.