

1 INTERIM STUDY PROPOSAL 2017-110

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3 REQUESTING THAT THE LEGISLATIVE COUNCIL REFER TO THE HOUSE
4 COMMITTEE ON JUDICIARY A STUDY OF THE POSSIBILITY OF AN EXPANDED
5 ROLE FOR RETIRED CIRCUIT COURT JUDGES TO BE APPOINTED SPECIAL
6 CIRCUIT COURT JUDGES BY THE SUPREME COURT IN CERTAIN JUDICIAL
7 CIRCUITS.

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9 WHEREAS, there are a number of current circuit court judges around the
10 state who are approaching retirement age, and upon their retirement, the
11 state will unfortunately lose years of institutional knowledge and those
12 judges' profound understanding of circuit court operations; and

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14 WHEREAS, the assignment of special and retired judges is governed by
15 rule of the Supreme Court as set out under Arkansas Constitution, Amendment
16 80, § 13; and

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18 WHEREAS, the state should provide a mechanism by which these circuit
19 court judges who are retired or nearing retirement may continue to serve the
20 public, if they so choose; and

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22 WHEREAS, the state could create such a mechanism by studying the ways
23 circuit court judges who are retired or nearing retirement could be appointed
24 by the Supreme Court to serve in expanded roles; and

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26 WHEREAS, the benefit of their service to the state would be a greater
27 number of circuit court judges serving certain judicial circuits to relieve
28 case backlogs or provide seasoned expertise in complex cases, thereby easing
29 the burden currently on the circuit court; and

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31 WHEREAS, the Chief Justice of the Supreme Court, the justices of the
32 Supreme Court, a representative of the Administrative Office of the Courts, a
33 representative of the Arkansas Bar Association, and interested members of the
34 Bar of Arkansas should be invited to participate in the study,

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36 NOW THEREFORE,

1 BE IT PROPOSED BY THE LEGISLATIVE COUNCIL OF THE NINETY-FIRST GENERAL
2 ASSEMBLY:

3 THAT the House Committee on Judiciary study the possibility of an
4 expanded role for retired circuit court judges to be appointed special
5 circuit court judges by the Supreme Court in judicial circuits with a backlog
6 of cases or with a number of complex cases where a retired circuit court
7 judge could help ease the burden on the circuit court.

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9 Respectfully submitted,

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13 Representative Johnny Rye

14 District 54

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16 Prepared by: BPG/BPG

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