

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 311 OF 1997
SENATE BILL 235

4
5 By: Senator Everett

For An Act To Be Entitled

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9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 16-13-1003 TO
10 PROVIDE THAT ALL JUDGES OF THE SECOND JUDICIAL DISTRICT
11 ARE CIRCUIT-CHANCERY JUDGES; AND FOR OTHER PURPOSES."

Subtitle

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14 "TO PROVIDE THAT ALL JUDGES OF THE
15 SECOND JUDICIAL DISTRICT ARE
16 CIRCUIT-CHANCERY JUDGES"

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

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20 SECTION 1. Arkansas Code Annotated § 16-13-1003 is amended to read as
21 follows:

22 "16-13-1003. Judges and chancellors.

23 (a) The qualified electors of the Second Judicial District shall elect:

- 24 (1) Three (3) circuit judges;
25 (2) Three (3) chancellors;
26 (3) One (1) circuit-chancery judge; and
27 (4) One (1) circuit-chancery judgeship.

28 (b)(1) The judge of the judgeship created by subdivision (a)(3) of this
29 section shall be the judge of the juvenile division of chancery court. The
30 judge shall serve as judge of the juvenile division in lieu of the judge who
31 would otherwise be designated as judge of the juvenile division of chancery
32 court in the judicial district.

33 (2) The judge of the additional circuit-chancery judgeship
34 created in subdivision (a)(3) of this section shall devote such time as may be
35 required to perform the duties of judge of the juvenile division, which duties
36 shall be the primary obligation of the judge, and shall sit as judge of the

1 circuit, chancery, or probate court as time permits.

2 (3) The circuit-chancery judgeship created by subdivision (a)(4)
3 of this section shall primarily perform the duties of a judge of the juvenile
4 division of chancery court and conduct hearings for the involuntary admission
5 or commitment of persons to the Arkansas State Hospital or any other public or
6 private hospital with a fully trained psychiatrist on the active or consultant
7 staff and shall sit as judge of the circuit, chancery, and probate courts as
8 time permits.

9 (c) Effective February 27, 1995, the subdistrict 2.2, division 2, and
10 division 3 circuit judgeships shall become circuit-chancery judgeships which
11 shall have jurisdiction in law, equity, and probate.

12 (d) All circuit judges and all chancery judges of the Second Judicial
13 District which have not already been converted to circuit-chancery judges on
14 the effective date of this 1997 Act shall be converted to circuit-chancery
15 judges at the expiration of their present term of office, and, upon election,
16 their successor shall have jurisdiction in law, equity, and probate."

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18 SECTION 2. All provisions of this act of a general and permanent nature
19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
20 Revision Commission shall incorporate the same in the Code.

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22 SECTION 3. If any provision of this act or the application thereof to
23 any person or circumstance is held invalid, such invalidity shall not affect
24 other provisions or applications of the act which can be given effect without
25 the invalid provision or application, and to this end the provisions of this
26 act are declared to be severable.

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28 SECTION 4. All laws and parts of laws in conflict with this act are
29 hereby repealed.

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31 SECTION 5. EMERGENCY. It is found and determined by the General
32 Assembly of the State of Arkansas that the orderly, effective and efficient
33 administration of justice is fostered by combining circuit and chancery
34 jurisdiction since there generally exists a disparity in the number of cases
35 pending before the circuit and chancery judges of the Second Judicial
36 District, and the ability to freely schedule and exchange cases among the

1 judges will alleviate backlogs. Therefore an emergency is declared to exist
2 and this act being immediately necessary for the preservation of the public
3 peace, health and safety shall become effective on the date of its approval by
4 the Governor. If the bill is neither approved nor vetoed by the Governor, it
5 shall become effective on the expiration of the period of time during which
6 the Governor may veto the bill. If the bill is vetoed by the Governor and the
7 veto is overridden, it shall become effective on the date the last house
8 overrides the veto.

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APPROVED: 2-28-97