

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 403 OF 1997
SENATE BILL 117

4
5 By: Senators Everett and Roebuck

For An Act To Be Entitled

9 "AN ACT TO CREATE A NEW CIRCUIT-CHANCERY JUDGESHIP IN THE
10 SECOND JUDICIAL DISTRICT; AND FOR OTHER PURPOSES."

Subtitle

13 "TO CREATE A NEW CIRCUIT-CHANCERY
14 JUDGESHIP IN THE SECOND JUDICIAL
15 DISTRICT."

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

19 SECTION 1. (a) Effective immediately upon passage and approval of this
20 act, there is hereby created in the Second Judicial District an additional
21 circuit-chancery judgeship, which shall have jurisdiction in law, equity, and
22 probate.

23 (b) As soon as possible after the effective date of this act, the
24 Governor shall appoint a qualified person to temporarily fill the Second
25 Judicial District circuit-chancery judgeship created herein, and the appointed
26 person shall serve until December 31, 1998, or until a successor has been
27 elected and qualified, whichever occurs last.

28 (c) The qualified electors of the Second Judicial District shall elect
29 the additional circuit-chancery judge created herein at the November 1998
30 general election to take office on January 1, 1999. The additional judge
31 shall be elected at large and shall satisfy the same qualifications for
32 holding office and shall receive the same salary, expenses, and other
33 allowances as provided by law for judges of the circuit-chancery courts. The
34 judge shall serve for elected terms of four (4) years.

35 (d) With the consideration of the creation of this judgeship, the
36 General Assembly is aware of the requirements of the federal Voting Rights Act

1 and the consent decree entered in Eugene Hunt, et al. vs. State of Arkansas,
2 et al. After thorough review of the caseload statistics from the Second
3 Judicial Circuit, the distribution of these cases between the various counties
4 within the judicial circuit, the demographic makeup of the general voting age
5 population and the licensed attorneys within the district, the recent
6 decisions of the U. S. Supreme Court interpreting the requirements of the
7 federal law, and based upon the recommendation of the Arkansas Judicial
8 Council, the judgeship is to be elected in the manner and as specified in
9 subsection (c) herein.

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11 SECTION 2. The counties which comprise the Second Judicial District
12 shall provide courtroom and office facilities and supplies for the judge of
13 the circuit-chancery judgeship created by this act, which shall be paid out of
14 the county treasuries in the same manner as other demands against the
15 counties, out of funds appropriated by the respective quorum courts of the
16 counties for such purposes.

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18 SECTION 3. There shall be provided for the judge of the circuit-
19 chancery judgeship created by this act a court reporter and a trial court
20 administrative assistant whose salaries shall be fixed and paid in the manner
21 provided by law for court reporters and trial court administrative assistants
22 of the circuit-chancery courts of this state.

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24 SECTION 4. All provisions of this act of a general and permanent nature
25 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
26 Revision Commission shall incorporate the same in the Code.

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28 SECTION 5. If any provision of this act or the application thereof to
29 any person or circumstance is held invalid, such invalidity shall not affect
30 other provisions or applications of the act which can be given effect without
31 the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

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34 SECTION 6. All laws and parts of laws in conflict with this act are
35 hereby repealed.

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1 SECTION 7. EMERGENCY. It is hereby found and determined by the Eighty-
2 First General Assembly of the State of Arkansas that the caseload of the
3 Second Judicial District necessitates the appointment of an additional
4 circuit-chancery judge immediately. Therefore, an emergency is hereby
5 declared to exist and this act being immediately necessary for the
6 preservation of the public peace, health and safety shall become effective on
7 the date of its approval by the Governor. If the bill is neither approved nor
8 vetoed by the Governor, it shall become effective on the expiration of the
9 period of time during which the Governor may veto the bill. If the bill is
10 vetoed by the Governor and the veto is overridden, it shall become effective
11 on the date the last house overrides the veto.

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