

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.

INTERIM STUDY PROPOSAL 2009-081

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

SENATE BILL 796

By: Senator Madison

Filed with: Senate Interim Committee on Judiciary
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO ALLOW FOR THE APPOINTMENT OF LAW CLERKS
BY CIRCUIT JUDGES IN EACH JUDICIAL DISTRICT; AND
FOR OTHER PURPOSES.

Subtitle

TO ALLOW FOR THE APPOINTMENT OF LAW
CLERKS BY CIRCUIT JUDGES IN EACH
JUDICIAL DISTRICT.

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

SECTION 1. Arkansas Code Title 16, Chapter 13, Subchapter 2 is amended
to add an additional section to read as follows:

16-13-226. Law clerks.

(a)(1) Unless otherwise provided by law, each circuit judge of every
judicial district may appoint one (1) law clerk who is a licensed attorney.

(2) A law clerk is to serve at the discretion of and under the
direction of the circuit judge by whom he or she is appointed.

(3) The powers and duties of the law clerk are to:

(A) Administer oaths and affirmations;

(B) Take acknowledgments, affidavits, and depositions;

(C) Conduct research;

(D) Conduct pretrial hearings and prejudgment hearings;

and



1 (E) Make recommendations for dispositions to the circuit
2 judge.

3 (4) A law clerk may be assigned additional duties at the
4 discretion of the circuit judge that are not inconsistent with the
5 Constitution and laws of the State of Arkansas.

6 (g)(1) The appointment of the a law clerk is subject to the approval
7 of the quorum courts of the counties of the judicial district in which the
8 law clerk is appointed.

9 (2)(A) The quorum courts of the counties of the judicial
10 district are to set by agreement the salaries of the law clerks and apportion
11 the payment of the salaries among the counties of the judicial district.

12 (B) A law clerk is entitled to the same benefits as other
13 regular county employees.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36 Filed Date: 04/06/2009 By: PBB\VJF