

HOUSE CONCURRENT RESOLUTION

REQUESTING THE CIRCUIT AND CHANCERY JUDGES OF THIS STATE TO APPOINT THE VARIOUS JUVENILE COURT REFEREES TO ACT UNDER THE AUTHORITY OF THEIR RESPECTIVE COURTS IN JUVENILE COURT MATTERS UNTIL THE GENERAL ASSEMBLY ENACTS LEGISLATION TO DESIGNATE AN APPROPRIATE COURT OR COURTS TO HANDLE JUVENILE COURT MATTERS.

WHEREAS, in the Opinion of Walker v. Arkansas Department of Human Services (86-184), delivered January 20, 1987, the Supreme Court of Arkansas declared the laws which place jurisdiction of juvenile matters in the Juvenile Courts presided over by county judges to be unconstitutional; and

WHEREAS, in divesting the county court of its jurisdiction over juveniles, the Supreme Court recognized that it would be the responsibility of the General Assembly to designate the appropriate court or courts in which to vest juvenile court jurisdiction; and

WHEREAS, county judges in most counties of the State have appointed juvenile court referees to try juvenile court matters and make recommendations to the county court in regard thereto; and

WHEREAS, as an interim means of permitting juvenile court referees who are licensed attorneys to continue to perform their regular duties over juvenile matters until such time as the General Assembly can enact legislation to designate the appropriate court or courts to handle juvenile matters, an appropriate solution would be for the judges of the circuit and chancery courts in the various counties of this State to designate and authorize juvenile court referees to serve as referees of their respective courts to handle juvenile matters until corrective legislation is enacted;

NOW THEREFORE,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE REGULAR SESSION OF THE SEVENTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

THAT the judges of the several circuit and chancery courts in this State are hereby urged and requested to designate juvenile court referees within the counties of their respective circuits as special referees in juvenile

matters of their respective courts, in order to enable the orderly handling and disposition of juvenile court cases until such time as the General Assembly has an opportunity to enact legislation designating an appropriate court or courts in this State to handle juvenile matters on a permanent basis.

BE IT FURTHER RESOLVED:

THAT counties in this State are urged to continue to pay the salaries of juvenile court referees and other support personnel in the manner now provided by law, until the General Assembly can enact appropriate corrective legislation.