

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Senator Beebe

SENATE BILL 31

"AN ACT TO AMEND SECTION 19 OF ACT 989 OF 1985, AS AMENDED [ARK. STAT. 34-1237] TO ELIMINATE THE REQUIREMENT THAT ONE DAY PER MONTH IN EACH COUNTY BE DESIGNATED TO DOCKET SUPPORT CASES; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 19 of Act 989 of Act 1985 as amended, the same being Arkansas Statute 34-1237, is hereby amended to read as follows:

"Section 19. (A) Hearings in all child support cases shall be heard within a reasonable period of time following service of process in each county in the State. In each of the 75 counties of this State, the Chancery judge or judges of the judicial district for said county may designate at least one (1) day per month in each county to docket and hear matters concerning the establishment and enforcement of support orders. This date shall be publicized in the court calendar for the judicial district each calendar year, clearly noting the county and time of day the court shall commence to sit on such matters. In addition, all actions to establish or enforce support obligations in cases brought pursuant to Title IV-D of the Social Security Act shall be completed from time of filing to the time of disposition within the following time periods:

- (1) Ninety percent in three months;
- (2) Ninety-eight percent in six months; and
- (3) One hundred percent in twelve months.

(B) The Chancery judge or judges of the judicial district shall provide for expedited support hearings in each county of their district in one of the following manners:

(1) The judge or judges shall certify and appoint a master or masters in each county in sufficient numbers to provide hearings in all

actions to establish or enforce support obligations in cases brought pursuant to Title IV-D of the Social Security Act within the time schedule set forth above. The name, mailing address and telephone number of each master so appointed shall be forwarded by the judge to the Executive Secretary of the Arkansas Judicial Department along with such other information as may be required by the Chief Justice of the Supreme Court and the Executive Secretary; or

(2) In lieu of appointing a master to hear child support cases, the judge or judges may ask that a waiver be granted for one or more of the counties in the district, in which case, the Division of Economic and Medical Services of the Department of Human Services and the Judicial Department will furnish such information to the Director of the Department of Human Services or his designee as may be required by the Secretary of Health and Human Services for the granting of a waiver for expedited process in accordance with the provisions of the Federal Child Support Enforcement Amendments of 1984 (P.L. 98-378) and the regulations promulgated thereto. In the event the Secretary of Health and Human Services does not grant a waiver for one of the counties, or in the event waiver is revoked, the Director of the Department of Human Services shall notify the judge or judges of the county and the Executive Secretary of the Judicial Department. The judge or judges shall proceed to appoint a master in accordance with this Act or take such other action as may be required to comply with federal law.

(C) If the judge or judges fail to comply with the provisions of subsection (B) of this section by the effective date of this Act or within fourteen days after notice of denial or revocation of a waiver, the judge will be deemed to have delegated this responsibility to the Chief Justice of the Supreme Court or his designee, who shall immediately appoint a master to serve in accordance with this section, if necessary.

(D) The compensation to be allowed a master appointed under this section shall be at a rate to be paid by appropriation of the Quorum Court of the county in which the master serves.

(E) The master shall have the same authority and power as a Chancery Judge to issue any and all process in conducting hearings and other proceedings in accordance with this Act. In addition, the master shall have those powers as required by the provisions of the Federal Child Support Enforcement Amendments of 1984 (P.L. 98-378). Provided, however, all orders

of a master shall be subject to review by the Chancery Judge appointing such master.

(F) Any master appointed pursuant to this Act shall possess the same qualifications as are required by law of Chancery Judges.

(G) The Division of Economic and Medical Services of the Department of Human Services shall furnish to the Judicial Department caseload information and data regarding the IV-D cases filed by the attorneys for the State of Arkansas."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

