

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

SENATE BILL 385

"AN ACT TO AMEND PARAGRAPH (1) OF SUBSECTION (k) OF SECTION 1 OF ACT 432 OF 1977, AS AMENDED [ARK. STATS. 22-365(k)(1)], TO PROVIDE FOR THE ELECTION OF AN ADDITIONAL JUDGE IN THE ELEVENTH JUDICIAL CIRCUIT-WEST WHO SHALL BE A COMBINED CIRCUIT AND CHANCERY JUDGE AND WHO SHALL HANDLE POST-CONVICTION PROCEEDINGS FOR THE ELEVENTH JUDICIAL CIRCUIT-WEST, ALL MATTERS CONCERNING ACTS COMMITTED BY INMATES OF THE STATE DEPARTMENT OF CORRECTION AND ALL CIVIL ACTIONS FILED BY PRISON INMATES; AND FOR OTHER PURPOSES."

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

SECTION 1. Paragraph (1) of subsection (k) of Section 1 of Act 432 of 1977, as amended, the same being Arkansas Statutes 22-365(k)(1), is hereby amended to read as follows:

"(k)(1) Eleventh Judicial Circuit-West. The Eleventh Judicial Circuit-West shall be composed of the counties of Jefferson and Lincoln. The qualified electors of the Eleventh Judicial Circuit-West shall elect two circuit judges, two chancellors, and one combination circuit-chancery judge, and one prosecuting attorney."

SECTION 2. The circuit-chancery judgeship created in the Eleventh Judicial Circuit-West by this Act shall be effective on and after July 1, 1987. The Governor shall appoint a person to serve in such position from July 1, 1987 through December 31, 1988. The qualified electors of the Eleventh Judicial Circuit-West shall elect the circuit-chancery judge provided for herein at the November 1988 General Election to take office on January 1, 1989.

SECTION 3. The judge of the circuit-chancery judgeship created for the Eleventh Judicial Circuit-West by this Act shall devote one-half of his time to the Chancery and Probate proceedings and one-half of his time to the Circuit proceedings, including, but not limited to, presiding over all post-conviction proceedings in the Eleventh Judicial Circuit-West, and all matters involving acts committed by inmates of the State Department of Correction over which the Eleventh Judicial Circuit-West has jurisdiction, and shall hear all civil actions filed by inmates of the State Department of Correction, over which the Eleventh Judicial Circuit-West has jurisdiction.

SECTION 4. The circuit-chancery judge of the Eleventh Judicial Circuit-West created by this Act is authorized to employ a court reporter, a case coordinator and such other personnel as shall be necessary for the court to effectively and efficiently carry out its responsibilities.

SECTION 5. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 6. If for any reason any section or provision of this Act shall be held to be unconstitutional or invalid for other reasons, it shall not affect the remainder of this Act.

SECTION 7. EMERGENCY. It is hereby found and determined by the General Assembly that the case load of the courts of the Eleventh Judicial Circuit-West have increased significantly in recent years and that this is due largely to the fact that various actions filed by and proceedings concerning inmates of the State Department of Correction must be handled in the Eleventh Judicial Circuit-West; that it is essential to the prompt, effective and efficient administration of justice in the Eleventh Judicial Circuit-West that an additional judgeship be created with combined circuit and chancery jurisdiction and to have the primary responsibility for handling matters involving inmates of the Department of Correction; that this Act is designed to accomplish this purpose and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act, being necessary for the preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

