

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

HOUSE BILL

1741

By: Representatives Wilson and Shaver

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 16-10-101 AND 16-10-102
PERTAINING TO THE ADMINISTRATIVE RESPONSIBILITIES OF THE
SUPREME COURT; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 16-10-101 is hereby amended to read as follows:

"16-10-101. Administrative Responsibilities of the Supreme Court

(a) The Arkansas Supreme Court shall have general superintending control over the administration of justice in all courts in the state of Arkansas. The Chief Justice of the Supreme Court shall be directly responsible for the efficient operation of the judicial branch and of its constituent courts and for the expeditious dispatch of litigation therein and the proper conduct of the business of the courts.

(b) (1) Under rules prescribed by the Supreme Court, the Chief Justice may require reports from all courts of the state and may issue such orders and regulations as may be necessary for the efficient operation of those courts to ensure the prompt and proper administration of justice and may assign, reassign, and modify assignments of judges of the circuit court, the chancery court, and the probate court to hold, upon a temporary basis, regular or special sessions for the transaction of civil or criminal business within any other such court.

(2) The lower courts shall keep such adequate and uniform records as are required by law or as may be required by rule or order of the Supreme Court.

(c) The Supreme Court with the assistance of the Director of the Administrative Office of the Courts, shall devise a uniform system of numbering, cataloging, and classifying cases in all the courts of record in this state, and the courts of record shall utilize the system in conducting the

business of the courts.

(d) In the event of the absence of the Chief Justice or his inability to perform the duties described in this section, or as required by rule or order of the Supreme Court, the duties may be performed by the several associate justices of the Supreme Court in the order of their seniority of service on the court."

SECTION 2. Arkansas Code 16-10-102 is hereby amended to read as follows:

"16-10-102. Administrative Office of the Courts - Director - Cooperation of Court Officers.

(a) There shall be an office for the administration of the nonjudicial business of the judicial branch which shall be known as the Administrative Office of the Courts. There shall be a Director of the Administrative Office of the Courts who shall be nominated by the Chief Justice subject to the approval of the Supreme Court and the Judicial Council. Subsequent to the appointment, the Director of the Administrative Office of the Courts shall hold office at the pleasure of the Supreme Court.

(b) The Director shall possess the same qualifications and shall be subject to the same restrictions as district judges.

(c) The Director shall receive such salary as may be fixed from time to time by the biennial appropriations salary act for the Administrative Office of the Courts.

(d) The Director shall not engage directly or indirectly in the practice of law and shall hold no other office or employment.

(e) The Director, subject to the direction of the Supreme Court, shall perform the following functions:

- (1) Examine the administrative methods of the courts and make recommendations to the Supreme Court for their improvement;
- (2) Examine the state of the dockets of the courts, secure information as to their needs for assistance, if any, prepare statistical data and reports of the business of the courts, and advise the Supreme Court to the end that proper action may be taken;
- (3) Examine the estimates of the courts of the state for appropriations and present to the Supreme Court recommendations concerning them;

- (4) Examine the statistical systems of the courts and make recommendations to the Supreme Court for a uniform system of judicial statistics;
- (5) Collect, analyze, and report to the Supreme Court statistical and other data concerning the business of the courts;
- (6) With the approval of the Supreme Court and at the request of the Judicial Council, the Director shall act as secretary of the Judicial Council and shall perform such duties as may be assigned to him;
- (7) Examine the data processing needs of the courts and make recommendations to the Supreme Court as to the purchase and use of hardware and software for computer systems, telecommunications systems, and microfilming systems and provide education to the courts on the use of such systems so as to improve the quality and efficiency of justice in the state;
- (8) Assist the Supreme Court in the operation of the Supreme Court Library;
- (9) Attend to the other non-judicial business of the judicial branch under such rules and regulations as the Supreme Court may by order adopt.

(f) The Director shall, with the approval of the Supreme Court, appoint such assistants as may be necessary. He shall be provided with such office facilities as may be required.

(g) The Director shall advise and assist clerks of trial courts in the keeping of records of their proceedings and shall make reports and recommendations in connection therewith to the Supreme Court, the trial judges, and the clerks of those courts.

(h) The clerks, officers, and employees of the courts shall comply with all requests of the Director for information and statistical data relating to the business of the courts and the expenditure of public funds for their maintenance and operation. The Director shall notify the Supreme Court of any noncompliance with such requests."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.