

State of Arkansas
77th General Assembly
Regular Session, 1989
By: Senator Kinard

SENATE BILL 581

"AN ACT TO AMEND ARKANSAS CODE ANNOTATED SECTION 16-13-509 TO
ALLOW JUDGES ON ASSIGNMENT AND THE ARKANSAS JUDICIAL
DEPARTMENT TO SECURE PAYMENT FOR SUBSTITUTE COURT REPORTERS;
AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code of 1987 Annotated Section 16-13-509 is hereby amended to read as follows:

"16-13-509. Substitute court reporters.

(a) In the absence or unavailability of the official court reporter, the circuit, chancery, or judges on assignment as authorized by Act 496 of 1965, and the magistrates employed by the Arkansas Judicial Department are authorized to temporarily employ the services of a substitute court reporter if the temporary employment is necessary and essential to prevent a disruption of the business of the court. The substitute court reporter shall be a reporter duly certified by the Arkansas Supreme Court Board of Certified Court Reporter Examiners.

(b) Whenever a circuit, chancery, or judge on assignment or the magistrates employed by the Arkansas Judicial Department temporarily employs a substitute court reporter, the judge or magistrate may certify to the Auditor of State, upon forms prepared by the Auditor of State, that he has temporarily employed the services of a substitute court reporter and that the temporary employment was necessary and essential to prevent a disruption of the business of his court. The judge or magistrate shall further furnish to the Auditor of State the name, address, and social security number of the substitute court reporter and the number of days the substitute court reporter was temporarily employed, plus any other information concerning the employment as requested by the Auditor of State.

(c) The Auditor of State is authorized to pay, from funds specifically appropriated for this purpose, the substitute court reporter for the court reporting services furnished to the circuit, chancery, or magistrate's court. The substitute court reporter will be paid at a daily rate, based upon the daily pay rate of a court reporter in Grade 19, Step 5, of the most current pay table contained in the Uniform Classification and Compensation Act, § 211-5-201 et seq.

(d) In any one (1) fiscal year, however, the Auditor of State will not pay for the services of a substitute court reporter or substitute court reporters, for any one (1) circuit, chancery, or judge on assignment or magistrate, in excess of twenty (20) working days unless approved and ordered by the Chief Justice of the Arkansas Supreme Court. Nothing contained in this section shall be construed to preclude or prohibit any circuit or chancery judge from obtaining payment for the services of a substitute court reporter from the county or counties comprising the judge's judicial district rather than from the Auditor of State."

SECTION 2. 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 3. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that the inability of judges on assignment and the Arkansas Judicial Department to employ substitute court reporters is creating an urgent and immediate problem in the court system of this state, and that the immediate passage of this act is necessary to insure there is an orderly and efficient administration of justice in the state. 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.