

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Malone

A Bill

SENATE BILL 199

For An Act To Be Entitled

"AN ACT TO ESTABLISH DISTRICTS FOR THE COURT OF APPEALS;
AND FOR OTHER PURPOSES."

Subtitle

"TO ESTABLISH DISTRICTS FOR THE COURT OF
APPEALS."

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

SECTION 1. The Districts for the Court of Appeals are hereby established as having the same boundaries as the four United States Congressional Districts. These Districts consist of the following counties:

A. District One--Fulton, Sharp, Randolph, Clay, Iazard, Lawrence, Greene, Searcy, Stone, Independence, Jackson, Craighead, Mississippi, Cleburne, Poinsett, Woodruff, Cross, Crittenden, Lonoke, Prairie, Monroe, St. Francis, Lee, Arkansas, and Phillips.

B. District Two--Yell, Van Buren, Conway, Perry, Faulkner, Saline, Pulaski, and White.

C. District Three--Benton, Carroll, Boone, Marion, Baxter, Washington, Madison, Newton, Crawford, Franklin, Johnson, Pope, Sebastian, Logan, Scott, and Polk.

D. District Four--Montgomery, Garland, Little River, Howard, Sevier, Pike, Miller, Hempstead, Hot Spring, Clark, Nevada, Lafayette, Columbia, Ouachita, Dallas, Grant, Jefferson, Cleveland, Calhoun, Union, Bradley, Lincoln, Desha, Drew, Ashley, and Chicot.

SECTION 2. If the boundaries of any of the four United States Congressional Districts are changed due to the decennial redistricting and

1 said change affects an incumbent judge, that judge shall retain a seat in the
2 judge_s original District until that judge runs for reelection.

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4 SECTION 3. Each of the judges shall be designated as position one,
5 two, or three of their respective District.

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7 SECTION 4. Judicial Terms by Court of Appeals District:

8 A. District One--The incumbent Court of Appeals judges in this
9 District shall be assigned positions one (1) and two (2) and shall run for
10 eight (8) year terms, standing for reelection in the years 2000 and 2002
11 respectively, as previously established. The additional judge shall be
12 assigned position three (3) and shall run for an eight (8) year term.

13 B. District Two--The incumbent Court of Appeals judge in this District
14 shall be assigned position one (1) and shall run for an eight (8) year term,
15 standing for reelection in the year 2000 as previously established. The
16 first additional judge shall be assigned position two (2) and shall run for
17 an eight (8) year term. The second additional judge shall be assigned
18 position three (3) and shall run for an initial six (6) year term, then an
19 eight (8) year term thereafter.

20 C. District Three--the incumbent Court of Appeals judge in this
21 District shall be assigned position one (1) and shall run for an eight (8)
22 year term, standing for reelection in the year 2002 as previously
23 established. The first additional judge shall be assigned position two (2)
24 and shall run for an eight (8) year term. The second additional judge shall
25 be assigned position three (3) and shall run for an initial four (4) year
26 term, then an eight (8) year term thereafter.

27 D. District Four--The incumbent Court of Appeals judges in this
28 District shall draw lots before the end of the filing period for the November
29 1996 general election to determine who shall run for position one (1) and who
30 shall run for position two (2). The term for the judge in position one (1)
31 shall be eight (8) years. The judge in position two (2) shall run for an
32 initial six (6) year term, then an eight (8) year term thereafter. The judge
33 in position three (3) shall run for an initial four (4) year term, then an
34 eight (8) year term thereafter.

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1 SECTION 5. The qualified electors of the Court of Appeals Districts
2 established by this Act shall elect the additional Court of Appeals judges at
3 the November 1996 general election to take office on January 1, 1997.

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5 SECTION 6. The four (4) Divisions of the Court of Appeals shall have
6 the same boundaries as the Court of Appeals Districts.

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8 SECTION 7. The three (3) Court of Appeals judges elected from their
9 District shall be permanently assigned to that District_s corresponding
10 Division.

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12 SECTION 8. Each Division of the Court of Appeals shall be located in
13 the following city:

- 14 A. Division I--Jonesboro.
- 15 B. Division II--Little Rock.
- 16 C. Division III--Fayetteville.
- 17 D. Division IV--El Dorado.

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19 SECTION 9. Any case submitted to the Court of Appeals shall be
20 assigned to the Division containing the county in which the case being
21 appealed was originally filed.

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23 SECTION 10. Arkansas Code Annotated §§ 16-12-101(b), 16-12-109(b) and
24 (c), 16-12-103, and 16-12-111 as well as all other laws and parts of laws in
25 conflict with this Act are hereby expressly repealed.

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27 SECTION 11. All provisions of this act of a general and permanent
28 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
29 Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 12. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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2 SECTION 13. All laws and parts of laws in conflict with this act are

3 hereby repealed.