

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S3/4/97

A Bill

HOUSE BILL 1597

5 By: Representatives Faris, Kidd, Wallis, Broadway, Lancaster, Mullenix, Thomas, and Stalnaker
6 By: Senators Hopkins and Canada
7

For An Act To Be Entitled

9 "AN ACT TO CREATE THE SEVENTH JUDICIAL DISTRICT-NORTH AND
10 THE SEVENTH JUDICIAL DISTRICT-SOUTH; TO PROVIDE FOR THE
11 JUDGES, COURT REPORTERS, BAILIFFS, AND PROSECUTING
12 ATTORNEYS OF THE DISTRICTS; AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT TO CREATE THE SEVENTH JUDICIAL
15 DISTRICT-NORTH AND THE SEVENTH JUDICIAL
16 DISTRICT-SOUTH."
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Composition.

23 (a) Effective January 1, 1999 there is created the Seventh Judicial
24 District-North, which shall be composed of Saline County.

25 (b) Effective January 1, 1999 there is created the Seventh Judicial
26 District-South, which shall be composed of Grant and Hot Spring counties.
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28 SECTION 2. Terms of court.

29 (a) The terms of court in each county in the Seventh Judicial District-
30 North shall commence on the third Mondays in March and September.

31 (b) The terms of court in each county in the Seventh Judicial District-
32 South shall commence on the dates set forth below:

33 (1) Grant County: On the fourth Mondays in February and August;

34 and

35 (2) Hot Spring County: On the second Mondays in January and July.

36 SECTION 3. Judges and chancellors.

1 (a) The qualified electors of the Seventh Judicial District-North shall
2 elect:

- 3 (1) One (1) chancery judge of the First Division;
- 4 (2) One (1) circuit-chancery judge of the Second Division; and
- 5 (3) One (1) circuit-chancery judge of the Third Division.

6 (b) The qualified electors of the Seventh Judicial District-South shall
7 elect:

- 8 (1) One (1) circuit-chancery judge of the First Division; and
- 9 (2) One (1) circuit-chancery judge of the Second Division.

10 (c)(1) The chancery judge and circuit-chancery judges of Seventh
11 Judicial District-North may, by agreement, hold either of the circuit or
12 chancery courts in their respective districts and may hear and try matters
13 pending in any of those courts or may hear or try matters in the same court at
14 the same time. The judges subject to this subsection may adopt such rules as
15 they deem appropriate for the assignment of cases in the circuit and chancery
16 courts of their judicial district.

17 (2) The circuit-chancery judges of Seventh Judicial District-
18 South may, by agreement, hold either of the circuit or chancery courts in
19 their respective districts and may hear and try matters pending in any of
20 those courts or may hear or try matters in the same court at the same time.
21 The judges subject to this subsection may adopt such rules as they deem
22 appropriate for the assignment of cases in the circuit and chancery courts of
23 their judicial district.

24 (d)(1) The judge of the Second Division in each district shall be the
25 judge of the juvenile division of chancery court. The judge shall serve as
26 judge of the juvenile division in lieu of the judge who would otherwise be
27 designated as judge of the juvenile division of chancery court in the judicial
28 district.

29 (2) The judge of the Second Division in each district shall
30 devote such time as may be required to perform the duties of judge of the
31 juvenile division, which duties shall be the primary obligation of the judge,
32 and shall sit as judge of the circuit, chancery, or probate court as time
33 permits.

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35 SECTION 4. (a) As of January 1, 1999, the Chancery Judge of the
36 Seventh Judicial District is hereby designated as the Chancery Judge of the

1 Seventh Judicial District-North.

2 (b) At the 1998 General Election, the qualified electors of the Seventh
3 Judicial District-North shall elect two (2) Circuit-Chancery Judges to take
4 office on January 1, 1999.

5 (c) At the 1998 General Election, the qualified electors of the Seventh
6 Judicial District-South shall elect two (2) Circuit-Chancery Judges to take
7 office on January 1, 1999.

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9 SECTION 5. Court Reporters.

10 Each of the chancery and circuit-chancery judges provided for in this
11 act are authorized to employ a court reporter. The court reporters shall
12 receive such compensation as is provided by law.

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14 SECTION 6. Bailiffs.

15 (a)(1) The circuit-chancery judges of the Seventh Judicial District-
16 North may each appoint so many court bailiffs as the quorum courts of the
17 district shall fund.

18 (2) The circuit-chancery judges of the Seventh Judicial District-
19 South may each appoint so many court bailiffs as the quorum court of the
20 district shall fund.

21 (b)(1) The duties of the bailiffs shall include their attendance in
22 their respective courts when court is in session and the supervision and
23 maintenance of order in their respective courtrooms, providing security for
24 criminal defendants, juries, and judges, and other incidental and related
25 duties at the direction of the respective judges.

26 (2) When acting within the scope of their duties as court
27 bailiffs, the bailiffs shall exercise all the powers of a deputy sheriff,
28 which shall include the power to make arrests, carry a weapon, and serve
29 summonses, and may maintain law enforcement certification existing or acquired
30 during their service as bailiffs.

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32 SECTION 7. Prosecuting Attorneys.

33 (a) Effective January 1, 1999, the Seventh Judicial District-North shall
34 be a Division A Judicial District.

35 (b) Effective January 1, 1999, the Seventh Judicial District-South shall
36 be a Division A Judicial District.

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SECTION 8. (a) At the 1998 General Election the qualified electors of Saline County shall elect a person who shall serve as the prosecuting attorney for the Seventh Judicial District-North beginning January 1, 1999.

(b) At the 1998 General Election the qualified electors of Hot Spring and Grant counties shall elect a person who shall serve as the prosecuting attorney for the Seventh Judicial District-South beginning January 1, 1999.

SECTION 9. Arkansas Code 16-13-1501, 16-13-1502, 16-13-1503, 16-13-1504, 16-13-1505, and 16-21-127 are repealed effective January 1, 1999.

~~16-13-1501. Composition.~~

~~The Seventh Judicial District shall be composed of the counties of Grant, Hot Spring, and Saline.~~

~~16-13-1502. Terms of court.~~

~~The terms of court in each county in the Seventh Judicial District shall commence on the dates set forth below:~~

~~(1) Grant County: On the fourth Mondays in February and August;~~

~~(2) Hot Spring County: On the second Mondays in January and July;~~

~~(3) Saline County: On the third Mondays in March and September.~~

~~16-13-1503. Judges and chancellors.~~

~~(a) The qualified electors of the Seventh Judicial District shall elect:~~

~~(1) One (1) circuit judge;~~

~~(2) One (1) chancellor; and~~

~~(3) One (1) circuit-chancery judge.~~

~~(b)(1) In the Seventh Judicial District, there is created one (1) additional circuit-chancery judgeship which shall have jurisdiction in law, equity, and probate.~~

~~(2) The circuit judges, chancery judges, and circuit-chancery judges of the districts subject to this subsection may, by agreement, hold either of the circuit or chancery courts in their respective districts and may hear and try matters pending in any of those courts or may hear or try matters in the same court at the same time. The judges subject to this subsection may adopt such rules as they deem appropriate for the assignment of cases in the~~

1 ~~circuit and chancery courts of their judicial district.~~

2 ~~—— (c)(1) The judge of the judgeship created by subdivision (a)(3) of this~~
3 ~~section shall be the judge of the juvenile division of chancery court. The~~
4 ~~judge shall serve as judge of the juvenile division in lieu of the judge who~~
5 ~~would otherwise be designated as judge of the juvenile division of chancery~~
6 ~~court in the judicial district.—~~

7 ~~—— (2) The judge of the additional circuit-chancery judgeship~~
8 ~~created in subdivision (a)(3) of this section shall devote such time as may be~~
9 ~~required to perform the duties of judge of the juvenile division, which duties~~
10 ~~shall be the primary obligation of the judge, and shall sit as judge of the~~
11 ~~circuit, chancery, or probate court as time permits.~~

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13 ~~—— 16-13-1504. Court reporters.~~

14 ~~—— Each of the circuit, chancery, and circuit-chancery judges provided for~~
15 ~~in [§] 16-13-1503 are authorized to employ a court reporter. The court reporters~~
16 ~~shall receive such compensation as is provided by law.~~

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18 ~~—— 16-13-1505. Bailiffs.~~

19 ~~—— (a) The circuit judge and circuit-chancery judge, Second Division, of~~
20 ~~the Seventh Judicial District may each appoint so many court bailiffs as the~~
21 ~~quorum courts of the district shall fund.~~

22 ~~—— (b)(1) The duties of the bailiffs shall include their attendance in~~
23 ~~their respective courts when court is in session and the supervision and~~
24 ~~maintenance of order in their respective courtrooms, providing security for~~
25 ~~criminal defendants, juries, and judges, and other incidental and related~~
26 ~~duties at the direction of the respective judges.~~

27 ~~—— (2) When acting within the scope of their duties as court~~
28 ~~bailiffs, the bailiffs shall exercise all the powers of a deputy sheriff,~~
29 ~~which shall include the power to make arrests, carry a weapon, and serve~~
30 ~~summonses, and may maintain law enforcement certification existing or acquired~~
31 ~~during their service as bailiffs.~~

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33 ~~—— 16-21-127. The Seventh Judicial District.~~

34 ~~—— The Seventh Judicial District shall be a Division A Judicial District.~~

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36 SECTION 10. All provisions of this act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 11. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 12. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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/s/Faris et al

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