

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

As Engrossed: H3/17/97 H3/19/97

A Bill

HOUSE BILL 2205

4
5 By: Representative Rodgers
6 By: Senator Dowd

For An Act To Be Entitled

10 "AN ACT TO DIVIDE THE EIGHTH JUDICIAL DISTRICT INTO THE
11 EIGHTH JUDICIAL DISTRICT-NORTH AND THE EIGHTH JUDICIAL
12 DISTRICT-SOUTH; TO PROVIDE FOR THE JUDGES OF THE DISTRICT;
13 TO PROVIDE FOR THE PROSECUTING ATTORNEY OF EACH DISTRICT;
14 AND FOR OTHER PURPOSES."

Subtitle

16 "AN ACT TO CREATE THE EIGHTH JUDICIAL
17 DISTRICT-NORTH AND THE EIGHTH JUDICIAL
18 DISTRICT-SOUTH; TO PROVIDE FOR THE
19 JUDGES AND THE PROSECUTING ATTORNEYS OF
20 EACH DISTRICT."

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

25
26 SECTION 1. Composition.

27 (a) Effective January 1, 1999 there is created the Eighth Judicial
28 District-North composed of Hempstead and Nevada counties.

29 (b) Effective January 1, 1999 there is created the Eighth Judicial
30 District-South composed of Lafayette and Miller counties.

31
32 SECTION 2. Judges and chancellors in the Eighth Judicial District-North.

33 (a) The qualified electors of the Eighth Judicial District-North shall
34 elect:

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

1 (b)(1) The judge of the First Division of the Eighth Judicial District-
2 North shall set as the judge of the circuit court, chancery court, and probate
3 court.

4 (2) The judge of the Second Division of the Eighth Judicial
5 District-North shall set as judges of the circuit court, chancery court,
6 probate court, and the juvenile division of the chancery court.

7 (c) If any additional circuit-chancery judgeship is created, an
8 additional division shall be established, and the judge shall serve as the
9 judge of the additional division.

10 (d) A judge shall be elected, every four (4) years, for each division
11 of the circuit-chancery court of the Eighth Judicial District-North, and
12 candidates for the offices shall designate and qualify as candidates for the
13 particular division of the court to which they seek election.

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15 SECTION 3. Judges and chancellors in the Eighth Judicial District-South.

16 (a) The qualified electors of the Eighth Judicial District-South shall
17 elect:

18 (1) One (1) circuit-chancery judge of the First Division;

19 (2) One (1) circuit-chancery judge of the Second Division; and

20 (3) One (1) circuit-chancery judge of the Third Division.

21 (b) The judges of the Eighth Judicial District-North shall set as
22 judges of the circuit court, chancery court, probate court, and juvenile
23 division of the chancery court.

24 (c) If any additional circuit-chancery judgeship is created, an
25 additional division shall be established, and the judge shall serve as the
26 judge of the additional division.

27 (d) A judge shall be elected, every four (4) years, for each division
28 of the circuit-chancery court of the Eighth Judicial District-South, and
29 candidates for the offices shall designate and qualify as candidates for the
30 particular division of the court to which they seek election.

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32 SECTION 4. (a) At the 1998 General Election, the qualified electors of
33 the Eighth Judicial District-North shall elect two (2) circuit-chancery judges
34 to take office on January 1, 1999.

35 (b) At the 1998 General Election, the qualified electors of the Eighth
36 Judicial District-South shall elect three (3) circuit-chancery judges to take

1 office on January 1, 1999.

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3 SECTION 5. (a) Effective January 1, 1999, the Eighth Judicial
4 District-North shall be a Division A Judicial District.

5 (b) Effective January 1, 1999, the Eighth Judicial District-South shall
6 be a Division A Judicial District.

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8 SECTION 6. There shall be provided for the judge of the circuit-
9 chancery judgeship created by this act a court reporter and a trial court
10 administrative assistant whose salaries shall be fixed and paid in a manner
11 provided by law for court reporters and trial court administrative assistants
12 of the circuit and chancery courts of this state.

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14 SECTION 7. (a) At the 1998 General Election the qualified electors of
15 Hempstead and Nevada counties shall elect a person who shall serve as the
16 prosecuting attorney for the Eighth Judicial District-North beginning January
17 1, 1999.

18 (b) At the 1998 General Election the qualified electors of Lafayette
19 and Miller counties shall elect a person who shall serve as the prosecuting
20 attorney for the Eighth Judicial District-South beginning January 1, 1999.

21

22 SECTION 8. Arkansas Code 16-13-1601, 16-13-1602, 16-13-1603, and 16-21-
23 128 are repealed effective January 1, 1999.

24 ~~16-13-1601. Composition.~~

25 ~~The Eighth Judicial District shall be composed of the counties of~~
26 ~~Hempstead, Lafayette, Miller, and Nevada.~~

27

28 ~~16-13-1602. Terms of court.~~

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

31 ~~(1) Hempstead County: On the fifteenth of January of each year and~~
32 ~~shall continue until January fourteenth of the next year;~~

33 ~~(2) Lafayette County: On the fifteenth of January of each year and~~
34 ~~shall continue until January fourteenth of the next year;~~

35 ~~(3) Miller County: On the fifteenth of January of each year and shall~~
36 ~~continue until January fourteenth of the next year;~~

1 ~~_____ (4) Nevada County: On the fifteenth of January of each year and shall~~
2 ~~continue until January fourteenth of the next year.~~

3

4 ~~_____ 16-13-1603. Judges and chancellors.~~

5 ~~_____ (a) The qualified electors of the Eighth Judicial District shall elect:~~

6 ~~_____ (1) One (1) circuit-chancery judge of the First Division;~~

7 ~~_____ (2) One (1) circuit-chancery judge of the Second Division; and~~

8 ~~_____ (3) One (1) circuit-chancery judge of an additional division.~~

9 ~~_____ (b) In the Eighth Judicial District, there shall be one (1) circuit-~~
10 ~~chancery judgeship which shall have jurisdiction in law, equity, and probate~~
11 ~~which shall be the judge of the Third Division.~~

12 ~~_____ (c)(1) The judge of the judgeship created by subdivision (a)(3) of this~~
13 ~~section shall be the judge of the juvenile division of chancery court. The~~
14 ~~judge shall serve as judge of the juvenile division in lieu of the judge who~~
15 ~~would otherwise be designated as judge of the juvenile division of chancery~~
16 ~~court in the judicial district.~~

17 ~~_____ (2) The judge of the additional circuit-chancery judgeship~~
18 ~~created in subdivision (a)(3) of this section shall devote such time as may be~~
19 ~~required to perform the duties of judge of the juvenile division, which duties~~
20 ~~shall be the primary obligation of the judge, and shall sit as judge of the~~
21 ~~circuit, chancery, or probate court as time permits.~~

22 ~~_____ (d) If any additional circuit-chancery judgeship is created, an~~
23 ~~additional division shall be established, and the judge shall serve as the~~
24 ~~judge of the additional division.~~

25 ~~_____ (e) A judge shall be elected, every four (4) years, for each division~~
26 ~~of the circuit-chancery court of the Eighth Judicial District, and candidates~~
27 ~~for the offices shall designate and qualify as candidates for the particular~~
28 ~~division of the court to which they seek election.~~

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30 ~~_____ 16-21-128. The Eighth Judicial District.~~

31 ~~_____ The Eighth Judicial District shall be a Division A Judicial District.~~

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33 SECTION 9. All provisions of this act of a general and permanent nature
34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
35 Revision Commission shall incorporate the same in the Code.

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1 SECTION 10. If any provision of this act or the application thereof to
2 any person or circumstance is held invalid, such invalidity shall not affect
3 other provisions or applications of the act which can be given effect without
4 the invalid provision or application, and to this end the provisions of this
5 act are declared to be severable.

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

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/s/Rep. Rodgers

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