

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997  
4  
5 By: Senator Malone  
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7

## A Bill

SENATE BILL 490

### For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 16-13-509 TO DELETE THE USE  
10 OF MASTERS BY THE ADMINISTRATIVE OFFICE OF THE COURTS AND  
11 TO ALLOW TRIAL COURT ADMINISTRATIVE ASSISTANTS TO RECEIVE  
12 EXPENSES AS SUBSTITUTE COURT REPORTERS; AND FOR OTHER  
13 PURPOSES."

### Subtitle

15  
16 "AN ACT CONCERNING THE ADMINISTRATIVE  
17 OFFICE OF THE COURTS."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code 16-13-509 is amended to read as follows:

22 "16-13-509. Substitute court reporters.

23 (a) In the absence or unavailability of the official court reporter,  
24 the circuit judge, chancery judge, or judges on assignment as authorized by <sup>8</sup>  
25 ~~16-10-101, and the magistrates employed by the Administrative Office of the~~  
26 ~~Courts~~ are authorized to temporarily employ the services of a substitute court  
27 reporter if the temporary employment is necessary and essential to prevent a  
28 disruption of the business of the court. The substitute court reporter shall  
29 be a reporter duly certified by the Arkansas Supreme Court Board of Certified  
30 Court Reporter Examiners.

31 (b) Whenever a circuit judge, chancery judge, or judge on assignment,  
32 ~~or the magistrates employed by the Administrative Office of the Courts~~  
33 temporarily employs a substitute court reporter, the judge ~~or magistrate~~ may  
34 certify to the Auditor of State, upon forms prepared by the Auditor of State,  
35 that he has temporarily employed the services of a substitute court reporter  
36 and that the temporary employment was necessary and essential to prevent a

1 disruption of the business of his court. The judge ~~or magistrate~~ shall  
 2 further furnish to the Auditor of State the name, address, and social security  
 3 number of the substitute court reporter and the number of days the substitute  
 4 court reporter was temporarily employed, plus any other information concerning  
 5 the employment requested by the Auditor of State.

6 (c) The Auditor of State is authorized to pay, from funds specifically  
 7 appropriated for this purpose, the substitute court reporter for the court  
 8 reporting services furnished to the circuit judge, or chancery judge, ~~or~~  
 9 ~~magistrates court~~. The substitute court reporter will be paid at a daily  
 10 rate, based upon the daily pay rate of a court reporter in Grade 19, Step 5,  
 11 of the most current pay table contained in the Uniform Classification and  
 12 Compensation Act, §21-5-201 et seq.

13 (d) If any trial court administrative assistant employed pursuant to §  
 14 16-10-133 and who is also certified pursuant to subsection (a) of this section  
 15 is authorized and appointed to act temporarily as a substitute court reporter,  
 16 he shall not be entitled to be paid an additional salary, but shall be  
 17 entitled to reimbursement for actual expenses incurred for meals, lodging, and  
 18 transportation costs when attending court away from his official station,  
 19 consistent with § 16-13-505.

20 ~~—(d)~~ (e) In any one (1) fiscal year, however, the Auditor of State will  
 21 not pay for the services of a substitute court reporter or substitute court  
 22 reporters for any one (1) circuit judge, chancery judge, or judge on  
 23 assignment, ~~or magistrate~~, in excess of twenty (20) working days, unless  
 24 approved and ordered by the Chief Justice of the Arkansas Supreme Court.

25 ~~—(e)~~ (f) Nothing contained in this section shall be construed to  
 26 preclude or prohibit any circuit judge or chancery judge from obtaining  
 27 payment for the services of a substitute court reporter from the county or  
 28 counties comprising the judges judicial district rather than from the Auditor  
 29 of State."

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31 SECTION 2. All provisions of this act of a general and permanent nature  
 32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
 33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 3. If any provision of this act or the application thereof to  
 36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
 2 the invalid provision or application, and to this end the provisions of this  
 3 act are declared to be severable.

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5       SECTION 4. All laws and parts of laws in conflict with this act are  
 6 hereby repealed.

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