

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

A Bill

SENATE BILL 568

4
5 By: Senators Dowd, Everett, Harriman, Gordon, Bell, Edwards, Malone, Bearden, Fitch, Wilson, Hill, Hoofman, Canada, and
6 Lewellen
7 By: Representatives Beatty, Luker, Hall, Baker, Courtway, Curran, Davis, DeLay, Dietz, Faris, Fletcher, French, Fuqua, George, Horn,
8 Jeffress, Maddox, Malone, McJunkin, McKissack, Milum, Purdom, Rodgers, Rorie, Stewart, Teague, Thicksten, Vess, Whorton,
9 Wilkinson, Willems, Wood, and Young

For An Act To Be Entitled

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11
12 "AN ACT TO REDEFINE THE BOUNDARIES OF THE COURT OF APPEALS
13 DISTRICTS; AND FOR OTHER PURPOSES."

Subtitle

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16 "TO REDEFINE THE BOUNDARIES OF THE COURT
17 OF APPEALS DISTRICTS."

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

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21 SECTION 1. Effective January 1, 1999, the Court of Appeals Districts
22 shall be as follows:

23 (a) District 1A shall be composed of the counties of Mississippi,
24 Crittenden, St. Francis, Lee, Phillips, and Arkansas;

25 (b) District 1B shall be composed of the counties of Monroe, Prairie,
26 Lonoke, Woodruff, Cross, Jackson, Poinsett, and Craighead;

27 (c) District 1C shall be composed of the counties of Greene, Clay,
28 Randolph, Sharp, Fulton, Izard, Stone, Cleburne, Searcy, Independence, and
29 Lawrence;

30 (d) District 2A shall be composed of the counties of Pulaski and
31 Saline;

32 (e) District 2B shall be composed of the counties of Pulaski and
33 Saline;

34 (f) District 2C shall be composed of the counties of Yell, Perry,
35 Conway, Van Buren, Faulkner, and White;

36 (g) District 3A shall be composed of the counties of Carroll, Boone,

1 Marion, Baxter, Madison, Newton, Franklin, Johnson, Pope, Logan, Scott, and
2 Polk;

3 (h) District 3B shall be composed of the counties of Benton,
4 Washington, Crawford, and Sebastian;

5 (i) District 3C shall be composed of the counties of Benton,
6 Washington, Crawford, and Sebastian;

7 (j) District 4A shall be composed of the counties of Little River,
8 Sevier, Howard, Pike, Montgomery, Hempstead, Miller, Lafayette, Nevada,
9 Ouachita, and Columbia;

10 (k) District 4B shall be composed of the counties of Clark, Hot Spring,
11 Grant, Garland, Dallas, Calhoun, and Union;

12 (l) District 4C shall be composed of the counties of Jefferson,
13 Cleveland, Bradley, Ashley, Drew, Lincoln, Desha, and Chicot.

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15 SECTION 2. At the general election in 1998, one member of the Court of
16 Appeals shall be elected from District 1A, one member shall be elected from
17 District 2B, one member shall be elected from District 2C, one member shall be
18 elected from District 3A, one member shall be elected from District 3C, and
19 one member shall be elected from District 4A. The six (6) members of the
20 Court of Appeals elected at the general election in 1998 shall by lot draw
21 terms of office so that two (2) will serve four (4) year terms, two (2) will
22 serve six (6) year terms, and two (2) will serve eight (8) year terms. Their
23 successors shall serve full eight (8) year terms.

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25 SECTION 3. At the general election in 2000, one member of the Court of
26 Appeals shall be elected from District 1B, and one member shall be elected
27 from District 2A. The Court of Appeals Judge currently serving from the
28 current District 1 shall serve as the Court of Appeals Judge of District 1B
29 for the remainder of his current term. The Court of Appeals Judge currently
30 serving from current District 6 shall serve as the Court of Appeals Judge of
31 District 2A for the remainder of her current term.

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33 SECTION 4. At the general election in 2002, one member of the Court of
34 Appeals shall be elected from District 1C, and one member shall be elected
35 from District 3B. The Court of Appeals Judge currently serving from the
36 current District 2 shall serve as the Court of Appeals Judge of District 1C

1 for the remainder of his current term. The Court of Appeals Judge currently
2 serving from current District 3 shall serve as the Court of Appeals Judge of
3 District 3B for the remainder of his current term.

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5 SECTION 5. At the general election in 2004, one member of the Court of
6 Appeals shall be elected from District 4B, and one member shall be elected
7 from District 4C. The Court of Appeals Judge currently serving from the
8 current District 4 shall serve as the Court of Appeals Judge of District 4B
9 for the remainder of his current term. The Court of Appeals Judge currently
10 serving from current District 5 shall serve as the Court of Appeals Judge of
11 District 4C for the remainder of his current term.

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13 SECTION 6. Except as provided in Section 2, members of the Court of
14 Appeals shall serve eight (8) year terms.

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16 SECTION 7. Members of the Court of Appeals serving on the effective
17 date of this act shall continue to serve the remainder of their terms.

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19 SECTION 8. All provisions of this act of a general and permanent nature
20 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
21 Revision Commission shall incorporate the same in the Code.

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23 SECTION 9. If any provision of this act or the application thereof to
24 any person or circumstance is held invalid, such invalidity shall not affect
25 other provisions or applications of the act which can be given effect without
26 the invalid provision or application, and to this end the provisions of this
27 act are declared to be severable.

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

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32 SECTION 11. (a) Arkansas Code 16-12-101(c)(2) as enacted by Section 1
33 of Acts 11 and 15 of the First Extraordinary Session of 1995, which were not
34 codified, is hereby repealed.

35 ~~— (2) The qualified electors of the Court of Appeals Districts~~
36 ~~established in compliance with subsection (c) of this section shall elect the~~

~~1 additional Court of Appeals judges at the November, 1998 general election to
2 take office on January 1, 1999.~~

3 (b) Arkansas Code 16-12-101(d) through (f) as enacted by Section 1 of
4 Acts 11 and 15 of the First Extraordinary Session of 1995, which were not
5 codified, is hereby repealed.

6 ~~—— (d) Two (2) of the additional Court of Appeals judges elected pursuant
7 to subsection (c)(2) of this section shall be elected to an initial term of
8 four (4) years; two (2) shall be elected to an initial term of six (6) years;
9 and two (2) shall be elected to an initial term of eight (8) years. The
10 initial terms of these additional judges shall be determined by lot during the
11 first public session of the court after their elected terms shall commence.
12 Thereafter, these judges shall be elected for full eight (8) year terms. Each
13 of the judges shall be a resident of the district from which elected and shall
14 have the same qualifications for holding office and shall receive the same
15 salary, expenses and other allowances as provided by law for other judges of
16 the Court of Appeals.~~

17 ~~—— (e)(1) The 81st General Assembly shall determine the number and
18 location of Court of Appeals districts from which the members of the Court of
19 Appeals shall be selected.~~

20 ~~—— (2) In order to assist the General Assembly with the
21 establishment of these districts, there is hereby created the Court of Appeals
22 Apportionment Commission to be composed of the following persons:~~

23 ~~—— (A) The Governor or his designee;~~

24 ~~—— (B) The Chairman of the Senate Judiciary Committee or his
25 designee, plus one (1) other member of the Senate Judiciary Committee to be
26 selected by the President Pro Tempore of the Senate;~~

27 ~~—— (C) The Chairman of the House Judiciary Committee or his
28 designee, plus one (1) other member of the House Judiciary Committee to be
29 selected by the Speaker of the House;~~

30 ~~—— (D) The Chief Judge of the Court of Appeals;~~

31 ~~—— (E) A citizen, appointed by the Governor, who shall represent
32 the interest of minority voters; and~~

33 ~~—— (F) A member to be selected by the Arkansas Bar Association.~~

34 ~~—— (3) The Commission shall review the current Court of Appeals
35 districts and shall make a recommendation to the 81st General Assembly on the
36 changes, if any, to be made to the districts, effective January 1, 1998.~~

1 ~~_____ (f) The Joint Interim Judiciary Committee shall review and make~~
 2 ~~recommendations on the additional needs of the Court of Appeals, such as~~
 3 ~~facilities, equipment, and operational funds, resulting from increasing its~~
 4 ~~membership.~~

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