

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas As Engrossed: S2/2/99 S2/12/99 S3/2/99 S3/8/99

2 82nd General Assembly

A Bill

3 Regular Session, 1999

SENATE BILL 119

4

5 By: Senator Everett

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For An Act To Be Entitled

9 "AN ACT TO CONVERT ALL CHANCERY AND CIRCUIT-CHANCERY
10 JUDGES TO CIRCUIT JUDGES; TO ABOLISH SEPARATE COURTS
11 OF CHANCERY; TO AUTHORIZE THE CODE REVISION COMMISSION
12 TO PREPARE A TECHNICAL CORRECTIONS BILL CONSISTENT
13 WITH THIS ACT FOR THE NEXT SESSION OF THE ARKANSAS
14 GENERAL ASSEMBLY; AND FOR OTHER PURPOSES. "

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Subtitle

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"AN ACT TO CONVERT ALL CHANCERY AND
CIRCUIT-CHANCERY JUDGES TO CIRCUIT
JUDGES AND ABOLISH SEPARATE COURTS OF
CHANCERY. "

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

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SECTION 1. (a) As of the effective date of this act:

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(1) all circuit-chancery judgeships shall immediately become
circuit judgeships;

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(2) all circuit judgeships shall have jurisdiction in law, equity,
and probate as set forth in Article 7 of the Arkansas Constitution.

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(b)(1) All chancery judgeships shall continue through their present term
of office. At the end of their present term, chancery judgeships shall be
converted to circuit judgeships with a term of four (4) years, which office
shall have jurisdiction as set forth in Section 1(a) of this act.

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(2) Those judgeships presently known as the juvenile division of
chancery court shall continue until the expiration of their present terms. At
the expiration of those terms, such shall be converted to the juvenile
division of the circuit court, be elected to four year terms, and have

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1 jurisdiction as now provided by Arkansas Code 16-13-601 et seq.

2 (3) As the present terms of chancery judgeships expire, the separate
3 courts of chancery shall be abolished, and shall become circuit courts of this
4 state with jurisdiction as set forth in Section 1(a) of this act.

5 (c) The judges of each circuit shall, after each general election, elect
6 an "administrative judge", who may designate, by local court rule, the
7 division of the different judgeships to consider cases in law, equity, and
8 probate. In the event the judges in any given circuit fail to elect an
9 administrative judge, the Chief Justice of the Arkansas Supreme Court shall
10 designate the administrative judge of the circuit.

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12 SECTION 2. Subject to review by the Senate Interim Committee on
13 Judiciary of the Arkansas General Assembly, the Arkansas Code Revision
14 Commission is authorized and directed to prepare a technical corrections bill
15 for introduction in the next regular or special session of the Arkansas
16 General Assembly to make the necessary changes to the Arkansas Code of 1987
17 Annotated consistent with the provisions of this act. Specifically, in
18 addition to other necessary changes determine to be consistent with this act
19 and subject to review by the Senate Interim Committee on Judiciary, the
20 Arkansas Code Revision Commission shall prepare legislation to change
21 references to chancery judge, chancery court, probate judge, probate court,
22 juvenile judge, juvenile court, and circuit-chancery judge, as well as similar
23 and related references used throughout the Arkansas Code of 1987 Annotated to
24 references consistent with circuit judge and circuit court, or divisions
25 thereof, for purposes of uniformity and style.

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27 SECTION 3. All provisions of this Act of a general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 4. 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.

