

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999

# A Bill

SENATE BILL 27

4  
5 By: Senator Mahony  
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7

## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE 16-13-2103 AND 16-13-  
10 2104 (a) TO CONVERT ONE (1) CIRCUIT JUDGE POSITION TO  
11 A CIRCUIT-CHANCERY JUDGE POSITION IN THE THIRTEENTH  
12 JUDICIAL DISTRICT; AND FOR OTHER PURPOSES."

## Subtitle

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15 "AN ACT TO CONVERT ONE (1) CIRCUIT JUDGE  
16 POSITION TO A CIRCUIT-CHANCERY JUDGE  
17 POSITION IN THE THIRTEENTH JUDICIAL  
18 DISTRICT."  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code 16-13-2103 is amended to read as follows:  
24 "16-13-2103. Judges and chancellors.

25 (a) The qualified electors of the Thirteenth Judicial District shall  
26 elect:

- 27 (1) ~~Two (2) circuit judges~~ One (1) circuit judge;  
28 (2) Two (2) chancellors;  
29 (3) One (1) circuit-chancery judge, juvenile division; and  
30 (4) ~~One (1) circuit-chancery judge~~ Two (2) circuit-chancery  
31 judges.

32 (b)(1) The judicial position of circuit judge created by Act 53 of 1873  
33 and ~~presently held by Judge John M. Graves, whose term expires in 1998, shall~~  
34 be designated as 'Circuit Division 1' is converted to a circuit-chancery judge  
35 position and shall be designated as 'Circuit-Chancery Division 5'. The judge  
36 of Circuit-Chancery Division 5 shall continue to be responsible for the duties

1 formerly assigned to Circuit Division 1.

2 (2) The judicial position of circuit judge created by Act 27 of  
 3 1925 and presently held by Judge David F. Guthrie, whose term expires in 1998,  
 4 shall be designated as 'Circuit Division 2'.

5 (c)(1) The judicial position of chancellor created by Act 116 of 1903  
 6 and presently held by Judge Hamilton H. Singleton, whose term expires in 1998,  
 7 shall be designated as 'Chancery Division 1'.

8 (2) The judicial position of chancellor created by Act 372 of  
 9 1923 and presently held by Judge Edward P. Jones, whose term expires in 1998,  
 10 shall be designated as 'Chancery Division 2'.

11 (d)(1) The judicial position of circuit-chancery judge, juvenile  
 12 division, created by Act 949 of 1989 and presently held by Judge Larry W.  
 13 Chandler, whose term expires in 1998, shall be designated as 'Circuit-Chancery  
 14 Division 3' for all jurisdictions.

15 (2) This judge shall devote such time as may be required to  
 16 perform the duties of judge of the juvenile division, which duties shall be  
 17 the primary obligation of the judge, and shall have jurisdiction in law,  
 18 equity, and probate to hear other cases as time permits.

19 (e) The judicial position of circuit-chancery judge created by Act 41  
 20 of 1995 presently held by Judge Carol Crafton Anthony, whose term expires in  
 21 1998, shall have jurisdiction in law, equity, and probate and shall be  
 22 designated 'Circuit-Chancery Division 4' in all jurisdictions.

23 (f) If any additional judgeship is created, an additional division  
 24 shall be established and the judge shall serve as the judge of the additional  
 25 division."

26  
 27 SECTION 2. Arkansas Code 16-13-2104 (a) is amended to read as follows:

28 "(a) There shall be four (4) divisions of circuit court and ~~four (4)~~  
 29 five (5) divisions of chancery court in the Thirteenth Judicial District of  
 30 Arkansas as established in § 16-13-2103."

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

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 36 SECTION 4. If any provision of this Act or the application thereof to

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

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

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 9 SECTION 6. EMERGENCY CLAUSE. It is hereby found and determined by the  
 10 Eighty-second General Assembly that conversion of the Circuit Division 1  
 11 judgeship of the Thirteenth Judicial District to a circuit-chancery judgeship  
 12 is immediately necessary to insure the orderly and efficient administration of  
 13 justice within the Thirteenth Judicial District; that the judge of Circuit  
 14 Division 1 is the only judge in Columbia County; that converting the judgeship  
 15 to a circuit-chancery judgeship will greatly improve and streamline the  
 16 judicial system in Columbia County; and that this act is immediately necessary  
 17 to more adequately distribute the caseload in the Thirteenth Judicial  
 18 District. Therefore, an emergency is declared to exist and this act being  
 19 immediately necessary for the preservation of the public peace, health and  
 20 safety shall become effective on the date of its approval by the Governor. If  
 21 the bill is neither approved nor vetoed by the Governor, it shall become  
 22 effective on the expiration of the period of time during which the Governor  
 23 may veto the bill. If the bill is vetoed by the Governor and the veto is  
 24 overridden, it shall become effective on the date the last house overrides the  
 25 veto.