

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
2 82nd General Assembly
3 Regular Session, 1999

A Bill

SENATE BILL 851

4
5 By: Senator Wooldridge
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND VARIOUS SECTIONS OF THE ARKANSAS CODE
10 TO CREATE THE TWENTY-FIFTH JUDICIAL DISTRICT AND RE-
11 ALLOCATE JUDICIAL RESOURCES; AND FOR OTHER PURPOSES."

Subtitle

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13
14 "AN ACT TO AMEND VARIOUS SECTIONS OF THE
15 ARKANSAS CODE TO CREATE THE TWENTY-FIFTH
16 JUDICIAL DISTRICT AND RE-ALLOCATE
17 JUDICIAL RESOURCES. "
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21
22 SECTION 1. Arkansas Code 16-13-1001 is amended to read as follows:

23 "16-13-1001. Composition.

24 The Second Judicial District shall be composed of the counties of ~~Clay,~~
25 Craighead, Crittenden, ~~Greene,~~ Mississippi, and Poinsett."
26

27 SECTION 2. Arkansas Code 16-13-1002 is amended to read as follows:

28 "16-13-1002. Terms of court - Adjournment - Recess.

29 (a)(1) The terms of the circuit courts of the counties and districts of
30 the Second Judicial District shall commence at the times and places provided
31 for below and shall run for a period of one (1) year:

32 ~~(A)(i) In the Eastern District of Clay County: On the first~~
33 ~~Monday in January.~~

34 ~~(ii) In the Western District of Clay County: On the~~
35 ~~third Monday in January.~~

36 ~~(B)(A)(i)~~ In the Western District of Craighead County: On

1 the first Monday in January.

2 (ii) In the Eastern District of Craighead County: On
3 the third Monday in February.

4 ~~(C)~~(B)(i) In the Chickasawba District of Mississippi
5 County: On the first Monday in January.

6 (ii) In the Osceola District of Mississippi County:
7 On the fourth Monday in February.

8 ~~(D)~~(C) In Crittenden County: On the fourth Monday in
9 January.

10 ~~(E) In Greene County: On the second Monday in February.~~

11 ~~(F)~~(D) In Poinsett County: On the fourth Monday in March.

12 (2) In the event any of the dates provided in this subsection
13 should fall upon a legal holiday, the term shall commence on the next
14 succeeding day.

15 (b) The circuit courts of the Second Judicial District shall always be
16 open for the transaction of business on all matters over which they have
17 jurisdiction, except on those days now excluded by law, if any.

18 (c) There shall be no final adjournments, but the circuit courts of the
19 counties and districts of the district may adjourn from day to day as business
20 within the district demands. Those adjournments shall be considered recesses
21 and shall not prohibit the circuit courts from sitting at any time.”

22
23 SECTION 3. Arkansas Code 16-13-1003 is amended to read as follows:

24 “16-13-1003. Judges and chancellors.

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

- 26 (1) Three (3) circuit judges;
- 27 (2) Three (3) chancellors;
- 28 (3) One (1) circuit-chancery judge; and
- 29 (4) One (1) circuit-chancery judgeship.

30 (b)(1) The judge of the judgeship created by subdivision (a)(3) of this
31 section shall be the judge of the juvenile division of chancery court. The
32 judge shall serve as judge of the juvenile division in lieu of the judge who
33 would otherwise be designated as judge of the juvenile division of chancery
34 court in the judicial district.

35 (2) The judge of the additional circuit-chancery judgeship
36 created in subdivision (a)(3) of this section shall devote such time as may be

1 required to perform the duties of judge of the juvenile division, which duties
2 shall be the primary obligation of the judge, and shall sit as judge of the
3 circuit, chancery, or probate court as time permits.

4 (3) The circuit-chancery judgeship created by subdivision (a)(4)
5 of this section shall primarily perform the duties of a judge of the juvenile
6 division of chancery court ~~and conduct hearings for the involuntary admission~~
7 ~~or commitment of persons to the Arkansas State Hospital or any other public or~~
8 ~~private hospital with a fully trained psychiatrist on the active or consultant~~
9 ~~staff~~ and shall sit as judge of the circuit, chancery, and probate courts as
10 time permits.

11 (c) Effective February 27, 1995, the subdistrict 2.2, division 2, and
12 division 3 circuit judgeships shall become circuit-chancery judgeships which
13 shall have jurisdiction in law, equity, and probate.

14 (d) All circuit judges and all chancery judges of the Second Judicial
15 District which have not already been converted to circuit-chancery judges on
16 February 28, 1997 shall be converted to circuit-chancery judges at the
17 expiration of their present term of office, and, upon election, their
18 successors shall have jurisdiction in law, equity, and probate.

19 (e)(1) Upon the effective date of this act, the Circuit/Chancery Judge,
20 District 02, Division 07 At Large presently held by Judge David Goodson shall
21 be transferred to the Twenty-Fifth Judicial District and shall also be
22 authorized to hear juvenile cases in the Twenty-Fifth Judicial District."

23
24 SECTION 4. The Twenty-Fifth Judicial District shall be composed of the
25 counties of Clay, and Greene.

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27 SECTION 5. (a)(1) The terms of the circuit courts of the counties and
28 districts of the Twenty-Fifth Judicial District shall commence at the times
29 and places provided for below and shall run for a period of one (1) year:

30 (A)(i) In the Eastern District of Clay County: On the first
31 Monday in January.

32 (ii) In the Western District of Clay County: On the
33 third Monday in January.

34 (B) In Greene County: On the second Monday in February.

35 (b) The circuit courts of the Twenty-Fifth Judicial District shall
36 always be open for the transaction of business on all matters over which they

1 have jurisdiction, except on those days now excluded by law, if any.

2 (c) There shall be no final adjournments, but the circuit courts of the
3 counties and districts may adjourn from day to day as business within the
4 district demands. Those adjournments shall be considered recesses and shall
5 not prohibit the circuit courts from sitting at any time.

6
7 SECTION 6. (a) Effective immediately upon passage and approval of this
8 act, there is hereby created in the Twenty-Fifth Judicial District an
9 additional circuit-chancery-juvenile judgeship, which shall have jurisdiction
10 in law, equity, and probate.

11 (b) As soon as possible, the Governor shall appoint a qualified person
12 to temporarily fill the Twenty-Fifth Judicial District circuit-chancery-
13 juvenile judgeship created herein, and the appointed person shall serve until
14 December 31, 2000, or until a successor has been elected and qualified,
15 whichever occurs last.

16 (c) The qualified electors of the Twenty-Fifth Judicial District shall
17 elect the additional circuit-chancery judge created herein at the November
18 2000 general election to take office on January 1, 2001. The additional judge
19 shall be elected at large and shall satisfy the same qualifications for
20 holding office and shall receive the same salary, expenses, and other
21 allowances as provided by law for judges of the circuit-chancery courts. The
22 judge shall serve for elected terms of four (4) years.

23
24 SECTION 7. (a)(1) The judges of the chancery and probate courts for
25 the Twenty-Fifth Judicial District may appoint one (1) case coordinator for
26 said judicial district for chancery and probate matters.

27 (2) The judges of the circuit court for the Twenty-Fifth Judicial
28 District may appoint one (1) case coordinator for said judicial district for
29 circuit matters.

30 (b) The principal duties of the case coordinators shall be to maintain
31 the court calendar, schedule dates for the trial of cases and for the hearing
32 of motions, and other related and incidental duties at the direction of the
33 judges.

34 (c)(1) Each case coordinator provided for in this section shall receive
35 a salary of not less than twenty-one thousand five hundred dollars (\$21,500)
36 nor more than twenty-five thousand dollars (\$25,000) per calendar year, which

1 salary shall be prorated between the counties composing the Twenty-Fifth
2 Judicial District, based on the number of annual case filings in each of such
3 counties.

4 (2) When the county quorum courts raise the salaries of county
5 employees, they shall also raise salaries an equivalent amount for the case
6 coordinators provided for in this section.

7 (d) The reasonable expenses accruing in the offices of the case
8 coordinators shall be prorated among the counties comprising the district in
9 the same manner as the salaries set forth above and be paid out of the county
10 treasury.

11
12 SECTION 8. The counties which comprise the Twenty-Fifth Judicial
13 District shall provide courtroom and office facilities and supplies for the
14 judges of the circuit and chancery courts which shall be paid out of the
15 county treasuries in the same manner as other demands against the counties,
16 out of funds appropriated by the respective quorum courts of the counties for
17 such purposes.

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19 SECTION 9. The Twenty-Fifth Judicial District shall be a Division B
20 Judicial District.

21
22 SECTION 10. (a) The provisions of this act shall be effective January
23 1, 2000 only if approved by the Judicial Resources Assessment Committee which
24 said approval shall be in writing to the chairmen of the Senate and House
25 Judiciary Committees.

26 (b) The Judicial Resources Assessment Committee is hereby directed to
27 review the provisions of this act and approve it if the Judicial Resources
28 Assessment Committee determines it to be meritorious and warranted.

29 (c) If it is determined by the Judicial Resources Assessment Committee
30 that the provisions of this act are neither meritorious nor warranted, then
31 this act should not be approved by the Judicial Resources Assessment Committee
32 and shall not take effect even after passage and approval by the 82nd General
33 Assembly.

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35 SECTION 11. All provisions of this act of a general and permanent
36 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas

1 Code Revision Commission shall incorporate the same in the Code.

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SECTION 12. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 13. All laws and parts of laws in conflict with this act are hereby repealed.