

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
85th General Assembly
Regular Session, 2005

As Engrossed: H1/12/05

A Bill

HOUSE BILL 1003

By: Representative Boyd

For An Act To Be Entitled

AN ACT TO CLARIFY THE CREATION AND LOCATIONS OF
THE DEPARTMENTS OF VARIOUS DISTRICT COURTS; AND
FOR OTHER PURPOSES.

Subtitle

AN ACT TO CLARIFY THE CREATION AND
LOCATIONS OF THE DEPARTMENTS OF VARIOUS
DISTRICT COURTS.

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

SECTION 1. Arkansas Code § 16-17-902 is amended to read as follows:

16-17-902. Counties having one district court.

(a)(1) Each of the following counties shall have one (1) district court and one (1) district judge:

(2) Baxter, Boone, Bradley, Calhoun, Clark, Cleburne, Cleveland, Columbia, Conway, Crawford, Cross, Dallas, Drew, Faulkner, Fulton, Grant, Greene, Hempstead, Hot Spring, Howard, Independence, Iazard, Jackson, Johnson, ~~Lawrence~~, Lafayette, Lee, Lincoln, Little River, Madison, Marion, Miller, Montgomery, Nevada, Newton, Perry, Pike, ~~Poinsett~~, Polk, Pope, Randolph, Scott, Searcy, Sevier, ~~Sharp~~, St. Francis, Stone, Union, and Van Buren, ~~and~~ ~~Woodruff~~.

(b) The district court shall be located in the county seat of the counties listed in subdivision (a)(2) of this section.

(c)(1) The judge of any district court located in a county with one (1) district court shall be elected countywide.

(2) If there is only one (1) district court in a county, it



1 shall have countywide jurisdiction.

2
3 SECTION 2. Arkansas Code § 16-17-904 is amended to read as follows:

4 16-17-904. Counties having two district courts.

5 (a) Arkansas, Carroll, Franklin, Logan, and Mississippi, ~~and~~ ~~Prairie~~
6 counties, having two (2) judicial districts, shall have one (1) district
7 court in each district and one (1) district judge for each court.

8 (b) The district court in Arkansas, Carroll, Franklin, Logan, and
9 Mississippi, ~~and~~ ~~Prairie~~ counties shall be located in the county seat of each
10 judicial district in the county.

11 (c) The judge of any district court located in Arkansas, Carroll,
12 Franklin, Logan, and Mississippi, ~~and~~ ~~Prairie~~ counties shall be elected by
13 the electors of the judicial district in which the court is located.

14 (d) In Arkansas, Carroll, Franklin, Logan, and Mississippi, ~~and~~
15 ~~Prairie~~ counties, the jurisdiction of the district court shall be limited to
16 the district in which the court sits.

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18 SECTION 3. Arkansas Code § 16-17-907 is amended to read as follows:

19 16-17-907. Clay County District Court.

20 (a) Clay County, ~~having two (2) judicial districts,~~ shall have one (1)
21 district court with ~~two (2)~~ three (3) departments, one (1) ~~department~~ located
22 ~~in the county seat of each judicial district~~ Corning, one (1) located in
23 Piggott, and one (1) located in Rector and both with all three (3)
24 departments ~~are~~ to be served by one (1) judge.

25 (b) The judge of the Clay County District Court shall be elected
26 countywide.

27 (c) The Clay County District Court shall have countywide jurisdiction.

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29 SECTION 4. Arkansas Code § 16-17-914(a)(1), concerning the
30 establishment of district courts, is amended to read as follows:

31 (a) Lonoke County, having two (2) judicial districts, shall have the
32 following district courts and judges:

33 (1) The Northern District of Lonoke County shall have:

34 (A) One (1) district court with two (2) departments, one
35 (1) located in Cabot and one (1) located in Ward; and

36 (B) One (1) district judge.

1
2 SECTION 5. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended
3 to add additional sections to read as follows:

4 16-17-924. Poinsett County District Court.

5 (a) Poinsett County shall have one (1) district court with five (5)
6 departments, one (1) located in Marked Tree, one (1) located in Trumann, one
7 (1) located in Tyronza, one (1) located in Lepanto, and one (1) located in
8 Harrisburg with all five (5) departments to be served by one (1) judge.

9 (b) The judge of the Poinsett County District Court shall be elected
10 countywide.

11 (c) The Poinsett County District Court shall have countywide
12 jurisdiction.

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14 16-17-925. Sharp County District Court.

15 (a) Sharp County shall have one (1) district court with two (2)
16 departments, one (1) located in Ash Flat and one (1) located in Cherokee
17 Village with both departments to be served by one (1) judge.

18 (b) The judge of the Sharp County District Court shall be elected
19 countywide.

20 (c) The Sharp County District Court shall have countywide
21 jurisdiction.

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23 16-17-926. Woodruff County District Court.

24 (a) Woodruff County shall have one (1) district court with three (3)
25 departments, one (1) located in Augusta, one (1) located in Cotton Plant, and
26 one (1) located in McCrory with all three (3) departments to be served by one
27 (1) judge.

28 (b) The judge of the Woodruff County District Court shall be elected
29 countywide.

30 (c) The Woodruff County District Court shall have countywide
31 jurisdiction.

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33 16-17-927. Prairie County District Courts.

34 (a) Prairie County, having two (2) judicial districts, shall have the
35 following district courts and judges:

36 (1) The Northern District shall have:

1 (A) One (1) district court located in Des Arc; and

2 (B) One district judge.

3 (2) The Southern District shall have:

4 (A) One (1) district court with three (3) departments, one
5 (1) located in Hazen, one (1) located in Biscoe, and one (1) located in
6 DeValls Bluff; and

7 (B) One district judge.

8 (b) The judge of any district court located in Prairie County shall be
9 elected by the electors of the judicial district, as now or in the future may
10 be constituted, in which the court is located.

11 (c) The jurisdiction of the district court in Prairie County shall be
12 limited to the judicial district, as now or in the future may be constituted,
13 in which the court is located.

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15 16-17-928. Lawrence County District Court.

16 (a) Lawrence County shall have one (1) district court with two (2)
17 departments, one (1) located in Walnut Ridge and one (1) located in Hoxie,
18 with both departments to be served by one (1) judge.

19 (b) The judge of the Lawrence County District Court shall be elected
20 countywide.

21 (c) The Lawrence County District Court shall have countywide
22 jurisdiction.

23
24 SECTION 6. EMERGENCY CLAUSE. It is found and determined by the
25 General Assembly of the State of Arkansas that the districts courts in
26 various counties must have departments located in various parts of the county
27 to ensure that sufficient courtrooms and resources are available for the
28 operation of the court system in the counties; that the statutes creating the
29 district courts must be clarified to reflect the establishment of the various
30 departments; and that this act is immediately necessary to ensure the
31 continued operation of the departments of the district courts. Therefore, an
32 emergency is declared to exist and this act being immediately necessary for
33 the preservation of the public peace, health, and safety shall become
34 effective on:

35 (1) The date of its approval by the Governor;

36 (2) If the bill is neither approved nor vetoed by the Governor,

1 the expiration of the period of time during which the Governor may veto the
2 bill; or

3 (3) If the bill is vetoed by the Governor and the veto is
4 overridden, the date the last house overrides the veto.

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6 */s/ Boyd*
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