

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

SENATE BILL 235

By: Senator Womack  
By: Representatives Harrelson, Jeffrey, Lowery, Key, Norton

## For An Act To Be Entitled

AN ACT TO CREATE THE DISTRICT COURT RESOURCE  
ASSESSMENT BOARD; TO CREATE A PILOT PROGRAM OF  
FULL-TIME DISTRICT COURT JUDGES THAT ARE  
EMPLOYEES OF THE STATE OF ARKANSAS; TO  
CONSOLIDATE CITY COURTS WITH DISTRICT COURTS; AND  
FOR OTHER PURPOSES.

## Subtitle

AN ACT TO CREATE THE DISTRICT COURT  
RESOURCE ASSESSMENT BOARD; TO CREATE A  
PILOT PROGRAM OF FULL-TIME DISTRICT  
COURT JUDGES THAT ARE EMPLOYEES OF THE  
STATE OF ARKANSAS; TO CONSOLIDATE CITY  
COURTS WITH DISTRICT COURTS.

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

SECTION 1. Arkansas Code Title 16, Chapter 17 is amended to add an  
additional subchapter to read as follows:

Subchapter 10 – District Court Resource Assessment

16-17-1001. Legislative findings.

The General Assembly finds that:

(1) The goal expressed by Arkansas citizens with the adoption of  
Amendment 80 to the Arkansas Constitution was the creation of a three-tiered,  
unified court system;

(2) The current structure of limited jurisdiction courts consists of a



combination of full-time and part-time district and city court judges funded by city and county governments;

(3) Based on availability of local resources, the cumulative effect of the creation and funding of those courts by local governments has been an unequal level of access to and an inequitable distribution of judicial services to communities;

(4) While Amendment 80 does not require the state to fund the district court system, there is a state interest in providing a more uniform level of judicial resources to all of the citizens of the state;

(5) Because the current system of limited jurisdiction courts is not uniform, it is contrary to the interest of the state to merely shift the funding of the system from local government to state government without addressing the district court system's structure;

(6) A way of addressing the shortage of resources for circuit courts in some areas of the state is the expansion of the jurisdiction of the district court which will shift cases from the circuit court to the district court and reduce expenses for the state;

(7) A state-funded district court system should include an analysis by the state that furthers the goal of a unified and equitable system for the delivery of judicial services; and

(8) It is the intent of this subchapter to begin that analysis process by establishing a pilot program that creates a limited number of state-funded, district court judgeships and a process for the study and consideration of establishing additional district courts in the future.

16-17-1002. District Court Resource Assessment Board.

(a) There is created the District Court Resource Assessment Board.

(b)(1) The board shall consist of eleven members appointed as follows:

(A) Two (2) members of the Senate appointed by the Chair of the Senate Interim Committee on Judiciary;

(B) Two (2) members of the House of Representatives appointed by the Chair of the House Interim Committee on Judiciary; and

(C) Seven members appointed by the Supreme Court as follows:

(i) Two (2) members of the Arkansas District Judges Council;

(ii) One (1) member of the Association of Arkansas  
Counties;

(iii) One (1) member of the Arkansas Municipal  
League;

(iv) One (1) Justice of the Supreme Court;

(v) One (1) member of the Arkansas Bar Association  
who is engaged in the full-time private practice of law; and

(vi) One (1) circuit judge.

(2) The board shall have three (3) ex officio members who shall  
serve as nonvoting members:

(A) The Chair of the Senate Judiciary Committee or his or  
her designee;

(B) The Chair of the House Judiciary Committee or his or  
her designee; and

(C) The Attorney General or his or her designee.

(3)(A) Each member of the board shall serve a term of four (4)  
years.

(B) However, the initial board members shall serve terms  
to be determined by lot so that:

(i) Two (2) member serves an initial term of one (1)  
year;

(ii) Three (3) members serve an initial term of two  
(2) years;

(iii) Three (3) members serve an initial term of  
three (3) years; and

(iv) Three (3) members serve an initial term of four  
(4) years.

(C) A member may be reappointed successively for one (1)  
four-year term.

(4) If a vacancy occurs on the board, the original appointing  
authority shall appoint a successor to serve the remainder of the unexpired  
term.

(5) The board shall elect annually one (1) member to serve as  
chair and one (1) member to serve as secretary.

(6) The board shall meet:

(A) Initially whenever called by the Supreme Court;

(B) On or before the first Tuesday of the December before each regular session of the General Assembly to consider making a recommendation to the General Assembly for:

(i) The creation and placement of new state-funded district court judgeships;

(ii) Any redistricting of the district courts; and

(iii) The reorganization, consolidation, abolishment, or creation of any district court or district court judgeship;

(C) Upon the end of the term, resignation, retirement, death, or election to another judicial office of any district judge to:

(i) Recommend the reorganization, consolidation, abolition, or continuation of that district court judgeship to the General Assembly; and

(ii)(a) Evaluate the status of the vacated district court judgeship and make a recommendation to the General Assembly before the next regular or special session or during a current session.

(b) An appointment or election to fill a vacant district court judgeship does not affect the mandatory evaluation required by subdivision (6)(C)(ii) of this section; and

(D) Upon the call of the chair or a majority of the board.

(7) Six (6) members of the board is a quorum for the transaction of business.

(8) Members of the board shall serve without pay but may be reimbursed for expenses under § 25-16-902.

#### 16-17-1003. Duties of the Board.

The District Court Resource Assessment Board shall recommend to the General Assembly biennially at each regular session:

(1) Criteria for the creation and placement of full-time, state-funded district court judgeships;

(2) Revisions of current district court judgeships or the redistricting of the district court districts of this state after considering:

(A) The caseload and the geographic area of the district court district;

(B) The November 25, 2002, Per Curiam Opinion of the

1 Supreme Court; and

2 (C) Any other matter the board determines to be  
3 appropriate; and

4 (3) The number and placement of full-time, state-funded district  
5 court judgeships.

6  
7 SECTION 2. Arkansas Code Title 16, Chapter 17 is amended to add an  
8 additional subchapter as follows:

9 Subchapter 11 – Pilot State District Courts

10 16-17-1101. Legislative findings.

11 The General Assembly finds that:

12 (1) The goal expressed by Arkansas citizens with the adoption of  
13 Amendment 80 to the Arkansas Constitution was the creation of a three-tiered  
14 unified court system;

15 (2) The current structure of limited jurisdiction courts  
16 consists of a combination of full-time and part-time district and city courts  
17 funded by city and county governments;

18 (3) Based on availability of local resources, the cumulative  
19 effect of the creation and funding of those courts by local governments has  
20 been an unequal level of access to and an inequitable distribution of  
21 judicial services to communities;

22 (4) While Amendment 80 does not require the state to fund the  
23 district court system, there is a state interest in providing a more uniform  
24 level of judicial resources to all citizens of the state;

25 (5) Because the current system of limited jurisdiction courts is  
26 not uniform, it is contrary to the interest of the state to merely shift the  
27 funding of the system from local government to state government without  
28 addressing the structure of the district court system;

29 (6) A way of addressing the shortage of resources for circuit  
30 courts in some areas of the state is the expansion of the jurisdiction of the  
31 district court which will shift cases from circuit court to district court  
32 and reduce expenses for the state;

33 (7) A state-funded system should include an analysis by the  
34 state that furthers the goal of a unified and equitable system for the  
35 delivery of judicial services;

36 (8) It is the intent of this subchapter to begin that analysis

process by establishing a pilot program that creates a limited number of state-funded pilot state district court judgeships and a process for the study and consideration of establishing additional district courts in the future; and

(9) For purposes of the pilot program, cities and counties should keep one-hundred percent (100%) of all their current revenue from fines and costs with the exception of the adjustment from the cost-sharing formula.

#### 16-17-1102. Definitions.

As used in this subchapter:

(1)(A) "District court" means a court created under § 16-17-901 et seq.

(B) "District court" includes a department of a district court;

(2) "Pilot state district court judge" means a full-time judge:

(A) Whose salary is paid by the state;

(B) Who is not engaged in the private practice of law; and

(C) Who is available for work in circuit court under rules adopted by the Arkansas Supreme Court; and

(3) "Pilot state district court judgeship" means a district court that has:

(A) Criminal jurisdiction, as established by the General Assembly; and

(B) Civil jurisdiction, as established by the Arkansas Supreme Court.

#### 16-17-1103. Creation of pilot state district court judgeships.

(a) There are established nineteen (19) pilot state district court judgeships.

(b) The following counties or judicial district of a county and the towns and cities in that county or judicial district of a county in which a district court is located shall participate in a program of full-time pilot state district court judges:

(1) Baxter;

(2) Benton;

- (3) Boone;
- (4) Greene;
- (5) Independence;
- (6) Miller;
- (7) Mississippi-Chickasawba District;
- (8) Poinsett;
- (9) Pope;
- (10) Saline;
- (11) Sebastian; and
- (12) Union.

16-17-1104. Pilot state district court judges – Salaries.

(a) The pilot state district court judges who serve the judgeships created under § 16-17-1003 are state district court judges.

(b) The salaries of the pilot state district court judges shall be paid with moneys appropriated by the General Assembly.

16-17-1105. Consolidation of city courts with district courts.

(a) The city courts located in the following cities or towns shall be consolidated with district courts:

- (1) Alexander;
- (2) Atkins;
- (3) Barling;
- (4) Bauxite;
- (5) Bethel Heights;
- (6) Briarcliff;
- (7) Cave Springs;
- (8) Centerton;
- (9) Central City;
- (10) Cotter;
- (11) Dell;
- (12) Dover;
- (13) Gassville;
- (14) Gosnell;
- (15) Gravette;
- (16) Haskell;

- (17) Lakeview;
- (18) Leachville;
- (19) Little Flock;
- (20) London;
- (21) Lowell;
- (22) Manila;
- (23) Marmaduke;
- (24) Norfolk;
- (25) Pea Ridge;
- (26) Pottsville;
- (27) Shannon Hills;
- (28) Sulphur Springs; and
- (29) Weiner.

(b) Each city court under subsection (a) of this section:

- (1) Is consolidated with the pilot state district court having jurisdiction over the geographical area of the abolished city court;
- (2) Shall continue to exist as a department of that pilot state district court unless abolished by town or city ordinance; and
- (3) Is redesignated as the “\_\_\_\_\_ District Court, \_\_\_\_\_ Department”.

(c) Under the Arkansas District Courts Accounting Law, § 16-10-201 et seq., each department of a pilot state district court shall maintain a docket and set court dates for hearing that docket in the town or city unless the district court and the town or city in which the department is located agree otherwise.

(d)(1) A town or city that operated a city court prior to January 1, 2008, and became a department of a pilot state district court under this subchapter may abolish that department by ordinance.

(2) The clerk of the town or city shall send a copy of the ordinance issued under subdivision (d)(1) of this section to the Administrative Office of the Courts.

(3) After a department has been abolished under subdivision (d)(1) of this section:

(A) The nearest district court in the county shall exercise jurisdiction over the geographical area of that abolished department;



1                   (B) The abolished city court shall transfer all its papers  
 2 and records to the court described in subdivision (d)(3)(A) of this section;  
 3 and

4                   (C)(i) All of the following existing on January 1, 2008,  
 5 shall continue unaffected unless otherwise affected by this subchapter:

6                           (a) Actions;

7                           (b) Appeals;

8                           (c) Causes of action;

9                           (d) Civil proceedings;

10                          (e) Criminal proceedings;

11                          (f) Decrees;

12                          (g) Judgments;

13                          (h) Liabilities;

14                          (i) Orders;

15                          (j) Prosecutions;

16                          (k) Regulations;

17                          (l) Sentences;

18                          (m) Suits; and

19                          (n) Writs.

20                   (ii) No suit or prosecution of any kind or nature  
 21 shall abate as a result of this subchapter.

22                   (4) No town or city may reinstate a department of district court  
 23 that has been abolished under subdivision (d)(1) of this section.

24  
 25                   16-17-1106. Salary of pilot state district court judge – Cost-sharing.

26                   (a) The state shall pay the salary and benefits of pilot state  
 27 district court judges created under this subchapter.

28                   (b)(1)(A) Each county and town or city that has a pilot state district  
 29 court judgeship created under this subchapter shall pay to the state an  
 30 amount equal to its proportionate share of one-half (1/2) of the base salary  
 31 established by law for that county and town or city's pilot state district  
 32 court judge.

33                   (B) On a form provided by the Administration of Justice  
 34 Fund Section of the Office of Administrative Services of the Department of  
 35 Finance and Administration, each county and town or city shall certify  
 36 annually on or before October 31 the amount to be paid to the state for its

1 share of one-half (1/2) of the salary established by law for its pilot state  
2 district court judge.

3 (2)(A) Nothing in this section prohibits a county and town or  
4 city that has a pilot state district court judgeship created under this  
5 subchapter from agreeing in writing on the amount to be paid to the state by  
6 the county and the town or city for its proportionate share of one-half (1/2)  
7 of the salary established by law for its pilot state district court judge.

8 (B) If a written agreement is reached under subdivision  
9 (b)(2)(A) of this section, the county and town or city shall submit on or  
10 before October 31 a copy of that written agreement to the Administration of  
11 Justice Fund Section.

12 (c) The amount of the pilot state district court judge's salary paid  
13 by the county and the town or city for calendar year 2008 and annually  
14 afterwards shall be the amount determined under subsection (b) of this  
15 section.

16 (d)(1) Beginning with its annual meeting of 2007, the quorum court in  
17 each county that has a pilot state district court judgeship created under  
18 this subchapter and the council in each town or city that has a pilot state  
19 district court judgeship created under this subchapter shall appropriate  
20 annually from its general revenues an amount sufficient to pay its share of  
21 the pilot state district court judgeship salary allocated to it under  
22 subsection (b) of this section.

23 (2) The duty under subdivision (d)(1) of this section may be  
24 enforced in a court of competent jurisdiction.

25 (e) On or before December 15, 2007, and annually afterwards, the  
26 Administration of Justice Fund Section shall certify to the county and the  
27 town or city the amount of its share of one-half (1/2) of the base salary  
28 established by law for that county and town or city's pilot state district  
29 court judge.

30 (f) On or before January 15, 2008, and annually afterwards, the county  
31 and the town or city shall remit to the Administration of Justice Fund  
32 Section for deposit in the Constitutional Officers Fund the sum necessary to  
33 fund its share of the base salary allocated to it under subsection (e) of  
34 this section.

35  
36 16-17-1107. Nothing in this subchapter shall in any way limit the

power and authority of other district courts currently existing. Except for the pilot state district court judgeships created under this subchapter, a judge serving in another full-time or part-time district court position shall continue to be an employee of the cities or counties, or both, that he or she serves and shall be paid according to state law.

SECTION 3. Arkansas Code § 16-17-705, concerning civil filing fees in district court, is amended to read as follows:

16-17-705. Filing fees and costs.

(a)(1) The uniform filing fee to be charged by the clerks of the district courts for initiating a cause of action in district court in this state shall be as prescribed in this section.

(2) No portion of the filing fee shall be refunded.

(b)(1) For initiating a cause of action in the civil division of district court.....\$50.00

(2) For initiating a cause of action in the small claims division of district court, ~~if that division is established pursuant to the Arkansas Constitution, Amendment 80, § 7(D)~~ .....~~\$25.00~~ \$50.00

(c) No ~~municipality~~ town, city, or county shall authorize and no district court clerk shall assess or collect any other filing fees than those authorized by this section, unless specifically provided by state law.

SECTION 4. Arkansas Code § 16-17-902, concerning the establishment of district courts, is amended to read as follows:

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

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

~~(1) Baxter;~~

~~(2) Boone;~~

~~(3)~~ (1) Bradley;

~~(4)~~ (2) Calhoun;

~~(5)~~ (3) Clark;

~~(6)~~ (4) Cleburne;

~~(7)~~ (5) Cleveland;

~~(8)~~ (6) Columbia;

~~(9)~~ (7) Conway;

1           ~~(10)~~ (8) Crawford;  
 2           ~~(11)~~ (9) Cross;  
 3           ~~(12)~~ (10) Dallas;  
 4           ~~(13)~~ (11) Drew;  
 5           ~~(14)~~ (12) Faulkner;  
 6           ~~(15)~~ (13) Fulton;  
 7           ~~(16)~~ (14) Grant;  
 8           ~~(17)~~ ~~Greene~~;  
 9           ~~(18)~~ (15) Hempstead;  
 10          ~~(19)~~ (16) Hot Spring;  
 11          ~~(20)~~ (17) Howard;  
 12          ~~(21)~~ (18) Independence;  
 13          ~~(22)~~ (19) Izard;  
 14          ~~(23)~~ (20) Jackson;  
 15          ~~(24)~~ (21) Johnson;  
 16          ~~(25)~~ (22) Lafayette;  
 17          ~~(26)~~ (23) Lee;  
 18          ~~(27)~~ (24) Lincoln;  
 19          ~~(28)~~ (25) Little River;  
 20          ~~(29)~~ (26) Madison;  
 21          ~~(30)~~ (27) Marion;  
 22          ~~(31)~~ (28) Miller;  
 23          ~~(32)~~ (29) Montgomery;  
 24          ~~(33)~~ (30) Nevada;  
 25          ~~(34)~~ (31) Newton;  
 26          ~~(35)~~ (32) Perry;  
 27          ~~(36)~~ (33) Pike;  
 28          ~~(37)~~ (34) Polk;  
 29          ~~(38)~~ ~~Pope~~;  
 30          ~~(39)~~ (35) Randolph;  
 31          ~~(40)~~ (36) Scott;  
 32          ~~(41)~~ (37) Searcy;  
 33          ~~(42)~~ (38) Sevier;  
 34          ~~(43)~~ (39) St. Francis;  
 35          ~~(44)~~ (40) Stone;  
 36          ~~(45)~~ (41) Union; and

1           ~~(46)~~ (42) Van Buren.

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

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

6           (2) If there is only one (1) district court in a county, it  
7 shall have countywide jurisdiction.

8  
9           SECTION 5. Arkansas Code § 16-17-904, concerning the establishment of  
10 district courts, is amended to read as follows:

11       16-17-904. Counties having two district courts.

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

15           (b) The district court in Arkansas, Carroll, Franklin, and Logan,~~and~~  
16 ~~Mississippi~~ counties shall be located in the county seat of each judicial  
17 district in the county.

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

21           (d) In Arkansas, Carroll, Franklin, and Logan,~~and Mississippi~~  
22 counties, the jurisdiction of the district court shall be limited to the  
23 district in which the court sits.

24  
25           SECTION 6. Arkansas Code § 16-17-905, concerning the establishment of  
26 district courts, is amended to read as follows:

27       16-17-905. Sebastian County District Courts.

28           (a) Sebastian County, having two (2) judicial districts, shall have the  
29 following district courts and judges:

30               (1)(A) One (1) district court in Fort Smith with two (2)  
31 departments, and one (1) judge for each department;~~and.~~

32               (B) Effective January 1, 2009, the Fort Smith District  
33 shall have:

34                       (i) One (1) district court with three (3)  
35 departments located in Fort Smith; and

36                       (ii)(a) One (1) judge for each department; and

(b) The additional district court judgeship created under subdivision (a)(1)(B) of this section shall be elected by the qualified electors of the Fort Smith District at the 2008 nonpartisan judicial general election; and

~~(2) One district court in Greenwood with one (1) district judge.~~  
The Greenwood District shall have:

(A) One (1) district court with three (3) departments:

(i) One (1) located in Greenwood;

(ii) One (1) located in Barling; and

(iii) One (1) located in Central City; and

(B) One (1) district judge to serve all three (3) departments.

(b) The judge of any district court in Sebastian County shall be elected by the electors of the judicial district in which the court is located.

(c) The jurisdiction of the district courts in Sebastian County shall be limited to the judicial district in which the court is located.

SECTION 7. Arkansas Code § 16-17-909, concerning the establishment of district courts, is amended to read as follows:

16-17-909. Benton County District Courts.

(a)(1) Effective until January 1, 2009, Benton County shall have the following district courts and judges:

~~(1)~~(A) Rogers shall have one (1) district court and one (1) district judge;

~~(2)~~(B) Bentonville shall have one (1) district court and one (1) district judge and three (3) departments:

(i) One (1) located in Bentonville

(ii) One (1) located in Cave Springs; and

(iii) One (1) located in Pea Ridge;

~~(3)~~(C) Siloam Springs shall have one (1) district court and one (1) district judge;

~~(4)~~(D) Benton County West shall have one (1) district court and one (1) district judge; and

(2) Effective January 1, 2009:

(A) Benton County shall have the following departments:

- (i) One (1) located in Bethel Heights;
- (ii) One (1) located in Cave Springs;
- (iii) One (1) located in Centerton;
- (iv) One (1) located in Gravette;
- (v) One (1) located in Little Flock;
- (vi) One (1) located in Lowell;
- (vii) One (1) located in Pea Ridge; and
- (viii) One (1) located in Sulphur Springs.

(B) The presiding judge of the departments under subdivision (a)(2)(A) of this section shall be determined by the mutual agreement of the district court judges under the superintending control of the Nineteenth West Administrative Circuit Judge.

~~(5)~~(3) For the purpose of venue, the ~~The~~ district court boundaries in Benton County shall be as follows:

(A) Rogers District Court (District Court 1):

(i) All of District 94, District 95, and District 96 of the House of Representatives as drawn by the Board of Apportionment in 2002;

(ii) That part of District 98 of the House of Representatives as drawn by the Board of Apportionment in 2002 that is in Benton County Quorum Court District 1 as established by the Benton County Election Commission;

(iii) That part of Benton County Quorum Court District 6 as established by the Benton County Election Commission that is in District 96 and District 98 of the House of Representatives as drawn by the Board of Apportionment in 2002; and

(iv) All of the now-existing precinct 43, precinct 44, and precinct 49;

(B) Bentonville District Court (District Court 2 – Bentonville):

(i) All of District 7, District 8, ~~District 9~~, and District 10, and District 9 except for the now existing precinct 22, of the Benton County Quorum Court as established by the Benton County Election Commission;

(ii) All of District 99 of the House of Representatives as drawn by the Board of Apportionment in 2002 except for the

now-existing precinct 43, precinct 44, and precinct 49; and

(iii) All of the now-existing precinct 45;

(C) Siloam Springs District Court (District Court 3 – Siloam Springs):

(i) All of District 97 of the House of Representatives as drawn by the Board of Apportionment in 2002; and

(ii) All of the now-existing precinct 7, precinct 14, precinct 16, and precinct 17; and

(D) Benton County West District Court (District Court 4 – Benton County West):

(i) All of Benton County Quorum Court District 11 as established by the Benton County Election Commission;

(ii) All of the now-existing precinct 6, precinct 15, precinct 18, ~~and precinct 19, and precinct 22.~~

(b) The judge of any district court in Benton County shall be elected ~~countywide by the qualified electors within the district in which the court is located.~~

(c) Effective January 1, 2009, The the jurisdiction of any district court in Benton County shall be countywide ~~limited to the district in which the court is located.~~

SECTION 8. Arkansas Code § 16-17-918, concerning the establishment of district courts, is amended to read as follows:

16-17-918. Saline County District Court.

(a) (1) Saline County shall have one (1) district court with ~~two (2)~~ five (5) departments as follows:

~~(1) (A) One (1) located in Benton with one (1) judge; and;~~

(B) One (1) located in Bryant;

(C) One (1) located in Alexander;

(D) One (1) located in Bauxite;

(E) One (1) located in Haskell; and

(F) One (1) located in Shannon Hills.

~~(2) (A) One located in Bryant with one (1) judge. The department in Benton shall have one (1) judge.~~

(B) One (1) judge shall serve all five (5) departments in Bryant, Alexander, Bauxite, Haskell, and Shannon Hills.



(b) The judges of the Saline County District Court shall be elected ~~countywide~~ by the qualified electors of Saline County and the City of Alexander.

(c) The Saline County District Court shall have ~~countywide~~ jurisdiction of Saline County and the City of Alexander.

SECTION 9. Arkansas Code § 16-17-924, concerning the establishment of district courts, is amended to read as follows:

16-17-924. Poinsett County District Court.

(a)(1) Poinsett County shall have one (1) district court with ~~five (5)~~ six (6) departments:

(A) One (1) located in Marked Tree;

(B) One (1) located in Trumann;

(C) One (1) located in Tyronza;

(D) One (1) located in Lepanto; ~~and~~

(E) One (1) located in Harrisburg; and

(F) One (1) located in Weiner.

(2) All ~~five (5)~~ six (6) departments are to be served by one (1) judge.

(b) The Poinsett County District Court Judge shall be elected countywide.

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

SECTION 10. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended to add an additional section to read as follows:

16-17-929. Mississippi County District Courts.

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

(1) The Osceola District shall have:

(A) One (1) district court located in Osceola; and

(B) One (1) district judge; and

(2) The Chickasawba District shall have:

(A) One (1) district court with five (5) departments:

(i) One (1) located in Blytheville;

(ii) One (1) located in Manila;

(iii) One (1) located in Leachville;

(iv) One (1) located in Gosnell; and

(v) One (1) located in Dell.

(B) All five (5) departments established under subdivision

(a)(2)(A) of this section are to be served by one (1) district judge.

(b) The judges of each district court established under subdivision (a) of this section shall be elected by the electors of the judicial district in which the court is located.

(c) The jurisdiction of each district court established under subsection (a) of this section shall be limited to the judicial district in which that court is located.

SECTION 11. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended to add an additional section to read as follows:

16-17-930. Greene County District Court.

(a)(1) Greene County shall have one (1) district court with two (2) departments:

(A) One (1) located in Paragould; and

(B) One (1) located in Marmaduke.

(2) Both departments are to be served by one (1) judge.

(b) The Greene County District Court Judge shall be elected countywide.

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

SECTION 12. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended to add an additional section to read as follows:

16-17-931. Pope County District Court.

(a)(1) Pope County shall have one (1) district court with five (5) departments:

(A) One (1) located in Russellville;

(B) One (1) located in Atkins;

(C) One (1) located in Dover;

(D) One (1) located in London; and

(E) One (1) located in Pottsville.

(2) All five (5) departments are to be served by one (1) judge.

(b) The Pope County District Court Judge shall be elected countywide.

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

SECTION 13. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended to add an additional section to read as follows:

16-17-932. Baxter County District Court:

(a)(1) Baxter County shall have one (1) district court with six (6) departments:

(A) One (1) located in Mountain Home;

(B) One (1) located in Briarcliff;

(C) One (1) located in Lakeview;

(D) One (1) located in Cotter;

(E) One (1) located in Gassville; and

(F) One (1) located in Norfolk.

(2) All six (6) departments are to be served by one (1) judge.

(b) The Baxter County District Court Judge shall be elected countywide.

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

SECTION 14. Arkansas Code Title 16, Chapter 17, Subchapter 9 is amended to add an additional section to read as follows:

16-17-934. Boone County District Court.

(a)(1) Boone County shall have one (1) district court with two (2) departments:

(A) One (1) located in Harrison; and

(B) One (1) located in Alpena.

(2) Both departments are to be served by one (1) judge.

(b) The Boone County District Court Judge shall be elected countywide.

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

SECTION 15. Arkansas Code § 21-6-403(b), concerning uniform filing fees in circuit court, is amended to read as follows:

(b) The uniform filing fees shall be:

(1) For initiating a cause of action in the circuit court,

1 including appeals.....\$140.00

2 (2) For filing a mortgagee's or trustee's notice of default and  
 3 intention to sell pursuant to § 18-50-104 .....140.00

4 ~~(2)~~ (3) For reopening a cause of action in the circuit court  
 5 .....50.00

6 ~~(3)~~ (4) For any cause of action which by court order is  
 7 transferred from any district or circuit court to a circuit court.....50.00

8  
 9 SECTION 16. Arkansas Code Title 16, Chapter 17 is amended to add an  
 10 additional subchapter to read as follows:

11 Subchapter 12 – City Court Consolidation

12 16-17-1201. Findings and intent.

13 (a) The General Assembly finds that:

14 (1) The intent of Amendment 80 to the Arkansas Constitution was  
 15 to create a unified court system to provide judicial economy and a fair  
 16 administration of justice;

17 (2) The judicial system in this state should be composed of  
 18 three (3) tiers to accomplish the intent of Amendment 80 to the Arkansas  
 19 Constitution:

20 (A) Appellate courts to be composed of the Arkansas  
 21 Supreme Court and the Arkansas Court of Appeals;

22 (B) General jurisdiction trial courts to be composed of  
 23 the circuit courts; and

24 (C) Limited jurisdiction courts to be composed of the  
 25 district courts;

26 (3) The city courts of this state should be consolidated with  
 27 district courts in order to provide judicial and administrative functions in  
 28 limited jurisdiction courts that are both necessary and cost-effective; and

29 (4) City courts provide a valuable service for the citizens of  
 30 towns and cities that operate city courts and also revenue for those towns  
 31 and cities and for this state. However, many towns and cities provide law  
 32 enforcement officers for the safety of citizens but do not operate a city  
 33 court.

34 (b) It is the intent of the General Assembly that a town or city that  
 35 has operated a city court is to continue to receive revenue from cases that  
 36 originate in its town or city limits and to establish a procedure to allow a

town or city that has never operated a city court but that now or in the future may have law enforcement officers to be able to receive a portion of the revenue from cases that originate in its town or city limits.

(c) It is also the intent of the General Assembly that this subchapter will consolidate all limited jurisdiction courts in the state as of January 1, 2009.

(d)(1) On January 1, 2009, the district courts shall be regarded as a continuation of the city courts now existing.

(2)(A) All papers and records pertaining to the city courts shall be transferred to the appropriate district courts and no suit or prosecution of any kind or nature shall abate because of any change made by this subchapter.

(B) Except as modified in accordance with this subchapter, any of the following existing on January 1, 2009, shall continue unaffected:

- (i) A writ;
- (ii) An action;
- (iii) A suit;
- (iv) A proceeding;
- (v) Civil liability;
- (vi) Criminal liability;
- (vii) A prosecution;
- (viii) A judgment;
- (ix) A decree;
- (x) An order;
- (xi) A sentence;
- (xii) A regulation;
- (xiii) A cause of action; and
- (xiv) An appeal.

16-17-1202. Consolidation of city courts with district courts.

(a) As used in this subchapter, "district court" shall include a department of a district court.

(b)(1) Effective January 1, 2009, all city courts shall be consolidated with district courts and continue to exist as departments of district courts unless a city court is abolished by town or city ordinance pursuant to this subchapter.

1           (2) A city court formerly known as the “           City Court”  
 2 shall be redesignated as the “           District Court,  
 3 Department”.

4           (c)(1) A district court that has a department or departments shall  
 5 maintain a docket in each department and set court dates for hearing the  
 6 docket in the town or city in which the department is located, as required by  
 7 the Arkansas District Courts Accounting Law, § 16-10-201 et seq.

8           (2) By common agreement, a district court and the town or city  
 9 where the department of the district court is located may provide locations  
 10 and dates for hearing the docket.

11           (d)(1)(A) A town or city that prior to January 1, 2009, operated a  
 12 city court that becomes a department of a district court may by ordinance of  
 13 the town or city in which the department is located abolish the department of  
 14 district court.

15           (B) A copy of the ordinance abolishing the department of a  
 16 district court shall be sent to the Administrative Office of the Courts.

17           (2)(A) On and after the effective date of the ordinance  
 18 abolishing the department of a district court, the nearest district court in  
 19 the county shall be regarded as a continuation of the department of district  
 20 court that was abolished. The transfer of administration shall be pursuant to  
 21 § 16-17-1101.

22           (B) All papers and records pertaining to a department of a  
 23 district court abolished by ordinance shall be transferred to the appropriate  
 24 district court, and no suit or prosecution of any kind or nature shall abate  
 25 because of any change made by this subchapter.

26           (C) Except as modified in accordance with this subchapter,  
 27 any of the following existing on the effective date of the ordinance  
 28 abolishing the department of a district court shall continue unaffected:

- 29                   (i) A writ;
- 30                   (ii) An action;
- 31                   (iii) A suit;
- 32                   (iv) A proceeding;
- 33                   (v) Civil liability;
- 34                   (vi) Criminal liability;
- 35                   (vii) A prosecution;
- 36                   (viii) A judgment;

- (ix) A decree;
- (x) An order;
- (xi) A sentence;
- (xii) A regulation;
- (xiii) A cause of action; and
- (xiv) An appeal.

(e) No town or city shall have the authority to reinstate a department of district court abolished by ordinance.

16-17-1203. Procedure for expense cost sharing.

(a)(1) Any town or city that has a police department but does not have a district court may contribute to the operational expenses of the nearest district court in the county where the town or city is located pursuant to a written agreement entered into between the governing body of the town or city and the governing bodies of the political subdivisions that contribute to the operational expenses of the district court.

(2)(A) The contribution to the operational expenses of a district court described in subdivision (a)(1) of this section shall be a prorated amount based on the number of cases filed in the district court from each of the towns and cities and the county during the preceding calendar year.

(B) The prorated amount of operational expenses shall apply to all fines, fees, and costs not obligated under law that are collected pursuant to § 16-13-701 et seq. in all:

(i) Nontraffic cases that are misdemeanors or violations of a town or city ordinance;

(ii) Cases that are misdemeanors or violations under state law; and

(iii) Traffic offenses that are misdemeanors or violations under state law or town or city ordinance committed within the corporate limits of a town or city that is a party to an agreement described in subdivision (a)(1) of this section.

(b) Apportionment of the costs of a district court shall be by order of the district court upon certification of the cases filed by the clerk of the district court.

(c) On and after the effective date of the agreement described in

1 subdivision (a)(1) of this section, all fines, fees, penalties, and costs  
 2 received by a town or city that is a party to the agreement shall be  
 3 collected and distributed in the manner provided by laws affecting district  
 4 courts.

5  
 6 SECTION 17. Arkansas Code § 14-43-409 is amended to read as follows:

7 14-43-409. Compensation of officials generally.

8 ~~All officers~~ Any officer provided for in this subtitle, and by  
 9 ordinance of any city under this subtitle, shall receive such salary as the  
 10 council of any city may designate, and in no instance shall ~~they~~ he or she  
 11 receive an additional compensation by way of fees, fines, or perquisites. ~~All~~  
 12 ~~fees, fines, or perquisites shall be paid into the city treasury.~~

13  
 14 SECTION 18. Arkansas Code § 14-44-108 is amended to read as follows:

15 14-44-108. Mayor ~~and city court~~ of a city of the second class.

16 ~~(a) The mayor and city court of a city of the second class shall be~~  
 17 ~~subject to § 16-18-112.~~

18 ~~(b) The city court shall have jurisdiction as provided by § 16-88-101.~~

19 ~~(e)~~ The mayor of a city of the second class shall perform all duties  
 20 required by the ordinances of the city and shall give bond and security in  
 21 any amount to be determined and approved by the city council.

22  
 23 SECTION 19. Arkansas Code § 14-45-106 is amended to read as follows:

24 14-45-106. Mayor ~~and city court~~ of an incorporated town.

25 ~~(a) The mayor and city court of an incorporated town shall be subject~~  
 26 ~~to § 16-18-112.~~

27 ~~(b) The city court shall have jurisdiction as provided by § 16-88-101.~~

28 ~~(e)~~(a) The mayor of an incorporated town shall perform all duties  
 29 required by the ordinances of the city and shall give bond and security in  
 30 any amount to be ascertained and approved by the city council.

31 ~~(d)~~(b) In addition for his or her services as mayor, the council, by  
 32 ordinance, may make proper allowance for, and payment of, compensation.

33  
 34 SECTION 20. Arkansas Code § 14-55-608 is repealed.

35 ~~14-55-608. Disposition of fines.~~

36 ~~(a) All fines and penalties imposed by the city, police, or municipal~~



~~court in any city or incorporated town in this state shall be paid into the city or town treasury.~~

~~(b) The city or town councils shall have power to prescribe all necessary regulations for the collection of, and accounting for, fines and penalties.~~

SECTION 21. Arkansas Code § 16-10-201 is amended to read as follows:

16-10-201. Title

This subchapter shall be known and cited as the "Arkansas District Courts ~~and City Courts~~ Accounting Law".

SECTION 22. Arkansas Code § 16-10-202 is amended to read as follows:

16-10-202. Definition.

As used in this subchapter, ~~unless the context otherwise requires,~~ "court" means any and all of the district ~~and city~~ courts in the State of Arkansas.

SECTION 23. Arkansas Code § 16-10-203 is amended to read as follows:

16-10-203. Applicability of subchapter.

This subchapter shall apply to all district courts ~~and city courts~~ within the State of Arkansas.

SECTION 24. Arkansas Code § 16-10-303 is repealed.

~~16-10-303. Filing fees.~~

~~(a)(1) The uniform filing fee to be charged by clerks for initiating a civil cause of action in city courts in this state shall be twenty-five dollars (\$25.00).~~

~~(2) No portion of the filing fee shall be refunded.~~

~~(b) No city shall authorize, and no city court clerk shall assess or collect, any other filing fees than those authorized by this act, unless specifically provided by state law.~~

SECTION 25. Arkansas Code § 16-10-305 is amended to read as follows:

16-10-305. Court costs.

(a) There shall be levied and collected the following court costs from each defendant upon each conviction, each plea of guilty or nolo contendere,

1 or each forfeiture of bond:

2 (1) For misdemeanor or felony violations of state law, excluding  
3 violations of the Omnibus DWI Act, § 5-65-101 et seq., in circuit court, one  
4 hundred fifty dollars (\$150);

5 (2) For offenses which are misdemeanors or violations of state  
6 law, excluding violations of the Omnibus DWI Act, § 5-65-101 et seq., in  
7 district court, one hundred dollars (\$100);

8 (3) For traffic offenses which are misdemeanors or violations  
9 under state law or ~~local~~ town or city ordinance, excluding violations of the  
10 Omnibus DWI Act, § 5-65-101 et seq., in district court, seventy-five dollars  
11 (\$75.00);

12 (4) For nontraffic offenses which are misdemeanors or violations  
13 under ~~local~~ town, city, or county ordinance in district ~~or city~~ court,  
14 twenty-five dollars (\$25.00); and

15 (5) For violations of the Omnibus DWI Act, § 5-65-101 et seq.,  
16 in circuit court, or district court ~~or city court~~, three hundred dollars  
17 (\$300);

18 ~~(6) For offenses which are misdemeanors or violations under~~  
19 ~~state law, excluding violations of the Omnibus DWI Act, 5-65-101 et seq.,~~  
20 ~~seventy five dollars (\$75.00) in city court court; and~~

21 ~~(7) For traffic offenses which are misdemeanors or violations~~  
22 ~~under state law or local ordinance, excluding violations of the Omnibus DWI~~  
23 ~~Act, 5-65-101 et seq., fifty dollars (\$50.00) in city court.~~

24 (b)(1) The costs set forth in this section shall be imposed at the  
25 conclusion of any criminal case enumerated in subsection (a) of this section  
26 that does not end in an acquittal, dismissal, or, with the consent of the  
27 prosecution, an order nolle prosequi.

28 (2) The costs shall be imposed at the conclusion of cases  
29 involving a suspended or probated sentence even though that sentence may be  
30 expunged or otherwise removed from the defendant's record.

31 (c) No county, ~~municipality~~ city, or town shall be liable for the  
32 payment of the costs taxed under this section in any instance where they are  
33 not collected, or in any case in which the defendant pays the costs by  
34 serving time in a jail, on a county farm, or at any other official place of  
35 detention or work.

36 (d) No ~~municipality~~ town, city, or county shall authorize and no ~~city~~

1 ~~court~~, district court, or circuit court shall assess or collect any other  
 2 court costs other than those authorized by this act, unless specifically  
 3 provided by state law.

4 (e) This section shall become effective July 1, 2001, and the revised  
 5 court costs shall be imposed on all cases which come before the court for  
 6 final disposition on or after July 1, 2001.

7 (f)(1) There shall be levied and collected from each defendant who  
 8 pleads guilty or nolo contendere to an offense, is found guilty of an  
 9 offense, or forfeits bond in city court on or before December 31, 2008, the  
 10 court costs applicable in city court at that time.

11 (2) The court costs applicable in district court shall be levied  
 12 and collected in all cases filed in city court but in which a defendant  
 13 pleads guilty or nolo contendere to an offense, is found guilty of an  
 14 offense, or forfeits bond in district court on or after January 1, 2009.

15  
 16 SECTION 26. Arkansas Code § 16-10-306 is amended to read as follows:

17 16-10-306. State Administration of Justice Fund.

18 (a) There is hereby created on the books of the Treasurer of State,  
 19 the Auditor of State, and the Chief Fiscal Officer of the State a trust fund  
 20 account to be known as the "State Administration of Justice Fund".

21 (b)(1) There is hereby created in the Department of Finance and  
 22 Administration an Administration of Justice Funds Section, to which shall be  
 23 remitted court costs and filing fees enumerated in §§ 21-6-403, ~~16-14-105,~~  
 24 ~~16-17-705, 16-10-303,~~ and 16-10-305, as provided in this act, which are  
 25 assessed and collected in the ~~city courts,~~ district courts, and circuit  
 26 courts in this state.

27 (2)(A) Said funds shall be deposited by the section in the State  
 28 Administration of Justice Fund.

29 (B) The section shall keep an accurate account of all  
 30 receipts by type of case and type and location of court from which such fees  
 31 and costs are submitted.

32 ~~(c) The section shall also prescribe, in cooperation with the~~  
 33 ~~Administrative Office of the Courts and the Association of Arkansas Counties,~~  
 34 ~~appropriate forms for the reporting and allocation of all funds and such~~  
 35 ~~other information relevant to the income derived by, and the costs associated~~  
 36 ~~with, the operation of the justice system by cities and counties, and shall~~

1 ~~require, beginning July 1, 1995, the use thereof by all parties remitting~~  
 2 ~~funds.~~

3  
 4 SECTION 27. Arkansas Code § 16-10-308 is amended to read as follows:

5 16-10-308. City administration of justice fund.

6 (a)(1) There is hereby created in each ~~municipality~~ town or city which  
 7 operates a ~~police, city, or~~ district court a fund in the office of the town  
 8 or city treasurer to be known as the "city administration of justice fund".

9 (2)(A) A town or city operating a city court that becomes a  
 10 department of district court shall continue to maintain the city  
 11 administration of justice fund as originally established by this section.

12 (B) The city administration of justice fund of any town or  
 13 city shall cease to exist on and after the effective date of the ordinance  
 14 that abolishes the department of district court for that town or city  
 15 pursuant to state law.

16 (b) The city administration of justice fund shall be used to defray a  
 17 part of the expense of the administration of justice in the town or city.  
 18 From the fund, the town or city shall continue to finance the following town  
 19 or city agencies and programs which are currently funded, in whole or in  
 20 part, by filing fees and court costs, at a funding level equal to not less  
 21 than the greater of the amount which was collected by the town or city from  
 22 court costs and filing fees for the agency or program in the calendar year  
 23 ending December 31, 1994, or the amount appropriated by ordinance enacted  
 24 prior to December 31, 1994, to the agency or program for the calendar year  
 25 ending December 31, 1995:

26 (1) The municipal court judge and clerk retirement fund for  
 27 disbursement as otherwise provided by law;

28 (2) The police and fire pension fund;

29 (3) The intoxication detection equipment fund;

30 (4) All municipal-level programs and agencies funded in whole or  
 31 in part by court costs and filing fees assessed and collected by the  
 32 ~~municipal, city, or police~~ district court, notwithstanding the repeal by this  
 33 act of laws authorizing the collection of court costs and filing fees; and

34 (5) All county-level programs and agencies funded in whole or in  
 35 part by court costs and filing fees assessed and collected by the ~~municipal,~~  
 36 ~~city, or police~~ district court, notwithstanding the repeal by this act of

1 laws authorizing the collection of court costs and filing fees and the  
2 disbursement of all or a part thereof to the county.

3 (c)(1)(A) The city administration of justice fund of each town or city  
4 may retain an amount equal to the amount which was collected by the town or  
5 city from court costs and filing fees for city administration of justice  
6 expense in the calendar year ending December 31, 1994, or the amount  
7 appropriated from court costs and filing fees by ordinance enacted prior to  
8 December 31, 1994, for city or county administration of justice expense from  
9 court costs and filing fees for the calendar year ending December 31, 1995,  
10 plus, for calendar years 1995 - 2001, an additional amount based upon the  
11 average percentage increase in the Consumer Price Index for All Urban  
12 Consumers or its successor, as published by the United States Department of  
13 Labor for the two (2) years immediately preceding.

14 (B)(i) The amount retained during calendar years 2002,  
15 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.

16 (ii) Except as provided in subdivision  
17 (c)(1)(B)(iii) of this section, for calendar years beginning 2006 and each  
18 calendar year thereafter, an additional amount shall be added to the amount  
19 to be retained based on the average percentage increase in the Consumer Price  
20 Index for All Urban Consumers or its successor, as published by the United  
21 States Department of Labor for the two (2) years immediately preceding.

22 (iii) The provisions of subdivision (c)(1)(B)(ii) of  
23 this section shall not be effective if the Chief Fiscal Officer of the State  
24 determines that the additional amount retained under subdivision  
25 (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000)  
26 in a calendar year, and any additional amount to be retained must be  
27 authorized by the General Assembly.

28 (C) Notwithstanding the creation of the Arkansas District  
29 Judge Retirement System on January 1, 2005, all local ordinances of the  
30 counties and cities authorized and adopted under § 24-8-318 shall remain in  
31 full force and effect.

32 (2) For the calendar year beginning January 1, 1998, the base  
33 amount to be retained shall be:

34 (A) Increased by any increase in the Consumer Price Index,  
35 as provided for in subdivision (c)(1) of this section; and

36 (B) Decreased by eighty-five percent (85%) of the total

dollar amount which was certified by the town or city as having been collected during calendar year 1994 for the purpose of funding the office and operation of the public defender and public defender investigator.

(d) Nothing in this act shall prevent the town or city from funding any additional costs for the administration of justice from other town or city funds.

(e) The town or city shall remit, on or before the fifteenth day of each month, all sums received in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this section during the previous month from the uniform filing fees provided for in ~~§§ 16-10-303 and~~ § 16-17-705 and the uniform court costs provided for in § 16-10-305 to the Administration of Funds Section of the Office of Administrative Services of the Department of Finance and Administration for deposit in the State Administration of Justice Fund.

SECTION 28. Arkansas Code § 16-10-602 is amended to read as follows:

16-10-602. Establishment of city and county shares.

(a) Pursuant to §§ 16-10-307(c) and 16-10-308(c), each town, city, and county may retain a portion of the uniform court costs and filing fees collected and deposited into the city or county administration of justice fund.

(b) On or before the first day of October of each year, the Department of Finance and Administration shall certify in writing to each county and to each town or city which operates a district court ~~or city court~~, the amount of money which may be retained during each month of the following calendar year by the town, city, or county.

SECTION 29. Arkansas Code § 16-10-603 is amended to read as follows:

16-10-603. Procedure – County administration of justice funds.

(a)(1) Pursuant to § 16-10-307, each county is to create a county administration of justice fund.

(2) Each county treasurer should deposit into the fund:

(A) All receipts from the collection of uniform filing fees established by § 21-6-403 which are collected by the circuit clerk, county clerk, or other official and remitted to the county treasurer;

(B) All receipts from the collection of uniform court

costs established by § 16-10-305 which are collected by the county official, agency, or department designated pursuant to § 16-13-709 as primarily responsible for the collection of fines assessed in circuit court ~~circuit clerk, county clerk, county sheriff, or other official~~ and remitted to the county treasurer;

(C) All receipts of the county's share of uniform filing fees established by ~~§§~~ § 16-17-705 and ~~16-10-303~~ which are collected by the district and city courts within the county and remitted to the county treasurer; and

(D) All receipts of the county's share of uniform court costs established by § 16-10-305 which are collected by the official, agency, or department of the county, town, or city designated pursuant to § 16-13-709 as primarily responsible for the collection of fines assessed in ~~district and city~~ courts within the county and remitted to the county treasurer.

(b) From the county administration of justice fund, the county treasurer is to make, on a monthly basis, the following fund transfers or disbursements:

(1)(A) Pursuant to ~~§§~~ § 16-10-307(c), and ~~21-6-403~~ the Department of Finance and Administration will certify for each county the county's monthly share of uniform court costs and filing fees to be retained by the county.

(B)(i) Each year the quorum court shall establish the amount of uniform filing fees and court costs to be appropriated to each of the county programs or agencies enumerated in § 16-10-307(b) from the county's share of uniform court costs and filing fees; ~~provided, that each program or agency shall receive, as a minimum, the amount established by § 16-10-307(b); and.~~

(ii) Each program or agency shall receive, as a minimum, the amount established by § 16-10-307(b);

(2) The excess of the monthly receipts into the fund from subdivisions (a)(2)(A) and (B) of this section, less the county's certified monthly share and the county treasurer's commission, if any, as authorized by § 21-6-302, shall be remitted to the Department of Finance and Administration, pursuant to § 16-10-307(e).

SECTION 30. Arkansas Code § 16-10-604 is amended to read as follows:

1 16-10-604. Procedure – City administration of justice funds.

2 (a)(1) Pursuant to § 16-10-308, each ~~municipality~~ town or city which  
3 operates a ~~city or~~ district court is to create a city administration of  
4 justice fund.

5 (2)(A) Any town or city operating a city court that becomes a  
6 department of district court shall continue to maintain the city  
7 administration of justice fund as originally established pursuant to § 16-10-  
8 308.

9 (B) The city administration of justice fund of any town or  
10 city shall cease to exist on and after the effective date of an ordinance  
11 that abolishes the department of district court for the town or city pursuant  
12 to state law.

13 ~~(2)~~ (3) There shall be deposited into the fund:

14 (A) All receipts from the collection of uniform filing  
15 fees established by ~~§§~~ § 16-17-705 and ~~16-10-303~~ which are collected by the  
16 ~~city or~~ district court operated by the ~~municipality~~ town or city; and

17 (B) All receipts from the collection of uniform court  
18 costs, established by § 16-10-305 which are collected by the ~~city or district~~  
19 ~~court~~ county, town, or city official, agency, or department designated  
20 pursuant to § 16-13-709 as primarily responsible for the collection of fines  
21 assessed in the district court operated by the ~~municipality~~ town or city.

22 (b) From the city administration of justice fund, the following fund  
23 transfers or disbursements shall be made on a monthly basis:

24 (1)(A) Pursuant to ~~§§~~ § 16-10-308(c) and ~~21-6-403~~, the  
25 Department of Finance and Administration will certify for each town or city  
26 the town's or city's monthly share of uniform court costs and filing fees to  
27 be retained by the town or city.

28 (B)(i) Each year the town or city council shall establish  
29 the amount of uniform filing fees and court costs to be appropriated to each  
30 of the town or city programs or agencies enumerated in § 16-10-308(b) from  
31 the town's or city's share of uniform court costs and filing fees, ~~provided~~  
32 ~~that each.~~

33 (ii) Each program or agency shall receive, as a  
34 minimum, the amount established by § 16-10-308(b).

35 (C) Each program or agency shall be paid, by warrant or  
36 fund transfer, a monthly installment of at least one-twelfth (1/12) of the



1 annual appropriation provided for each by the town or city council;

2 (2)(A) Pursuant to § 16-10-308(b)(5), the town or city shall  
3 remit to the county treasurer for deposit into the county administration of  
4 justice fund a portion of the town's or city's share of uniform court costs  
5 and filing fees.

6 (B) The amount of the remittance shall be based upon the  
7 amount, if any, of uniform court costs and filing fees which had been  
8 remitted by the town or city to the county to fund county-level programs and  
9 agencies during the base year defined in § 16-10-308(b).

10 (C) By common agreement, towns, cities, and counties may  
11 establish a different fixed dollar amount or percentage of the town's or  
12 city's monthly share of filing fees and court costs which shall be remitted  
13 to the county treasurer;

14 (3) For the calendar year beginning January 1, 1998, the amount  
15 of the remittance shall be based upon the amount, if any, of uniform court  
16 costs and filing fees which had been remitted by the town or city to fund  
17 county-level programs and agencies during the base year defined in § 16-10-  
18 308(b), less eighty-five percent (85%) of the total dollar amount which was  
19 certified by the town or city as having been collected during calendar year  
20 1994 for the purpose of funding the office and operation of the public  
21 defender and public defender investigator; and

22 (4) The excess of the monthly receipts into the fund, less the  
23 town or city's certified monthly share, shall be remitted to the department,  
24 pursuant to § 16-10-308(e).

25 (c)(1) If a district court is operated solely by a county rather than  
26 a town or city and all of the uniform court costs and filing fees collected  
27 by the court are remitted to the county, the town or city shall not be  
28 required to create a city administration of justice fund; ~~rather, the~~.

29 (2) The town's or city's share of uniform court costs and filing  
30 fees shall be remitted directly to the county treasurer for deposit into the  
31 county administration of justice fund.

32 (d)(1)(A) For any ~~municipal, city, or police~~ district court which was  
33 created after January 1, 1994, such that the base year used to calculate the  
34 town or city share pursuant to § 16-10-308 was not complete, the town or city  
35 share shall be deemed to be fifty percent (50%) of the uniform court costs  
36 and filing fees collected and remitted to the city administration of justice

1 fund.

2 (B) District courts created pursuant to § 16-17-901 et  
 3 seq. shall not be considered for purposes of this section to have been  
 4 created after January 1, 1994, or to have a base year that is not complete if  
 5 the district court is merely a continuation of a district or city court that  
 6 was in existence on December 31, 2007, or December 31, 2008.

7 ~~(B)~~(C) From ~~this~~ the fifty-percent share described in  
 8 subdivision (d)(1)(A) of this section, the town or city shall disburse or  
 9 transfer fifty percent (50%) of the funds to the local programs or agencies  
 10 pursuant to subdivision (b)(1) of this section and fifty percent (50%) to the  
 11 county treasurer pursuant to subdivision (b)(2) of this section.

12 (2) The remaining fifty percent (50%) shall be remitted to the  
 13 Department of Finance and Administration, pursuant to § 16-10-308(e).

14  
 15 SECTION 31. Arkansas Code § 16-13-701 is amended to read as follows:  
 16 16-13-701. Scope.

17 (a) The procedures established by this subchapter shall apply to the  
 18 assessment and collection of all monetary fines, however designated, imposed  
 19 by circuit courts, and district courts, ~~or city courts~~ for criminal  
 20 convictions, traffic convictions, civil violations, and juvenile delinquency  
 21 adjudications and shall be utilized to obtain prompt and full payment of all  
 22 such fines.

23 (b) For purposes of this subchapter, the term "fine" or "fines" means  
 24 all monetary penalties imposed by the courts of this state, which include  
 25 fines, court costs, restitution, probation fees, and public service work  
 26 supervisory fees.

27  
 28 SECTION 32. Arkansas Code § 16-13-704 is amended to read as follows:  
 29 16-13-704. Installment payments.

30 (a)(1) If the court concludes that the defendant has the ability to  
 31 pay the fine, but that requiring the defendant to make immediate payment in  
 32 full would cause a severe and undue hardship for the defendant and the  
 33 defendant's dependents, the court may authorize payment of the fine by means  
 34 of installment payments in accordance with this subchapter.

35 (2)(A) When a court authorizes payment of a fine by means of  
 36 installment payments, it shall issue, without a separate disclosure hearing,

1 an order that the fine be paid in full by a date certain and that in default  
2 of payment, the defendant must appear in court to explain the failure to pay.

3 (B) In fixing the date of payment, the court shall issue  
4 an order which will complete payment of the fine as promptly as possible  
5 without creating a severe and undue hardship for the defendant and the  
6 defendant's dependents.

7 (b)(1)(A) In addition to the fine and any other assessments authorized  
8 by this subchapter, an installment fee of five dollars (\$5.00) per month  
9 shall be assessed on each person who is authorized to pay a fine on an  
10 installment basis.

11 (B) This fee shall be collected in full each month in  
12 which a defendant makes an installment payment.

13 (C) This fee shall accrue each month that a defendant does  
14 not make an installment payment and the fine has not been paid in full.

15 (2)(A)(i) One-half (1/2) of the installment fee collected in  
16 circuit court shall be remitted by the tenth day of each month to the  
17 Administration of Justice Fund Section of the Office of Administrative  
18 Services of the Department of Finance and Administration, on a form provided  
19 by that office, for deposit in the Judicial Fine Collection Enhancement Fund  
20 established by § 16-13-712.

21 (ii) The other half of the installment fee shall be  
22 remitted by the tenth day of each month to the county treasurer to be  
23 deposited in a fund entitled the circuit court automation fund to be used  
24 solely for circuit court-related technology.

25 (B)(i) Expenditures from the circuit court automation fund  
26 shall be approved by the administrative circuit judge of each judicial  
27 circuit.

28 (ii) Funds in each county in a judicial circuit may  
29 be pooled for expenditure pursuant to a circuit wide technology plan approved  
30 by the administrative circuit judge.

31 (iii) All expenditures from the circuit court  
32 automation fund shall be authorized, pursuant to the county accounting law,  
33 by the quorum court.

34 (3)(A) One-half (1/2) of the installment fee collected in  
35 district court ~~or city court~~, shall be remitted by the tenth day of each  
36 month to the Administration of Justice Fund Section of the Office of

1 Administrative Services of the Department of Finance and Administration, on a  
2 form provided by that office, for deposit in the Judicial Fine Collection  
3 Enhancement Fund established by § 16-13-712.

4 (B)~~(i)~~ The other half of the installment fee collected in  
5 district court shall be remitted by the tenth day of each month to the city  
6 treasurer of the city in which the district court is located to be deposited  
7 in a fund entitled the district court automation fund to be used solely for  
8 district court-related technology.

9 ~~(ii) The other half of the installment fee collected~~  
10 ~~in city court shall be remitted by the tenth day of each month to the~~  
11 ~~treasurer of the city or town in which the city court is located to be~~  
12 ~~deposited in a fund entitled the city court automation fund to be used solely~~  
13 ~~for city court related technology.~~

14 (C) In any district court which is funded solely by the  
15 county, the other half of this fee shall be remitted by the tenth day of each  
16 month to the county treasurer of the county in which the district court is  
17 located to be deposited in the district court automation fund to be used  
18 solely for district court-related technology.

19 (D) Expenditures from the district court automation fund  
20 shall be approved by a district judge and shall be authorized, pursuant to  
21 state accounting law, by the governing body or, if applicable, governing  
22 bodies which contribute to the expenses of a district court.

23 ~~(E) Expenditures from the city court automation fund shall~~  
24 ~~be approved by the city court judge and shall be authorized, pursuant to~~  
25 ~~state accounting law, by the governing body of the city or town in which the~~  
26 ~~city court is located.~~

27 (c) Any defendant who has been authorized by the court to pay a fine  
28 by installments shall be considered to have irrevocably appointed the clerk  
29 of the court as his or her agent upon whom all papers affecting his or her  
30 liability may be served, and the clerk shall forthwith notify the defendant  
31 thereof by ordinary mail at his or her last known address.

32 (d) "Ability to pay" means that the resources of the defendant,  
33 including all available income and resources, are sufficient to pay the fine  
34 and provide the defendant and his or her dependents with a reasonable  
35 subsistence compatible with health and decency.

36

SECTION 33. Arkansas Code § 16-13-709 is amended to read as follows:

16-13-709. Responsibility for collection.

(a)(1)(A)(i) The quorum court of each county of the state shall designate a county official, agency, or department, which shall be primarily responsible for the collection of fines assessed in the circuit courts of this state.

(ii) All fines collected each month in circuit court by the designated county official, agency, or department shall be disbursed by the fifth working day of the following month to ~~the appropriate county fund, state entity, or state agency as provided by law; the county administration of justice fund; and the State Administration of Justice Fund,~~ the county administration of justice fund, and the appropriate county fund, state entity, or state agency as provided by law.

(iii) The sheriff shall remain responsible for collecting bail or money deposited in lieu of bail on behalf of defendants discharged from incarceration pursuant to law in circuit court.

(B)(i) The quorum court may delegate the responsibility for the collection of delinquent fines assessed in circuit court to a private contractor.

(ii) The contractor may receive, under a written contract, a commission on delinquent fines collected for circuit court.

(C)(i) The commission agreed to be received by the private contractor shall be a portion of the total fine owed by a defendant.

(ii) The court shall credit the defendant with the gross amount remitted to the private contractor.

(iii) The private contractor shall remit the gross amounts collected to the county official, agency, or department designated under subdivision (a)(1)(A) of this section on at least a monthly basis.

(iv) Payment of the commission shall be through the county claims process.

(v) The county treasurer shall make a pro rata disbursement of the remaining fines to ~~the appropriate county fund, state entity, or state agency as provided by law; the county administration of justice fund; and the State Administration of Justice Fund,~~ the county administration of justice fund, and the appropriate county fund, state entity, or state agency as provided by law.

(2)(A)(i) The governing body or, if applicable, each governing body of a political subdivision which contributes to the expenses of a district court, ~~or the governing body of the city in which a city court is located~~, shall designate a county, town or city official, agency, or department who shall be primarily responsible for the collection of fines assessed in the district courts, ~~city courts, or police courts~~ of this state.

(ii) All fines collected each month in district court or a department of district court by the designated county, town, or city official, agency, or department shall be disbursed by the tenth working day of the following month pursuant to § 16-17-707.

~~(B) All fines collected each month in city courts by the designated city official, agency, or department shall be disbursed by the tenth working day of the following month to the general fund or other city fund, state agency, or state entity as provided by law; the city administration of justice fund; the county administration of justice fund; and the State Administration of Justice Fund.~~

~~(C)(B)~~ The chief of police of the town or city in which a district court ~~or city court~~ is located shall remain responsible for collecting bail or money deposited in lieu of bail on behalf of defendants discharged from incarceration pursuant to law in district court ~~or city court~~.

~~(D)(C)~~(i) The governing body or, if applicable, each governing body of a political subdivision which contributes to the expenses of a district court, ~~or the governing body of the city in which a city court is located~~, may delegate the responsibility for the collection of delinquent fines assessed in district court ~~or city court~~ to a private contractor.

(ii) The contractor may receive under a written contract a commission on delinquent fines collected for district court ~~or city court~~.

(iii) The commission agreed to be received by the private contractor shall be a portion of the total fine owed by a defendant.

(iv) The court shall credit the defendant with the gross amount remitted to the private contractor.

(v) The private contractor shall remit the gross ~~amounts~~ amount collected to the county, town, or city official, agency, or department designated under ~~subsection~~ subdivision (a)(2)(A) of this section

on a monthly basis.

(vi) The commission expense shall be apportioned among each governing body of a political subdivision which contributes to the expenses of a district court in proportion to the gross amount of fines collected for that political subdivision.

(vii) Payment of the commission shall be according to accounting procedures prescribed by law.

~~(viii) Payment of the commission for city courts shall be made by the governing body of the city in which the court is located.~~

~~(ix)(viii)~~ The remainder of fines received shall be disbursed pro rata under this section and §§ ~~14-44-108, 14-45-106,~~ 16-10-209, 16-10-308, and 16-17-707 ~~and 16-18-104.~~

(3) "Delinquent" means any fines assessed in the circuit courts, or district courts, ~~or city courts~~ of this state which have not been paid as ordered for a period of ninety (90) days or three (3) payments, either consecutive or concurrent, since payment was ordered or since last partial payment was received.

(4) A copy of the ordinance making the designation shall be provided to the Administrative Office of the Courts.

(b)(1) If a private contractor is selected to collect delinquent fines, then to ensure the integrity of the court and to protect the county, town, or city, the contractor shall register with the Secretary of State and shall file with the Secretary of State a surety bond or certificate of deposit.

(2) The amount of the surety bond or certificate of deposit shall be fifty thousand dollars (\$50,000).

(3) The county, town, city, or any person suffering damage by reason of the acts or omissions of the contractor may bring action on the bond for damages.

(4) A contractor shall be ineligible to provide such services if the owner, operator, partner, or employee has been convicted of a felony.

SECTION 34. Arkansas Code § 16-13-710 is amended to read as follows:  
16-13-710. Automated collection procedures.

The Administrative Office of the Courts shall have the responsibility

1 to assist circuit courts, and district courts, ~~and city courts~~ in the  
 2 assessment and collection of fines and the management and reporting of fine  
 3 revenue.

4  
 5 SECTION 35. Arkansas Code § 16-17-115 is amended to read as follows:

6 16-17-115. County's, town's, and city's portion of district court  
 7 expenses – Appropriation.

8 (a) Except as authorized otherwise, the county wherein a district  
 9 court is held shall pay one-half (1/2) of the salaries of the district judge  
 10 and ~~the~~ each chief court clerk ~~clerk~~ and one-half (1/2) of the operational  
 11 expenses of ~~the~~ any district ~~courts~~ court organized in that county under the  
 12 provisions of ~~§ 16-17-201 et seq. and § 16-17-301 et seq.,~~ 16-17-901 et  
 13 seq., and the quorum court in counties subject to the provisions of ~~either §~~  
 14 ~~16-17-201 et seq. or § 16-17-301 et seq., or both,~~ § 16-17-901 et seq.  
 15 shall, at its annual meeting, make an appropriation of a sum sufficient to  
 16 pay the county's proportion of the salaries and operational expenses of ~~all~~  
 17 any such district ~~courts~~ court. These payments shall be made out of the  
 18 district court cost fund and general revenues of the county ~~and this duty may~~  
 19 ~~be enforced by mandamus proceedings.~~

20 (b)(1)(A) Except as authorized otherwise, the town or city in which a  
 21 district court is held shall pay:

22 (i) One-half (1/2) of the salaries of the district  
 23 judge and the chief court clerk; and

24 (ii) One-half (1/2) of the operational expenses of  
 25 the district court organized in that town or city under the provisions of §  
 26 16-17-901 et seq.

27 (B) The governing body of the town or city in a town or  
 28 city subject to the provisions of § 16-17-901 et seq. shall make at its  
 29 annual meeting an appropriation of a sum sufficient to pay the town's or  
 30 city's proportion of the salaries and operational expenses of the district  
 31 court.

32 (2) These payments shall be made out of the district court cost  
 33 fund and general revenues of the town or city.

34 (c)(1) Any town or city operating a city court on December 31, 2008,  
 35 that becomes a department of a district court shall continue to pay the  
 36 amount paid as the base salary of the city judge to the district judge who



1 has assumed the responsibility of attending the former city court.

2 (2) The base salary to be paid to the district judge under  
 3 subdivision (c)(1) of this section in calendar year 2009 and subsequent years  
 4 shall be the amount paid by the city or town to the city judge for the  
 5 calendar year 2008.

6 (3) The local salary supplement described in subdivision (c)(1)  
 7 of this section shall not be used when calculating any retirement benefit in  
 8 the Arkansas District Judge Retirement System, § 24-8-801 et seq.

9 (d)(1) A town or city operating a city court on December 31, 2008,  
 10 that becomes a department of district court shall continue to pay the salary  
 11 of the court clerk and provide for the operational expenses of that  
 12 department of district court unless otherwise agreed to by the political  
 13 subdivisions which contribute to the expenses of the district court.

14 (2) Subdivision (d)(1) of this section shall not apply to any  
 15 town or city which has abolished a department of district court pursuant to  
 16 state law.

17 (e) A district court operated solely by the county shall have the  
 18 salaries and operational expenses of that court paid solely by the county  
 19 unless otherwise agreed to by the political subdivisions which contribute to  
 20 the expenses of the district court.

21  
 22 SECTION 36. Arkansas Code § 16-17-119 is amended to read as follows:

23 16-17-119. Counties with populations over 250,000 - ~~Collection of Fees~~  
 24 District court expenses.

25 ~~(a) All funds, penalties, forfeitures, fees, and costs collected in~~  
 26 ~~district courts in any county having a population of two hundred fifty~~  
 27 ~~thousand (250,000) or more inhabitants according to the most recent federal~~  
 28 ~~census shall be collected by the clerk of the district court and deposited in~~  
 29 ~~the city treasury of the city or municipality in which the court is located,~~  
 30 ~~to be used for maintaining and operating the district courts in the county~~  
 31 ~~and for other general municipal purposes, but not limited to, state police~~  
 32 ~~retirement funds, library and building funds, legal education funds,~~  
 33 ~~prosecuting attorney funds, public defender funds, and funds established for~~  
 34 ~~the expenses of the judiciary in general other than in district courts shall~~  
 35 ~~be disposed of according to law.~~

36 ~~(b)~~(a)(1) The salaries and operational expenses of district courts

~~described in this section~~ in any county having a population of two hundred fifty thousand (250,000) or more inhabitants according to the most recent federal census shall be paid by the city or town in which the court is located.

(2) No portion of these expenses shall be paid by the county in which the court is located.

(c) This section shall not apply to a district court funded solely by a county.

(d) This section shall not apply to any town or city that has abolished a department of a district court pursuant to state law.

SECTION 37. Arkansas Code § 16-17-707 is amended to read as follows:

16-17-707. Separate accounting records of fines, etc. - Disbursements.

(a) The district court clerk shall keep three (3) separate accounting records of all fines, penalties, forfeitures, fees, and costs received by him or her for any of the officers of the town, city, or county, as provided in this subchapter:

(1) The first class of accounting records shall embrace all sums collected in the district court in all nontraffic cases which are misdemeanors or violations of the town or city ordinances and all cases which are misdemeanors or violations under state law or traffic offenses which are misdemeanors or violations under state law or town or city ordinance committed within the corporate limits of the town or city where the court sits, where the arresting officer was a police officer or other officer of the town or city, a Department of Arkansas State Police officer or other certified law enforcement officer of the state, or an officer of a private or public college or university located within the corporate limits of the town or city where the court sits;

(2) The second class of accounting records shall embrace all sums collected in the district court in all nontraffic cases which are misdemeanors or violations of county ordinances or are misdemeanors or violations of any of the laws of the state where the arresting officer was the county sheriff or a deputy sheriff or was not a police officer or other officer of the town or city where the court sits, and the offense was committed outside the corporate limits of the town or city where the court sits, and in all other criminal or traffic proceedings not specifically

enumerated in this section; and

(3)(A) The third class of accounting records shall embrace all sums collected in the district court in all civil and small claims cases.

(B) The uniform filing fee collected under § 16-17-705 shall be remitted to the city administration of justice fund.

(C) The uniform court costs collected under § 16-10-305 shall be remitted to the city administration of justice fund.

(D) All other fees shall be disbursed to the treasurers of the political subdivisions which contribute to the expense of the district court in accordance with a written agreement between the political subdivisions.

(b)(1)(A) After deducting the fees due the police department and marshal's office and sheriff's office, the district court shall pay into the town or city treasury all sums collected from the first class of accounting records.

(B) The district court shall pay all sums collected from the second class of accounting records into the county treasury.

(2) Any district court that is funded solely by the county shall pay all sums collected from the first or second class of accounting records into the county treasury and shall pay all uniform filing fees and court costs collected into the county administration of justice fund.

(3) A town or city that has a police department and does not operate a district court shall receive only the prorated sums collected as provided in § 16-17-1203.

~~(3)(4)~~ Direct monetary settlements shall be made with state entities or agencies as provided by law.

(c) All disbursements from all three (3) classes of accounting records shall be pursuant to the provisions set forth in the Arkansas District Courts ~~and City Courts~~ Accounting Law, § 16-10-201 et seq.

SECTION 38. Arkansas Code § 16-17-902 is amended to read as follows:  
16-17-902. Counties having one district court.

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

~~(1) Baxter;~~

~~(2) Boone;~~

1           ~~(3)~~(1) Bradley;  
2           ~~(4)~~(2) Calhoun;  
3           ~~(5)~~—Clark;  
4           ~~(6)~~—Cleburne;  
5           ~~(7)~~(3) Cleveland;  
6           ~~(8)~~—Columbia;  
7           ~~(9)~~—Conway;  
8           ~~(10)~~—Crawford;  
9           ~~(11)~~—Cross;  
10          ~~(12)~~—Dallas;  
11          ~~(13)~~(4) Drew;  
12          ~~(14)~~—Faulkner;  
13          ~~(15)~~—Fulton;  
14          ~~(16)~~(5) Grant;  
15          ~~(17)~~—Greene;  
16          ~~(18)~~(6) Hempstead;  
17          ~~(19)~~—Hot Spring;  
18          ~~(20)~~(7) Howard;  
19          ~~(21)~~(8) Independence;  
20          ~~(22)~~—Izard;  
21          ~~(23)~~—Jackson;  
22          ~~(24)~~—Johnson;  
23          ~~(25)~~—Lafayette;  
24          ~~(26)~~(9) Lee;  
25          ~~(27)~~—Lincoln;  
26          ~~(28)~~—Little River;  
27          ~~(29)~~(10) Madison;  
28          ~~(30)~~—Marion;  
29          ~~(31)~~(11) Miller;  
30          ~~(32)~~(12) Montgomery;  
31          ~~(33)~~(13) Nevada;  
32          ~~(34)~~(14) Newton;  
33          ~~(35)~~—Perry;  
34          ~~(36)~~—Pike;  
35          ~~(37)~~(15) Polk;  
36          ~~(38)~~—Pope;

~~(39)~~(16) Randolph;  
~~(40)~~(17) Scott;  
~~(41)~~(18) Searcy;  
~~(42)~~(19) Sevier;  
~~(43)~~ St. Francis;  
~~(44)~~(20) Stone; and  
~~(45)~~(21) Union; and  
~~(46)~~ Van Buren.

(b) The district court shall be located in the county seat of each county listed in subsection (a) 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 shall have countywide jurisdiction.

SECTION 39. Arkansas Code § 16-17-903 is amended to read as follows:  
 16-17-903. Crittenden County District Courts.

(a) Crittenden County shall have the following district courts and judges:

(1)(A) Marion shall have one (1) district court ~~and one (1) district judge.~~ with six (6) departments:

- (i) One (1) located in Marion;
- (ii) One (1) located in Earle;
- (iii) One (1) located in Gilmore;
- (iv) One (1) located in Jericho;
- (v) One (1) located in Sunset; and
- (vi) One (1) located in Turrell.

(B) All six (6) departments are to be served by one (1) judge; and

(2)(A) West Memphis shall have one (1) district court ~~and one (1) district judge.~~ with three (3) departments:

- (i) One (1) located in West Memphis;
- (ii) One (1) located in Edmonson; and
- (iii) One (1) located in Jennette.

(B) All three (3) departments are to be served by one (1) judge.

~~(3)(b)~~ The jurisdiction of any district court in Crittenden County shall be countywide.

~~(4)(c)~~ The judge of any district court in Crittenden County shall be elected countywide.

SECTION 40. Arkansas Code § 16-17-904 is amended to read as follows:

16-17-904. ~~Counties having two district courts~~ Arkansas County  
District Courts.

(a) ~~Arkansas, Carroll, Franklin, Logan, and Mississippi counties having two (2) judicial districts,~~ County shall have the following district courts and judges: one (1) district court in each district and one (1) district judge for each court.

(1) The Northern District shall have:

(A) One (1) district court located in Stuttgart; and

(B) One (1) district judge; and

(2) The Southern District shall have:

(A) One (1) district court with three (3) departments:

(i) One (1) located in Dewitt;

(ii) One (1) located in Gillett; and

(iii) One (1) located in St. Charles.

(B) All three (3) departments are to be served by one (1) judge.

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

~~(e)(b)~~ The judge of any district court located in Arkansas, ~~Carroll, Franklin, Logan, and Mississippi~~ County shall be elected by the electors of the judicial district in which the court is located.

~~(d)(c)~~ In Arkansas, ~~Carroll, Franklin, Logan, and Mississippi~~ County, the jurisdiction of the district court shall be limited to the judicial district in which the court ~~sits~~ is located.

SECTION 41. Arkansas Code § 16-17-912 is amended to read as follows:

16-17-912. Garland County District Court.

(a)(1) Garland County shall have one (1) district court with three (3) departments:

1                   (A) Two (2) located in Hot Springs; and

2                   (B) One (1) located in Mountain Pine.

3                   ~~(1) One (1) district court with two (2) departments and;~~

4                   (2) ~~One (1) judge for each department~~ All three (3) departments  
5 are to be served by two (2) judges.

6                   (b) The judges of Garland County District Court shall be elected  
7 countywide.

8                   (c) The Garland County District Court shall have countywide  
9 jurisdiction.

10

11                   SECTION 42. Arkansas Code § 16-17-913 is amended to read as follows:

12                   16-17-913. Jefferson County District Courts.

13                   (a) Jefferson County shall have the following district courts and  
14 judges:

15                   (1) ~~Two (2) district courts located in~~ Pine Bluff shall have one  
16 (1) district court, known as the Pine Bluff District Court, and one (1)  
17 judge; and

18                   (2) ~~Two (2) district judges.~~ Jefferson County shall have:

19                   (A) One (1) district court, known as the Jefferson County  
20 District Court, with six (6) departments:

21                   (i) One (1) located in Pine Bluff;

22                   (ii) One (1) located in Altheimer;

23                   (iii) One (1) located in Humphrey;

24                   (iv) One (1) located in White Hall;

25                   (v) One (1) located in Wabbaseka; and

26                   (vi) One (1) located in Redfield.

27                   (B) All six (6) departments are to be served by one (1)  
28 judge.

29                   (b)(1) The judge of the Pine Bluff District Court shall be elected by  
30 the qualified electors of the City of Pine Bluff.

31                   (2) The Pine Bluff District Court shall have jurisdiction only  
32 within the city limits of Pine Bluff, as now or in the future may be  
33 constituted.

34                   (c)(1) The judge of the Jefferson County District Court shall be  
35 elected countywide.

36                   (2) The Jefferson County District Court shall have countywide

jurisdiction.

SECTION 43. Arkansas Code § 16-17-914 is amended to read as follows:  
16-17-914. Lonoke County District Courts.

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

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

(A) One (1) district court, with ~~two (2)~~ three (3) departments:

(i) One (1) located in Cabot; ~~and~~

(ii) One (1) located in Ward; and

(iii) One (1) located in Austin.

(B) ~~One~~ All three (3) departments are to be served by one (1) district judge; and

(2)(A) The Southern District of Lonoke County shall have one (1) district court with ~~three (3)~~ five (5) departments as follows:

(i) One (1) ~~department~~ located in Lonoke ~~to be served by one (1) judge;~~

(ii) One (1) ~~department~~ located in England ~~to be served by one (1) judge; and~~

(iii) One (1) ~~department~~ located in Carlisle ~~to be served by one (1) judge;~~

(iv) One (1) located in Allport; and

(v) One (1) located in Humnoke.

(B) The department in Lonoke is to be served by one (1) judge.

(C) The department in England is to be served by one (1) judge.

(D) All three (3) departments in Carlisle, Allport, and Humnoke are to be served by one (1) judge.

(b) The district court boundaries in Lonoke County shall be as follows:

(1) The Northern District of Lonoke County shall consist of the townships of Butler, Caroline, Cleveland, Eagle, Goodrum, Magness, Oak Grove, Prairie, Totten, Ward, and York; and

(2) The Southern District of Lonoke County shall consist of the



townships of Carlisle, Crooked Creek, Dortch, Fletcher, Furlow, Gum Woods, Gray, Hamilton, Indian Bayou, Isbell, Lafayette, Lonoke, Pettus, Richwoods, Pulaski, Scott, Williams, and Walls.

(c) The judge of any district court in Lonoke County shall be elected by the qualified electors of the judicial district in which the court is located.

(d) The jurisdiction of each district court in Lonoke County shall be limited to the judicial district in which the court is located.

SECTION 44. Arkansas Code § 16-17-915 is amended to read as follows:  
16-17-915. Monroe County District Court.

(a)(1) Monroe County shall have one (1) district court with ~~two (2)~~ three (3) departments as follows:

(A) One (1) located in Brinkley; ~~and~~

(B) One (1) located in Clarendon; ~~and~~

(C) One (1) located in Holly Grove.

~~(2)(A) One (1) judge for each department~~ The Brinkley Department is to be served by one (1) judge.

(B) The two (2) departments in Clarendon and Holly Grove are to be served by one (1) judge.

(b) The judges of the Monroe County District Court shall be elected countywide.

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

SECTION 45. Arkansas Code § 16-17-916 is amended to read as follows:  
16-17-916. Ouachita County District Courts.

~~(a)(1) Ouachita County shall have two (2) district courts as follows~~ the following district courts and judges:

~~(A)(1) One(1)located in Camden; and shall have:~~

(A) One (1) district court with four (4) departments:

(i) One (1) located in Camden;

(ii) One (1) located in Bearden;

(iii) One (1) located in Chidester; and

(iv) One (1) located in Stephens.

~~(B) One(1)located in East Camden.~~ All four (4) departments

1 are to be served by one (1) judge; and

2 (2) East Camden shall have:

3 (A) One (1) district court; and

4 (B) One (1) judge.

5 ~~(2) One (1) judge for each court.~~

6 (b)(1) The judge of the Camden District Court shall be elected  
7 countywide.

8 (2) The Camden District Court shall have countywide  
9 jurisdiction.

10 (c)(1) The judge of the East Camden District Court shall be elected by  
11 the qualified electors of the City of East Camden.

12 (2) The East Camden District Court shall have citywide  
13 jurisdiction only.

14  
15 SECTION 46. Arkansas Code § 16-17-917 is amended to read as follows:

16 16-17-917. Phillips County District Court.

17 (a)(1) Phillips County shall have one (1) district court with ~~two (2)~~  
18 five (5) departments as follows:

19 (A) ~~One (1)~~ Two (2) located in ~~Helena~~ Helena-West Helena;  
20 ~~and~~

21 (B) One (1) located in ~~West Helena~~ Lake View;

22 (C) One (1) located in Elaine; and

23 (D) One (1) located in Marvell.

24 (2) ~~One (1) judge for each department~~ All five (5) departments  
25 are to be served by two (2) judges.

26 (b) The judges of the Phillips County District Court shall be elected  
27 countywide.

28 (c) The Phillips County District Court shall have countywide  
29 jurisdiction.

30  
31 SECTION 47. Arkansas Code § 16-17-919 is amended to read as follows:

32 16-17-919. Washington County District Courts.

33 (a)(1) Washington County shall have the following district courts and  
34 judges:

35 (A) Springdale shall have ~~one (1) district court and one~~  
36 judge;

- 1                   (i) One (1) district court with three (3)  
2 departments:  
3                   (a) One (1) located in Springdale  
4                   (b) One (1) located in Elm Springs; and  
5                   (c) One (1) located in Johnson.  
6                   (ii) All three (3) departments are to be served by  
7 one (1) judge;  
8                   (B) Fayetteville shall have one (1) district court and one  
9 (1) judge;  
10                   (C) Elkins shall have one (1) district court and one (1)  
11 judge;  
12                   (D) West Fork shall have ~~one (1) district court and one~~  
13 ~~judge; and;~~  
14                   (i) One (1) district court with two (2) departments:  
15                   (a) One (1) located in West Fork; and  
16                   (b) One (1) located in Greenland.  
17                   (ii) Both departments are to be served by one (1)  
18 judge; and  
19                   (E) Prairie Grove shall have ~~one (1) district court and~~  
20 ~~one judge;~~  
21                   (i) One (1) district court with three (3)  
22 departments:  
23                   (a) One (1) located in Prairie Grove;  
24                   (b) One (1) located in Lincoln; and  
25                   (c) One (1) located in Farmington.  
26                   (ii) All three (3) departments are to be served by  
27 one (1) judge.  
28                   (2) The district court boundaries in Washington County shall be  
29 as follows:  
30                   (A) For Springdale District Court:  
31                   (i) The city limits of Springdale as now or in the  
32 future constituted;  
33                   (ii) The township of Elm Springs;  
34                   (iii) The township of Tontitown;  
35                   (iv) The township of Harmon; and  
36                   (v) That portion of the township of Johnson that

1 lies outside the city limits of Fayetteville;

2 (B) For Fayetteville District Court, the city limits of  
3 Fayetteville as now or in the future constituted;

4 (C) For Elkins District Court, the townships of:

5 (i) Brush Creek;

6 (ii) Springdale 1;

7 (iii) Prairie 1;

8 (iv) Goshen;

9 (v) Wyman;

10 (vi) Prairie 2;

11 (vii) Richland;

12 (viii) Richland Senate;

13 (ix) White River; and

14 (x) Durham;

15 (D) For West Fork District Court:

16 (i) The township of Valley;

17 (ii) The township of West Fork;

18 (iii) The township of Crawford;

19 (iv) The township of Reed;

20 (v) The township of Winslow;

21 (vi) The township of Lee's Creek;

22 (vii) The township of Cove Creek;

23 (viii) The township of Boston;

24 (ix) The township of Vineyard; and

25 (x) That portion of the township of Greenland that

26 lies outside the city limits of Fayetteville; and

27 (E) For Prairie Grove District Court, the townships of:

28 (i) Prairie 4;

29 (ii) Prairie 3;

30 (iii) Wheeler;

31 (iv) Litteral;

32 (v) Center House;

33 (vi) Center;

34 (vii) Prairie Grove Senate;

35 (viii) Prairie Grove;

36 (ix) Marrs Hill;

- (x) Weddington;
- (xi) Illinois;
- (xii) Rheas;
- (xiii) Price;
- (xiv) Starr Hill;
- (xv) Dutch Mills;
- (xvi) Morrow; and
- (xvii) Cane Hill~~+~~.

(b) The judge of any district court in Washington County shall be elected by the qualified electors within the judicial district in which the court is located.

(c) The jurisdiction of any district court in Washington County shall be limited to the judicial district in which the court is located.

SECTION 48. Arkansas Code § 16-17-920 is amended to read as follows:  
16-17-920. White County District Court.

(a)~~(1)~~ White County shall have ~~one (1) district court with two (2) departments as follows~~ the following district courts and judges:

~~(A)(1) One (1) located in Beebe; and~~ Beebe shall have one (1) district court and one (1) judge; and

~~(B)(2) One located in Searcy.~~ Searcy shall have:

(A) One (1) district court with eight (8) departments:

(i) One (1) located in Searcy;

(ii) One (1) located in Bald Knob;

(iii) One (1) located in Bradford;

(iv) One (1) located in Judsonia;

(v) One (1) located in McRae;

(vi) One (1) located in Kensett;

(vii) One (1) located in Pangburn; and

(viii) One (1) located in Rosebud.

(B) All eight (8) departments are to be served by one (1) judge.

~~(2) One (1) judge for each department.~~

(b) The judges of the White County District Court shall be elected countywide.

(c) The White County District Court shall have countywide

1 jurisdiction.

2  
3 SECTION 49. Arkansas Code § 16-17-921 is amended to read as follows:  
4 16-17-921. Pulaski County District Courts.

5 Pulaski County shall have the following district courts and judges:

6 (1) Jacksonville shall have:

7 (A) One (1) district court with jurisdiction only within  
8 the city limits of Jacksonville, as now or in the future may be constituted;  
9 and

10 (B) One (1) judge to be elected by the qualified electors  
11 of the City of Jacksonville~~;~~;

12 (2) Little Rock shall have:

13 (A) Three (3) departments of one (1) district court with  
14 jurisdiction only within the city limits of Little Rock, as now or in the  
15 future may be constituted; and

16 (B) One (1) judge for each department to be elected by the  
17 qualified electors of the City of Little Rock~~;~~;

18 (3) North Little Rock shall have:

19 (A) Two (2) departments of one (1) district court with  
20 jurisdiction only within the city limits of North Little Rock, as now or in  
21 the future may be constituted; and

22 (B) One (1) judge for each department to be elected by the  
23 qualified electors of the City of North Little Rock~~;~~;

24 (4) Maumelle shall have:

25 (A) One (1) district court with jurisdiction only within  
26 the city limits of Maumelle, as now or in the future may be constituted; and

27 (B) One (1) judge to be elected by the qualified electors  
28 of the City of Maumelle~~;~~; and

29 (5)(A) Pulaski County shall have one (1) district court with the  
30 following ~~three (3)~~ four (4) departments:

31 (i) One (1) located in Pulaski County known as the  
32 Pulaski County District Court;

33 (ii) One (1) located in Sherwood known as the  
34 Sherwood District Court; ~~and~~

35 (iii) One (1) located in Wrightsville known as the  
36 Wrightsville District Court; and

1                    (iv) One (1) located in Cammack Village known as the  
 2 Cammack Village District Court.

3                    ~~(B)(i) Each department shall have one (1) judge~~ One (1)  
 4 judge shall serve the department known as the Pulaski County District Court.

5                    (ii) One (1) judge shall serve the department known  
 6 as the Sherwood District Court.

7                    (iii) Both departments known as the Wrightsville  
 8 District Court and the Cammack Village District Court are to be served by one  
 9 (1) judge.

10                   ~~(C)~~ (C) The judges of the district court in Pulaski County  
 11 shall be elected countywide.

12                   (D) The district court located in Pulaski County shall  
 13 have countywide jurisdiction.

14  
 15                   SECTION 50. Arkansas Code § 16-17-928 is amended to read as follows:  
 16                   16-17-928. Lawrence County District Court.

17                   (a)(1) Lawrence County shall have one (1) district court with ~~two (2)~~  
 18 four (4) departments:

19                   (A) One (1) located in Walnut Ridge; ~~and~~

20                   (B) One (1) located in Hoxie;

21                   (C) One (1) located in Black Rock; and

22                   (D) One (1) located in Portia.

23                   (2) ~~Both~~ All four (4) departments are to be served by one (1)  
 24 judge.

25                   (b) The Lawrence County District Court Judge shall be elected  
 26 countywide.

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

29  
 30                   SECTION 51. Arkansas Code Title 16, Chapter 17, Subchapter 9 is  
 31 amended to add additional sections to read as follows:

32                   16-17-929. Mississippi County District Courts.

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

35                   (1) The Osceola District shall have:

36                   (A) One (1) district court with two (2) departments:

1                   (i) One (1) located in Osceola; and  
 2                   (ii) One (1) located in Joiner.  
 3                   (B) Both departments are to be served by one (1) district  
 4 judge; and

5                   (2) The Chickasawba District shall have:  
 6                   (A) One (1) district court with five (5) departments:  
 7                   (i) One (1) located in Blytheville;  
 8                   (ii) One (1) located in Manila;  
 9                   (iii) One (1) located in Leachville;  
 10                   (iv) One (1) located in Gosnell; and  
 11                   (v) One (1) located in Dell.  
 12                   (B) All five (5) departments are to be served by one (1)  
 13 judge.

14                   (b) The judge of any district court located in Mississippi County  
 15 shall be elected by the electors of the judicial district in which the court  
 16 is located.

17                   (c) In Mississippi County, the jurisdiction of the district court  
 18 shall be limited to the judicial district in which the court is located.

19  
 20                   16-17-930. Carroll County District Courts.

21                   (a) Carroll County, having two (2) judicial districts, shall have the  
 22 following district courts and judges:

23                   (1) The Western District shall have:  
 24                   (A) One (1) district court located in Eureka Springs; and  
 25                   (B) One (1) district judge; and  
 26                   (2) The Eastern District shall have:  
 27                   (A) One (1) district court with two (2) departments:  
 28                   (i) One (1) located in Berryville; and  
 29                   (ii) One (1) located in Green Forest.  
 30                   (B) Both departments are to be served by one (1) district  
 31 judge.

32                   (b) The judge of any district court located in Carroll County shall be  
 33 elected by the electors of the judicial district in which the court is  
 34 located.

35                   (c) In Carroll County, the jurisdiction of the district court shall be  
 36 limited to the judicial district in which the court is located.



16-17-931. Franklin County District Courts.

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

(1) The Charleston District shall have:

(A) One (1) district court located in Charleston; and

(B) One (1) district judge; and

(2) The Ozark District shall have:

(A) One (1) district court with two (2) departments:

(i) One (1) located in Ozark; and

(ii) One (1) located in Altus.

(B) Both departments are to be served by one (1) district judge.

(b) The judge of any district court located in Franklin County shall be elected by the electors of the judicial district in which the court is located.

(c) In Franklin County, the jurisdiction of the district court shall be limited to the judicial district in which the court is located.

16-17-932. Logan County District Courts.

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

(1) The Northern District shall have:

(A) One (1) district court located in Paris; and

(B) One (1) district judge; and

(2) The Southern District shall have:

(A) One (1) district court with two (2) departments:

(i) One (1) located in Booneville; and

(ii) One (1) located in Magazine.

(B) Both departments are to be served by one (1) district judge.

(b) The judge of any district court located in Logan County shall be elected by the electors of the judicial district in which the court is located.

(c) In Logan County the jurisdiction of the district court shall be limited to the judicial district in which the court is located.

16-17-933. Cleburne County District Court.

(a)(1) Cleburne County shall have one (1) district court with four (4) departments:

(A) One (1) located in Heber Springs;

(B) One (1) located in Greers Ferry;

(C) One (1) located in Concord; and

(D) One (1) located in Quitman.

(2) All four (4) departments are to be served by one (1) judge.

(b) The Cleburne County District Court Judge shall be elected countywide.

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

16-17-934. Columbia County District Court.

(a)(1) Columbia County shall have one (1) district court with two (2) departments:

(A) One (1) located in Magnolia; and

(B) One (1) located in Waldo.

(2) Both departments are to be served by one (1) judge.

(b) The Columbia County District Court Judge shall be elected countywide.

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

16-17-935. Conway County District Court.

(a)(1) Conway County shall have one (1) district court with three (3) departments:

(A) One (1) located in Morrilton;

(B) One (1) located in Menifee; and

(C) One (1) located in Plumerville.

(2) All three (3) departments are to be served by one (1) judge.

(b) The Conway County District Court Judge shall be elected countywide.

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

16-17-936. Crawford County District Court.

(a)(1) Crawford County shall have one (1) district court with five (5) departments:

(A) One (1) located in Van Buren;

(B) One (1) located in Mountainburg;

(C) One (1) located in Alma;

(D) One (1) located in Mulberry; and

(E) One (1) located in Dyer.

(2) All five (5) departments are to be served by one (1) judge.

(b) The Crawford County District Court Judge shall be elected countywide.

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

16-17-937. Cross County District Court.

(a)(1) Cross County shall have one (1) district court with three (3) departments:

(A) One (1) located in Wynne;

(B) One (1) located in Cherry Valley; and

(C) One (1) located in Parkin.

(2) All three (3) departments are to be served by one (1) judge.

(b) The Cross County District Court Judge shall be elected countywide.

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

16-17-938. Dallas County District Court.

(a)(1) Dallas County shall have one (1) district court with two (2) departments:

(A) One (1) located in Fordyce; and

(B) One (1) located in Sparkman.

(2) Both departments are to be served by one (1) judge.

(b) The Dallas County District Court Judge shall be elected countywide.

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

16-17-939. Faulkner County District Court.

(a)(1) Faulkner County shall have one (1) district court with six (6) departments:

(A) One (1) located in Conway;

(B) One (1) located in Greenbrier;

(C) One (1) located in Mount Vernon;

(D) One (1) located in Mayflower;

(E) One (1) located in Guy; and

(F) One (1) located in Vilonia.

(2) All six (6) departments are to be served by one (1) judge.

(b) The Faulkner County District Court Judge shall be elected countywide.

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

16-17-940. Fulton County District Court.

(a)(1) Fulton County shall have one (1) district court with two (2) departments:

(A) One (1) located in Salem; and

(B) One (1) located in Mammoth Springs.

(2) Both departments are to be served by one (1) judge.

(b) The Fulton County District Court Judge shall be elected countywide.

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

16-17-941. Hot Spring County District Court.

(a)(1) Hot Spring County shall have one (1) district court with four (4) departments:

(A) One (1) located in Malvern;

(B) One (1) located in Rockport;

(C) One (1) located in Friendship; and

(D) One (1) located in Donaldson.

(2) All four (4) departments are to be served by one (1) judge.

(b) The Hot Spring County District Court Judge shall be elected

1 countywide.

2 (c) The Hot Spring County District Court shall have countywide  
3 jurisdiction.

4  
5 16-17-942. Izaard County District Court.

6 (a)(1) Izaard County shall have one (1) district court with three (3)  
7 departments:

8 (A) One (1) located in Melbourne;

9 (B) One (1) located in Calico Rock; and

10 (C) One (1) located in Horseshoe Bend.

11 (2) All three (3) departments are to be served by one (1) judge.

12 (b) The Izaard County District Court Judge shall be elected countywide.

13 (c) The Izaard County District Court shall have countywide  
14 jurisdiction.

15  
16 16-17-943. Jackson County District Court.

17 (a)(1) Jackson County shall have one (1) district court with four (4)  
18 departments:

19 (A) One (1) located in Newport;

20 (B) One (1) located in Diaz;

21 (C) One (1) located in Swifton; and

22 (D) One (1) located in Tuckerman.

23 (2) All four (4) departments are to be served by one (1) judge.

24 (b) The Jackson County District Court Judge shall be elected  
25 countywide.

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

28  
29 16-17-944. Johnson County District Court.

30 (a)(1) Johnson County shall have one (1) district court with three (3)  
31 departments:

32 (A) One (1) located in Clarksville;

33 (B) One (1) located in Lamar; and

34 (C) One (1) located in Coal Hill.

35 (2) All three (3) departments are to be served by one (1) judge.

36 (b) The Johnson County District Court Judge shall be elected

1 countywide.

2 (c) The Johnson County District Court shall have countywide  
3 jurisdiction.

4  
5 16-17-945. Lafayette County District Court.

6 (a)(1) Lafayette County shall have one (1) district court with three  
7 (3) departments:

8 (A) One (1) located in Lewisville;

9 (B) One (1) located in Bradley; and

10 (C) One (1) located in Stamps.

11 (2) All three (3) departments are to be served by one (1) judge.

12 (b) The Lafayette County District Court Judge shall be elected  
13 countywide.

14 (c) The Lafayette County District Court shall have countywide  
15 jurisdiction.

16  
17 16-17-946. Lincoln County District Court.

18 (a)(1) Lincoln County shall have one (1) district court with three (3)  
19 departments:

20 (A) One (1) located in Star City;

21 (B) One (1) located in Grady; and

22 (C) One (1) located in Gould.

23 (2) All three (3) departments are to be served by one (1) judge.

24 (b) The Lincoln County District Court Judge shall be elected  
25 countywide.

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

28  
29 16-17-947. Little River County District Court.

30 (a)(1) Little River County shall have one (1) district court with two  
31 (2) departments:

32 (A) One (1) located in Ashdown; and

33 (B) One (1) located in Foreman.

34 (2) Both departments are to be served by one (1) judge.

35 (b) The Little River County District Court Judge shall be elected  
36 countywide.

1       (c) The Little River County District Court shall have countywide  
2 jurisdiction.

3  
4       16-17-948. Marion County District Court.

5       (a)(1) Marion County shall have one (1) district court with four (4)  
6 departments:

7               (A) One (1) located in Yellville;

8               (B) One (1) located in Bull Shoals;

9               (C) One (1) located in Flippin; and

10              (D) One (1) located in Summit.

11              (2) All four (4) departments are to be served by one (1) judge.

12       (b) The Marion County District Court Judge shall be elected  
13 countywide.

14       (c) The Marion County District Court shall have countywide  
15 jurisdiction.

16  
17       16-17-949. Pike County District Court.

18       (a)(1) Pike County shall have one (1) district court with two (2)  
19 departments:

20              (A) One (1) located in Murfreesboro; and

21              (B) One (1) located in Glenwood.

22              (2) Both departments are to be served by one (1) judge.

23       (b) The Pike County District Court Judge shall be elected countywide.

24       (c) The Pike County District Court shall have countywide jurisdiction.

25  
26       16-17-950. St. Francis County District Court.

27       (a)(1) St. Francis County shall have one (1) district court with five  
28 (5) departments:

29              (A) One (1) located in Forrest City;

30              (B) One (1) located in Hughes;

31              (C) One (1) located in Madison;

32              (D) One (1) located in Palestine; and

33              (E) One (1) located in Widener.

34              (2) All five (5) departments are to be served by one (1) judge.

35       (b) The St. Francis County District Court Judge shall be elected  
36 countywide.

1       (c) The St. Francis County District Court shall have countywide  
2 jurisdiction.

3  
4       16-17-951. Van Buren County District Court.

5       (a)(1) Van Buren County shall have one (1) district court with two (2)  
6 departments:

7               (A) One (1) located in Clinton; and

8               (B) One (1) located in Damascus.

9               (2) Both departments are to be served by one (1) judge.

10       (b) The Van Buren County District Court Judge shall be elected  
11 countywide.

12       (c) The Van Buren County District Court shall have countywide  
13 jurisdiction.

14  
15       16-17-952. Perry County District Court.

16       (a)(1) Perry County shall have one (1) district court with two (2)  
17 departments:

18               (A) One (1) located in Perryville; and

19               (B) One (1) located in Oppello.

20               (2) Both departments are to be served by one (1) judge.

21       (b) The Perry County District Court Judge shall be elected countywide.

22       (c) The Perry County District Court shall have countywide  
23 jurisdiction.

24  
25       16-17-953. Clark County District Court.

26       (a)(1) Clark County shall have one (1) district court with two (2)  
27 departments:

28               (A) One (1) located in Arkadelphia; and

29               (B) One (1) located in Amity.

30               (2) Both departments are to be served by one (1) judge.

31       (b) The Clark County District Court judge shall be elected countywide.

32       (c) The Clark County District Court shall have countywide  
33 jurisdiction.

34  
35       SECTION 52. Arkansas Code § 16-18-112 is repealed.

36       ~~16-18-112. Schedule of fees or monthly allowance for judge of city~~



1 ~~court—Jurisdiction—Designation of substitute judge.~~

2 ~~(a)(1)(A) The governing body of any city or town having a city court~~  
 3 ~~may establish a schedule of fees to be paid by the city or town from the~~  
 4 ~~general fund to the judge of the court for the trial of cases in the court.~~

5 ~~(B) However, the fee schedule or monthly allowance shall~~  
 6 ~~not be based upon the conviction of any person tried in the court.~~

7 ~~(2)(A) Alternatively, the governing body of the city or town may~~  
 8 ~~provide for the payment of a monthly allowance from the~~  
 9 ~~general fund of the city or town as compensation to the judge for sitting as~~  
 10 ~~judge in that court.~~

11 ~~(B) However, the fee schedule or monthly allowance shall~~  
 12 ~~not be based upon the conviction of any person tried in the court.~~

13 ~~(b) The city court of any city or town shall have, within the limits of~~  
 14 ~~the city, jurisdiction as provided by § 16-88-101.~~

15 ~~(c) The mayor shall give bond and security in any amount to be~~  
 16 ~~determined and approved by the city council.~~

17 ~~(d)(1) The court may award and issue any process or writs that may be~~  
 18 ~~necessary to enforce the administration of justice throughout the city, and~~  
 19 ~~for the lawful exercise of its jurisdiction, according to the usages and~~  
 20 ~~principles of law.~~

21 ~~(2) For crimes and offenses committed within the limits of the~~  
 22 ~~city, the court's power with respect to process or writs extends throughout~~  
 23 ~~the county in which the city is located.~~

24 ~~(e)(1) Any mayor of a city of the first class meeting the limitations~~  
 25 ~~of this section, any city of the second class, or any town may designate, at~~  
 26 ~~such times as he or she shall choose to do so, any attorney licensed in the~~  
 27 ~~State of Arkansas who resides in the county in which the city or town is~~  
 28 ~~situated, to sit in the mayor's stead as judge of the city court.~~

29 ~~(2) Any person so designated by the mayor to sit as judge shall~~  
 30 ~~receive such remuneration as is provided by the governing body of the city or~~  
 31 ~~town as provided in this section.~~

32 ~~(f) Any conviction or sentence of the city court may be appealed to~~  
 33 ~~circuit court for a trial de novo.~~

35 SECTION 53. Arkansas Code § 16-88-101 is amended to read as follows:

36 16-88-101. Jurisdiction of courts for certain offenses generally.

1 (a) The jurisdiction of the various courts of this state for the trial  
2 of offenses shall be as follows:

3 (1) The Senate shall have exclusive jurisdiction of impeachment;

4 (2) The Supreme Court shall have general supervision and control  
5 over all inferior courts in criminal cases;

6 (3) The circuit court shall have original jurisdiction,  
7 exclusive of the district court ~~and city court~~, for the trial of offenses  
8 defined as felonies by state law and shall have original jurisdiction  
9 concurrent with the district court ~~and city court~~ for the trial of offenses  
10 defined as misdemeanors by state law.

11 (4) The district court shall have original jurisdiction,  
12 exclusive of the circuit court, for the trial of violations of ordinances of  
13 ~~the city or county~~ any town or city in the county in which the district court  
14 is located, for the trial of violations of ordinances of the county in which  
15 the district court is located, and shall have original jurisdiction  
16 concurrent with the circuit court for the trial of offenses defined as  
17 misdemeanors by state law and committed within the territorial jurisdiction  
18 of the district court.

19 ~~(5) The city court shall have original jurisdiction, exclusive~~  
20 ~~of the circuit court, for the trial of violations of ordinances of the city~~  
21 ~~in which the city court is located and shall have original jurisdiction~~  
22 ~~concurrent with the circuit court for the trial of offenses defined as~~  
23 ~~misdemeanors by state law and committed within the city in which the circuit~~  
24 ~~court is located.~~

25 (b) Where an indictment is found in the circuit court for an offense  
26 within its jurisdiction, the court shall have jurisdiction of all the degrees  
27 of the offense, and of all the offenses included in the one (1) charge,  
28 although some of those degrees or included offenses are within the exclusive  
29 jurisdiction of ~~an inferior or local court~~ the district court.

30 (c) A district court may issue arrest warrants and search warrants and  
31 may perform other pretrial functions, as authorized by the Arkansas Rules of  
32 Criminal Procedure, in the prosecution of a person for an offense within the  
33 exclusive jurisdiction of the circuit court.

34  
35 SECTION 54. Arkansas Code § 16-88-105 is amended to read as follows:

36 16-88-105. Territorial jurisdiction of certain courts generally.

1 (a) The jurisdiction of the Senate and Supreme Court embraces the  
2 whole state.

3 (b) The local jurisdiction of circuit courts ~~and justices' courts~~  
4 shall be of offenses committed within the respective counties in which they  
5 are held.

6 (c) The local jurisdiction of ~~police or city~~ district courts shall be  
7 of offenses committed within the limits of the jurisdiction of the courts, as  
8 prescribed by the statutes creating or regulating them.

9  
10 SECTION 55. Arkansas Code § 16-88-116 is amended to read as follows:

11 16-88-116. Traffic citations issued within a ~~municipality~~ town or city  
12 with a ~~municipal court or city~~ district court – Placement on docket.

13 ~~(a)~~ All traffic citations issued within the boundaries of a  
14 ~~municipality~~ town or city of this state which has a district ~~or city~~ court  
15 shall be placed on the docket of the district ~~or city~~ court of that  
16 ~~municipality~~ town or city, unless the presiding judge of that court  
17 authorizes a transfer to another court exercising jurisdiction over the area  
18 in which the citation was issued.

19 ~~(b) If a municipality has more than one (1) court exercising subject~~  
20 ~~matter jurisdiction over traffic citations issued within the boundaries of~~  
21 ~~that municipality, then all traffic citations issued within the boundaries of~~  
22 ~~that municipality shall be placed on the docket of the municipality's~~  
23 ~~district or city court in the closest proximity to where the offense~~  
24 ~~occurred.~~

25  
26 SECTION 56. Effective dates.

27 (a) Sections 2 through 15 of this act are effective January 1, 2008.

28 (b) Sections 16 through 55 of this act are effective January 1, 2009.