

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

1 State of Arkansas *As Engrossed: S2/13/07 S2/15/07 S2/22/07 H2/26/07*

2 86th General Assembly

A Bill

3 Regular Session, 2007

SENATE BILL 235

4

5 By: Senators *Womack, Altes, Bisbee, Bryles, Broadway, Critcher, Faris, Hendren, Horn, G. Jeffress,*
6 *Miller, R. Thompson, Wilkinson*

7 By: Representatives *Harrelson, Jeffrey, Lowery, Key, Norton, Cash, Cornwell, Gaskill, R. Green,*
8 *Greenberg, J. Johnson, Pennartz, Wyatt*

9

10

11

For An Act To Be Entitled

12

AN ACT TO CREATE THE DISTRICT COURT RESOURCE

13

ASSESSMENT BOARD; TO CREATE A PILOT PROGRAM OF

14

FULL-TIME DISTRICT COURT JUDGES THAT ARE

15

EMPLOYEES OF THE STATE OF ARKANSAS; TO

16

CONSOLIDATE CITY COURTS WITH DISTRICT COURTS; AND

17

FOR OTHER PURPOSES.

18

19

Subtitle

20

AN ACT TO CREATE THE DISTRICT COURT

21

RESOURCE ASSESSMENT BOARD; TO CREATE A

22

PILOT PROGRAM OF FULL-TIME DISTRICT

23

COURT JUDGES THAT ARE EMPLOYEES OF THE

24

STATE OF ARKANSAS; TO CONSOLIDATE CITY

25

COURTS WITH DISTRICT COURTS.

26

27

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

29

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

32 Subchapter 10 – District Court Resource Assessment

33 16-17-1001. Legislative findings.

34 The General Assembly finds that:

35 (1) The goal expressed by Arkansas citizens with the adoption of

36 Amendment 80 to the Arkansas Constitution was the creation of a three-tiered,



1 unified court system;

2 (2) The current structure of limited jurisdiction courts consists of a
3 combination of full-time and part-time district and city court judges funded
4 by city and county governments;

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

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

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

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

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

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

27
28 16-17-1002. District Court Resource Assessment Board.

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

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

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

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

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

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

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

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

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

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

10 (vi) One (1) circuit judge.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (6) The board shall meet:

2 (A) Initially whenever called by the Supreme Court;

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

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

8 (ii) Any redistricting of the district courts; and

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

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

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

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

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

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

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

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

27
28 16-17-1003. Duties of the Board.

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

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

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

36 (A) The caseload and the geographic area of the district

1 court district;

2 (B) The November 25, 2002, Per Curiam Opinion of the
3 Supreme Court; and

4 (C) Any other matter the board determines to be
5 appropriate; and

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

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

11 Subchapter 11 – Pilot State District Courts

12 16-17-1101. Legislative findings.

13 The General Assembly finds that:

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

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

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

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

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

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

35 (7) A state-funded system should include an analysis by the
36 state that furthers the goal of a unified and equitable system for the

1 delivery of judicial services;

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

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

11
12 16-17-1102. Definitions.

13 As used in this subchapter:

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

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

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

19 (A) Whose salary is paid by the state;

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

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

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

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

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

29
30 16-17-1103. Creation of pilot state district court judgeships.

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

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

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

13

14 16-17-1104. Pilot state district court judges – Salaries.

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

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

19

20 16-17-1105. Consolidation of city courts with district courts.

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

- 23 (1) Alexander;
- 24 (2) Atkins;
- 25 (3) Barling;
- 26 (4) Bauxite;
- 27 (5) Bethel Heights;
- 28 (6) Briarcliff;
- 29 (7) Cave Springs;
- 30 (8) Centerton;
- 31 (9) Central City;
- 32 (10) Cotter;
- 33 (11) Dell;
- 34 (12) Dover;
- 35 (13) Gassville;
- 36 (14) Gosnell;

- 1 (15) Gravette;
- 2 (16) Haskell;
- 3 (17) Lakeview;
- 4 (18) Leachville;
- 5 (19) Little Flock;
- 6 (20) London;
- 7 (21) Lowell;
- 8 (22) Manila;
- 9 (23) Marmaduke;
- 10 (24) Norfolk;
- 11 (25) Pea Ridge;
- 12 (26) Pottsville;
- 13 (27) Shannon Hills;
- 14 (28) Sulphur Springs; and
- 15 (29) Weiner.

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

- 17 (1) Is consolidated with the pilot state district court having
- 18 jurisdiction over the geographical area of the abolished city court;
- 19 (2) Shall continue to exist as a department of that pilot state
- 20 district court unless abolished by town or city ordinance; and
- 21 (3) Is redesignated as the “_____ District
- 22 Court, _____ Department”.
- 23 (4) Shall continue to levy and collect the court costs
- 24 applicable in city court under § 16-10-305.

25 (c) Under the Arkansas District Courts Accounting Law, § 16-10-201 et

26 seq., each department of a pilot state district court shall maintain a docket

27 and set court dates for hearing that docket in the town or city unless the

28 district court and the town or city in which the department is located agree

29 otherwise.

30 (d)(1) A town or city that operated a city court prior to January 1,

31 2008, and became a department of a pilot state district court under this

32 subchapter may abolish that department by ordinance.

33 (2) The clerk of the town or city shall send a copy of the

34 ordinance issued under subdivision (d)(1) of this section to the

35 Administrative Office of the Courts.

36 (3) After a department has been abolished under subdivision

1 (d)(1) of this section:

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

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

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

10 (a) Actions;

11 (b) Appeals;

12 (c) Causes of action;

13 (d) Civil proceedings;

14 (e) Criminal proceedings;

15 (f) Decrees;

16 (g) Judgments;

17 (h) Liabilities;

18 (i) Orders;

19 (j) Prosecutions;

20 (k) Regulations;

21 (l) Sentences;

22 (m) Suits; and

23 (n) Writs.

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

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

28
29 16-17-1106. Salary of pilot state district court judge – Cost-sharing.

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

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

1 (B) On a form provided by the Administration of Justice
2 Fund Section of the Office of Administrative Services of the Department of
3 Finance and Administration, each county and town or city shall certify
4 annually on or before October 31 the amount to be paid to the state for its
5 share of one-half (1/2) of the salary established by law for its pilot state
6 district court judge.

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

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

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

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

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

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

34 (f) On or before January 15, 2008, and annually afterwards, the county
35 and the town or city shall remit to the Administration of Justice Fund
36 Section for deposit in the Constitutional Officers Fund the sum necessary to

1 fund its share of the base salary allocated to it under subsection (e) of
2 this section.

3
4 16-17-1107. Nothing in this subchapter shall in any way limit the
5 power and authority of other district courts currently existing. Except for
6 the pilot state district court judgeships created under this subchapter, a
7 judge serving in another full-time or part-time district court position shall
8 continue to be an employee of the cities or counties, or both, that he or she
9 serves and shall be paid according to state law.

10
11 SECTION 3. Arkansas Code § 16-17-705, concerning civil filing fees in
12 district court, is amended to read as follows:

13 16-17-705. Filing fees and costs.

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

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

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

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

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

26
27 SECTION 4. Arkansas Code § 16-17-902, concerning the establishment of
28 district courts, is amended to read as follows:

29 16-17-902. Counties having one district court.

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

- 32 ~~(1) Baxter;~~
- 33 ~~(2) Boone;~~
- 34 ~~(3)~~ (1) Bradley;
- 35 ~~(4)~~ (2) Calhoun;
- 36 ~~(5)~~ (3) Clark;

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

1 ~~(42)~~ (38) Sevier;
2 ~~(43)~~ (39) St. Francis;
3 ~~(44)~~ (40) Stone;
4 ~~(45)~~ (41) Union; and
5 ~~(46)~~ (42) Van Buren.

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

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

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

12

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

15 16-17-904. Counties having two district courts.

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

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

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

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

28

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

31 16-17-905. Sebastian County District Courts.

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

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

36 (B) Effective January 1, 2009, the Fort Smith District

1 shall have:

2 (i) One (1) district court with three (3)

3 departments located in Fort Smith; and

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

5 (b) The additional district court judgeship

6 created under subdivision (a)(1)(B) of this section shall be elected by the

7 qualified electors of the Fort Smith District at the 2008 nonpartisan

8 judicial general election; and

9 ~~(2) One district court in Greenwood with one (1) district judge.~~

10 The Greenwood District shall have:

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

12 (i) One (1) located in Greenwood;

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

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

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

16 departments.

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

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

22

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

25 16-17-909. Benton County District Courts.

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

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

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

32 (i) One (1) located in Bentonville

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

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

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

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

3 (2) Effective January 1, 2009:

4 (A) Benton County shall have the following district courts
5 and judges:

6 (i) Rogers shall have one (1) district court and one
7 (1) district judge;

8 (ii) Bentonville shall have one (1) district court
9 and one (1) district judge;

10 (iii) Siloam Springs shall have one (1) district
11 court and one (1) district judge; and

12 (iv) Benton County West shall have one (1) district
13 court and one (1) district judge; and

14 (B)(i) Benton County shall have the following departments:

15 (a) One (1) located in Bethel Heights;

16 (b) One (1) located in Cave Springs;

17 (c) One (1) located in Centerton;

18 (d) One (1) located in Gravette;

19 (e) One (1) located in Little Flock;

20 (f) One (1) located in Lowell;

21 (g) One (1) located in Pea Ridge; and

22 (h) One (1) located in Sulphur Springs.

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

27 ~~(5)~~(3) For the purpose of venue, ~~the~~ The district court
28 boundaries in Benton County shall be as follows:

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

30 (i) All of District 94, District 95, and District 96
31 of the House of Representatives as drawn by the Board of Apportionment in
32 2002;

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

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

5 (iv) All of the now-existing precinct 43, precinct
6 44, and precinct 49;

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

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

13 (ii) All of District 99 of the House of
14 Representatives as drawn by the Board of Apportionment in 2002 except for the
15 now-existing precinct 43, precinct 44, and precinct 49; and

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

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

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

21 (ii) All of the now-existing precinct 7, precinct
22 14, precinct 16, and precinct 17; and

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

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

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

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

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

35
36 SECTION 8. Arkansas Code § 16-17-918, concerning the establishment of

1 district courts, is amended to read as follows:

2 16-17-918. Saline County District Court.

3 (a)(1) Saline County shall have one (1) district court with ~~two (2)~~ six
4 (6) departments as follows:

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

6 (B) One (1) located in Bryant;

7 (C) One (1) located in Alexander;

8 (D) One (1) located in Bauxite;

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

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

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

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

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

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

20
21 SECTION 9. Arkansas Code § 16-17-924, concerning the establishment of
22 district courts, is amended to read as follows:

23 16-17-924. Poinsett County District Court.

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

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

27 (B) One (1) located in Trumann;

28 (C) One (1) located in Tyronza;

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

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

31 (F) One (1) located in Weiner.

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

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

36 (c) The Poinsett County District Court shall have countywide

1 jurisdiction.

2

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

5 16-17-929. Mississippi County District Courts.

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

8 (1) The Osceola District shall have:

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

10 (B) One (1) district judge; and

11 (2) The Chickasawba District shall have:

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

13 (i) One (1) located in Blytheville;

14 (ii) One (1) located in Manila;

15 (iii) One (1) located in Leachville;

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

17 (v) One (1) located in Dell.

18 (B) All five (5) departments established under subdivision
19 (a)(2)(A) of this section are to be served by one (1) district judge.

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

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

26

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

29 16-17-930. Greene County District Court.

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

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

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

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

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

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

3
4 SECTION 12. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
5 amended to add an additional section to read as follows:

6 16-17-931. Pope County District Court.

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

9 (A) One (1) located in Russellville;

10 (B) One (1) located in Atkins;

11 (C) One (1) located in Dover;

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

13 (E) One (1) located in Pottsville.

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

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

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

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

20 16-17-932. Baxter County District Court:

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

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

24 (B) One (1) located in Briarcliff;

25 (C) One (1) located in Lakeview;

26 (D) One (1) located in Cotter;

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

28 (F) One (1) located in Norfolk.

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

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

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

34
35 SECTION 14. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
36 amended to add an additional section to read as follows:

1 16-17-934. Boone County District Court.

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

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

5 (B) One (1) located in Alpena.

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

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

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

10
11 SECTION 15. Arkansas Code § 21-6-403(b), concerning uniform filing
12 fees in circuit court, is amended to read as follows:

13 (b) The uniform filing fees shall be:

14 (1) For initiating a cause of action in the circuit court,
15 including appeals.....\$140.00

16 (2) For filing a mortgagee's or trustee's notice of default and
17 intention to sell pursuant to § 18-50-104140.00

18 ~~(2)~~ (3) For reopening a cause of action in the circuit court
1950.00

20 ~~(3)~~ (4) For any cause of action which by court order is
21 transferred from any district or circuit court to a circuit court.....50.00

22
23 SECTION 16. Arkansas Code Title 16, Chapter 17 is amended to add an
24 additional subchapter to read as follows:

25 Subchapter 12 – City Court Consolidation

26 16-17-1201. Findings and intent.

27 (a) The General Assembly finds that:

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

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

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

36 (B) General jurisdiction trial courts to be composed of

1 the circuit courts; and

2 (C) Limited jurisdiction courts to be composed of the
3 district courts;

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

7 (4) City courts provide a valuable service for the citizens of
8 towns and cities that operate city courts and also revenue for those towns
9 and cities and for this state. However, many towns and cities provide law
10 enforcement officers for the safety of citizens but do not operate a city
11 court.

12 (b) It is the intent of the General Assembly that a town or city that
13 has operated a city court is to continue to receive revenue from cases that
14 originate in its town or city limits and to establish a procedure to allow a
15 town or city that has never operated a city court but that now or in the
16 future may have law enforcement officers to be able to receive a portion of
17 the revenue from cases that originate in its town or city limits.

18 (c) It is also the intent of the General Assembly that this subchapter
19 will consolidate all limited jurisdiction courts in the state as of January
20 1, 2012.

21 (d)(1) On January 1, 2012, the district courts shall be regarded as a
22 continuation of the city courts now existing.

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

27 (B) Except as modified in accordance with this subchapter,
28 any of the following existing on January 1, 2012, 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;

- 1 (ix) A decree;
2 (x) An order;
3 (xi) A sentence;
4 (xii) A regulation;
5 (xiii) A cause of action; and
6 (xiv) An appeal.

7
8 16-17-1202. Consolidation of city courts with district courts.

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

11 (b)(1) Effective January 1, 2012, all city courts shall be
12 consolidated with district courts and continue to exist as departments of
13 district courts unless a city court is abolished by town or city ordinance
14 pursuant to this subchapter.

15 (2) A city court formerly known as the "_____ City Court"
16 shall be redesignated as the "_____ District Court,
17 Department".

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

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

25 (d)(1)(A) A town or city that prior to January 1, 2012, operated a
26 city court that becomes a department of a district court may by ordinance of
27 the town or city in which the department is located abolish the department of
28 district court.

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

31 (2)(A) On and after the effective date of the ordinance
32 abolishing the department of a district court, the nearest district court in
33 the county shall be regarded as a continuation of the department of district
34 court that was abolished. The transfer of administration shall be pursuant to
35 § 16-17-1101.

36 (B) All papers and records pertaining to a department of a

1 district court abolished by ordinance shall be transferred to the appropriate
2 district court, and no suit or prosecution of any kind or nature shall abate
3 because of any change made by this subchapter.

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

7 (i) A writ;

8 (ii) An action;

9 (iii) A suit;

10 (iv) A proceeding;

11 (v) Civil liability;

12 (vi) Criminal liability;

13 (vii) A prosecution;

14 (viii) A judgment;

15 (ix) A decree;

16 (x) An order;

17 (xi) A sentence;

18 (xii) A regulation;

19 (xiii) A cause of action; and

20 (xiv) An appeal.

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

23
24 16-17-1203. Procedure for expense cost sharing.

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

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

36 (B) The prorated amount of operational expenses shall

1 apply to all fines, fees, and costs not obligated under law that are
2 collected pursuant to § 16-13-701 et seq. in all:

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

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

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

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

14 (c) On and after the effective date of the agreement described in
15 subdivision (a)(1) of this section, all fines, fees, penalties, and costs
16 received by a town or city that is a party to the agreement shall be
17 collected and distributed in the manner provided by laws affecting district
18 courts.

19
20 SECTION 17. Arkansas Code § 14-43-409 is amended to read as follows:

21 14-43-409. Compensation of officials generally.

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

27
28 SECTION 18. Arkansas Code § 14-44-108 is amended to read as follows:

29 14-44-108. Mayor ~~and city court~~ of a city of the second class.

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

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

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

36

1 SECTION 19. Arkansas Code § 14-45-106 is amended to read as follows:
2 14-45-106. Mayor ~~and city court~~ of an incorporated town.

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

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

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

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

11
12 SECTION 20. Arkansas Code § 14-55-608 is repealed.

13 ~~14-55-608. Disposition of fines.~~

14 ~~(a) All fines and penalties imposed by the city, police, or municipal~~
15 ~~court in any city or incorporated town in this state shall be paid into the~~
16 ~~city or town treasury.~~

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

20
21 SECTION 21. Arkansas Code § 16-10-201 is amended to read as follows:
22 16-10-201. Title

23 This subchapter shall be known and cited as the “Arkansas District
24 Courts ~~and City Courts~~ Accounting Law”.

25
26 SECTION 22. Arkansas Code § 16-10-202 is amended to read as follows:
27 16-10-202. Definition.

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

31
32 SECTION 23. Arkansas Code § 16-10-203 is amended to read as follows:
33 16-10-203. Applicability of subchapter.

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

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

2 ~~16-10-303. Filing fees.~~

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

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

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

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

12 16-10-305. Court costs.

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

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

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

22 (3) For traffic offenses which are misdemeanors or violations
23 under state law or ~~local~~ town or city ordinance, excluding violations of the
24 Omnibus DWI Act, § 5-65-101 et seq., in district court, seventy-five dollars
25 (\$75.00);

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

29 (5) For violations of the Omnibus DWI Act, § 5-65-101 et seq.,
30 in circuit court, or district court ~~or city court~~, three hundred dollars
31 (\$300);

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

35 ~~(7) For traffic offenses which are misdemeanors or violations~~
36 ~~under state law or local ordinance, excluding violations of the Omnibus DWI~~

1 ~~Act, 5-65-101 et seq., fifty dollars (\$50.00) in city court.~~

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

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

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

14 (d) No ~~municipality~~ town, city, or county shall authorize and no ~~city~~
15 ~~court~~, district court, or circuit court shall assess or collect any other
16 court costs other than those authorized by this act, unless specifically
17 provided by state law.

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

21 (f)(1) There shall be levied and collected from each defendant who
22 pleads guilty or nolo contendere to an offense, is found guilty of an
23 offense, or forfeits bond in city court on or before December 31, 2011, the
24 court costs applicable in city court at that time.

25 (2) The court costs applicable in district court shall be levied
26 and collected in all cases filed in city court but in which a defendant
27 pleads guilty or nolo contendere to an offense, is found guilty of an
28 offense, or forfeits bond in district court on or after January 1, 2012.

29
30 SECTION 26. Arkansas Code § 16-10-306 is amended to read as follows:
31 16-10-306. State Administration of Justice Fund.

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

35 (b)(1) There is hereby created in the Department of Finance and
36 Administration an Administration of Justice Funds Section, to which shall be

1 remitted court costs and filing fees enumerated in §§ 21-6-403, ~~16-14-105,~~
2 ~~16-17-705, 16-10-303,~~ and 16-10-305, as provided in this act, which are
3 assessed and collected in the ~~city courts,~~ district courts, and circuit
4 courts in this state.

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

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

10 ~~(c) The section shall also prescribe, in cooperation with the~~
11 ~~Administrative Office of the Courts and the Association of Arkansas Counties,~~
12 ~~appropriate forms for the reporting and allocation of all funds and such~~
13 ~~other information relevant to the income derived by, and the costs associated~~
14 ~~with, the operation of the justice system by cities and counties, and shall~~
15 ~~require, beginning July 1, 1995, the use thereof by all parties remitting~~
16 ~~funds.~~

17
18 SECTION 27. Arkansas Code § 16-10-308 is amended to read as follows:
19 16-10-308. City administration of justice fund.

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

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

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

30 (b) The city administration of justice fund shall be used to defray a
31 part of the expense of the administration of justice in the town or city.
32 From the fund, the town or city shall continue to finance the following town
33 or city agencies and programs which are currently funded, in whole or in
34 part, by filing fees and court costs, at a funding level equal to not less
35 than the greater of the amount which was collected by the town or city from
36 court costs and filing fees for the agency or program in the calendar year

1 ending December 31, 1994, or the amount appropriated by ordinance enacted
2 prior to December 31, 1994, to the agency or program for the calendar year
3 ending December 31, 1995:

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

6 (2) The police and fire pension fund;

7 (3) The intoxication detection equipment fund;

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

12 (5) All county-level programs and agencies funded in whole or in
13 part by court costs and filing fees assessed and collected by the ~~municipal,~~
14 ~~city, or police~~ district court, notwithstanding the repeal by this act of
15 laws authorizing the collection of court costs and filing fees and the
16 disbursement of all or a part thereof to the county.

17 (c)(1)(A) The city administration of justice fund of each town or city
18 may retain an amount equal to the amount which was collected by the town or
19 city from court costs and filing fees for city administration of justice
20 expense in the calendar year ending December 31, 1994, or the amount
21 appropriated from court costs and filing fees by ordinance enacted prior to
22 December 31, 1994, for city or county administration of justice expense from
23 court costs and filing fees for the calendar year ending December 31, 1995,
24 plus, for calendar years 1995 - 2001, an additional amount based upon the
25 average percentage increase in the Consumer Price Index for All Urban
26 Consumers or its successor, as published by the United States Department of
27 Labor for the two (2) years immediately preceding.

28 (B)(i) The amount retained during calendar years 2002,
29 2003, 2004, and 2005 shall be the amount retained during calendar year 2001.

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

36 (iii) The provisions of subdivision (c)(1)(B)(ii) of

1 this section shall not be effective if the Chief Fiscal Officer of the State
2 determines that the additional amount retained under subdivision
3 (c)(1)(B)(ii) of this section has exceeded one million dollars (\$1,000,000)
4 in a calendar year, and any additional amount to be retained must be
5 authorized by the General Assembly.

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

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

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

14 (B) Decreased by eighty-five percent (85%) of the total
15 dollar amount which was certified by the town or city as having been
16 collected during calendar year 1994 for the purpose of funding the office and
17 operation of the public defender and public defender investigator.

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

21 (e) The town or city shall remit, on or before the fifteenth day of
22 each month, all sums received in excess of the amounts necessary to fund the
23 expenses enumerated in subsections (b) and (c) of this section during the
24 previous month from the uniform filing fees provided for in ~~§§ 16-10-303 and~~
25 § 16-17-705 and the uniform court costs provided for in § 16-10-305 to the
26 Administration of Funds Section of the Office of Administrative Services of
27 the Department of Finance and Administration for deposit in the State
28 Administration of Justice Fund.

29
30 SECTION 28. Arkansas Code § 16-10-602 is amended to read as follows:
31 16-10-602. Establishment of city and county shares.

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

36 (b) On or before the first day of October of each year, the Department

1 of Finance and Administration shall certify in writing to each county and to
 2 each town or city which operates a district court ~~or city court~~, the amount
 3 of money which may be retained during each month of the following calendar
 4 year by the town, city, or county.

5
 6 SECTION 29. Arkansas Code § 16-10-603 is amended to read as follows:

7 16-10-603. Procedure – County administration of justice funds.

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

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

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

14 (B) All receipts from the collection of uniform court
 15 costs established by § 16-10-305 which are collected by the county official,
 16 agency, or department designated pursuant to § 16-13-709 as primarily
 17 responsible for the collection of fines assessed in circuit court ~~circuit~~
 18 clerk, county clerk, county sheriff, or other official and remitted to the
 19 county treasurer;

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

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

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

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

36 (B)(i) Each year the quorum court shall establish the

1 amount of uniform filing fees and court costs to be appropriated to each of
 2 the county programs or agencies enumerated in § 16-10-307(b) from the
 3 county's share of uniform court costs and filing fees; ~~provided, that each~~
 4 ~~program or agency shall receive, as a minimum, the amount established by §~~
 5 ~~16-10-307(b); and.~~

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

8 (2) The excess of the monthly receipts into the fund from
 9 subdivisions (a)(2)(A) and (B) of this section, less the county's certified
 10 monthly share and the county treasurer's commission, if any, as authorized by
 11 § 21-6-302, shall be remitted to the Department of Finance and
 12 Administration, pursuant to § 16-10-307(e).

13
 14 SECTION 30. Arkansas Code § 16-10-604 is amended to read as follows:

15 16-10-604. Procedure – City administration of justice funds.

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

19 (2)(A) Any town or city operating a city court that becomes a
 20 department of district court shall continue to maintain the city
 21 administration of justice fund as originally established pursuant to § 16-10-
 22 308.

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

27 ~~(2)~~ (3) There shall be deposited into the fund:

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

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

36 (b) From the city administration of justice fund, the following fund

1 transfers or disbursements shall be made on a monthly basis:

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

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

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

13 (C) Each program or agency shall be paid, by warrant or
14 fund transfer, a monthly installment of at least one-twelfth (1/12) of the
15 annual appropriation provided for each by the town or city council;

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

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

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

28 (3) For the calendar year beginning January 1, 1998, the amount
29 of the remittance shall be based upon the amount, if any, of uniform court
30 costs and filing fees which had been remitted by the town or city to fund
31 county-level programs and agencies during the base year defined in § 16-10-
32 308(b), less eighty-five percent (85%) of the total dollar amount which was
33 certified by the town or city as having been collected during calendar year
34 1994 for the purpose of funding the office and operation of the public
35 defender and public defender investigator; and

36 (4) The excess of the monthly receipts into the fund, less the

1 town or city's certified monthly share, shall be remitted to the department,
2 pursuant to § 16-10-308(e).

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

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

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

16 (B) District courts created pursuant to § 16-17-901 et
17 seq. shall not be considered for purposes of this section to have been
18 created after January 1, 1994, or to have a base year that is not complete if
19 the district court is merely a continuation of a district or city court that
20 was in existence on December 31, 2007, or December 31, 2011.

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

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

28

29 SECTION 31. Arkansas Code § 16-13-701 is amended to read as follows:
30 16-13-701. Scope.

31 (a) The procedures established by this subchapter shall apply to the
32 assessment and collection of all monetary fines, however designated, imposed
33 by circuit courts, and district courts, ~~or city courts~~ for criminal
34 convictions, traffic convictions, civil violations, and juvenile delinquency
35 adjudications and shall be utilized to obtain prompt and full payment of all
36 such fines.

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

5
6 SECTION 32. Arkansas Code § 16-13-704 is amended to read as follows:
7 16-13-704. Installment payments.

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

13 (2)(A) When a court authorizes payment of a fine by means of
14 installment payments, it shall issue, without a separate disclosure hearing,
15 an order that the fine be paid in full by a date certain and that in default
16 of payment, the defendant must appear in court to explain the failure to pay.

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

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

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

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

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

35 (ii) The other half of the installment fee shall be
36 remitted by the tenth day of each month to the county treasurer to be

1 deposited in a fund entitled the circuit court automation fund to be used
2 solely for circuit court-related technology.

3 (B)(i) Expenditures from the circuit court automation fund
4 shall be approved by the administrative circuit judge of each judicial
5 circuit.

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

9 (iii) All expenditures from the circuit court
10 automation fund shall be authorized, pursuant to the county accounting law,
11 by the quorum court.

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

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

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

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

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

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

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

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

14
15 SECTION 33. Arkansas Code § 16-13-709 is amended to read as follows:
16 16-13-709. Responsibility for collection.

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

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

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

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

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

36 (C)(i) The commission agreed to be received by the private

1 contractor shall be a portion of the total fine owed by a defendant.

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

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

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

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

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

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

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

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

36 ~~(D)(C)~~(i) The governing body or, if applicable, each

1 governing body of a political subdivision which contributes to the expenses
2 of a district court, ~~or the governing body of the city in which a city court~~
3 ~~is located~~, may delegate the responsibility for the collection of delinquent
4 fines assessed in district court ~~or city court~~ to a private contractor.

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

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

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

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

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

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

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

25 ~~(ix)(viii)~~ (viii) The remainder of fines received shall be
26 disbursed pro rata under this section and §§ ~~14-44-108, 14-45-106,~~ 16-10-209,
27 16-10-308, and 16-17-707 ~~and 16-18-104.~~

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

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

35 (b)(1) If a private contractor is selected to collect delinquent
36 fines, then to ensure the integrity of the court and to protect the county,

1 town, or city, the contractor shall register with the Secretary of State and
2 shall file with the Secretary of State a surety bond or certificate of
3 deposit.

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

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

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

11
12 SECTION 34. Arkansas Code § 16-13-710 is amended to read as follows:
13 16-13-710. Automated collection procedures.

14 The Administrative Office of the Courts shall have the responsibility
15 to assist circuit courts, and district courts, ~~and city courts~~ in the
16 assessment and collection of fines and the management and reporting of fine
17 revenue.

18
19 SECTION 35. Arkansas Code § 16-17-115 is amended to read as follows:
20 16-17-115. County's, town's, and city's portion of district court

21 expenses – Appropriation.

22 (a) Except as authorized otherwise, the county wherein a district
23 court is held shall pay one-half (1/2) of the salaries of the district judge
24 and ~~the~~ each chief court clerks clerk of ~~the~~ any district ~~courts~~ court
25 organized in that county under the provisions of ~~§ 16-17-201 et seq. and §~~
26 ~~16-17-301 et seq.,~~ 16-17-901 et seq., and the quorum court in counties
27 subject to the provisions of ~~either § 16-17-201 et seq. or § 16-17-301 et~~
28 ~~seq., or both,~~ § 16-17-901 et seq. shall, at its annual meeting, make an
29 appropriation of a sum sufficient to pay the county's proportion of the
30 expenses of ~~all~~ any such district ~~courts~~ court. These payments shall be made
31 out of the district court cost fund and general revenues of the county ~~and~~
32 ~~this duty may be enforced by mandamus proceedings.~~

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

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

1 (ii) The operational expenses of the district court
2 organized in that town or city under the provisions of § 16-17-901 et seq.
3 unless otherwise agreed to by the political subdivisions which contribute to
4 the expenses of the district court.

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

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

12 (c)(1) Any town or city operating a city court on December 31, 2011,
13 that becomes a department of a district court shall continue to pay the
14 amount paid as the base salary of the city judge to the district judge who
15 has assumed the responsibility of attending the former city court.

16 (2) The base salary to be paid to the district judge under
17 subdivision (c)(1) of this section in calendar year 2012 and subsequent years
18 shall be the amount paid by the city or town to the city judge for the
19 calendar year 2011.

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

23 (d)(1) A town or city operating a city court on December 31, 2011,
24 that becomes a department of district court shall continue to pay the salary
25 of the court clerk and provide for the operational expenses of that
26 department of district court unless otherwise agreed to by the political
27 subdivisions which contribute to the expenses of the district court.

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

31 (e) A district court operated solely by the county shall have the
32 salaries and operational expenses of that court paid solely by the county
33 unless otherwise agreed to by the political subdivisions which contribute to
34 the expenses of the district court.

35
36 SECTION 36. Arkansas Code § 16-17-119 is amended to read as follows:

1 16-17-119. Counties with populations over 250,000 - ~~Collection of Fees~~
2 District court expenses.

3 ~~(a) All funds, penalties, forfeitures, fees, and costs collected in~~
4 ~~district courts in any county having a population of two hundred fifty~~
5 ~~thousand (250,000) or more inhabitants according to the most recent federal~~
6 ~~census shall be collected by the clerk of the district court and deposited in~~
7 ~~the city treasury of the city or municipality in which the court is located,~~
8 ~~to be used for maintaining and operating the district courts in the county~~
9 ~~and for other general municipal purposes, but not limited to, state police~~
10 ~~retirement funds, library and building funds, legal education funds,~~
11 ~~prosecuting attorney funds, public defender funds, and funds established for~~
12 ~~the expenses of the judiciary in general other than in district courts shall~~
13 ~~be disposed of according to law.~~

14 ~~(b)(a)(1)~~ The salaries and operational expenses of district courts
15 described in this section in any county having a population of two hundred
16 fifty thousand (250,000) or more inhabitants according to the most recent
17 federal census shall be paid by the city or town in which the court is
18 located.

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

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

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

25
26 SECTION 37. Arkansas Code § 16-17-707 is amended to read as follows:

27 16-17-707. Separate accounting records of fines, etc. - Disbursements.

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

32 (1) The first class of accounting records shall embrace all sums
33 collected in the district court in all nontraffic cases which are
34 misdemeanors or violations of the town or city ordinances and all cases which
35 are misdemeanors or violations under state law or traffic offenses which are
36 misdemeanors or violations under state law or town or city ordinance

1 committed within the corporate limits of the town or city where the court
2 sits, where the arresting officer was a police officer or other officer of
3 the town or city, a Department of Arkansas State Police officer or other
4 certified law enforcement officer of the state, or an officer of a private or
5 public college or university located within the corporate limits of the town
6 or city where the court sits;

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

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

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

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

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

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

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

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

36 (3) A town or city that has a police department and does not

1 operate a district court shall receive only the prorated sums collected as
 2 provided in § 16-17-1203.

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

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

8

9 SECTION 38. Arkansas Code § 16-17-902 is amended to read as follows:
 10 16-17-902. Counties having one district court.

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

13 ~~(1) — Baxter;~~

14 ~~(2) — Boone;~~

15 ~~(3)~~(1) Bradley;

16 ~~(4)~~(2) Calhoun;

17 ~~(5) — Clark;~~

18 ~~(6) — Cleburne;~~

19 ~~(7)~~(3) Cleveland;

20 ~~(8) — Columbia;~~

21 ~~(9) — Conway;~~

22 ~~(10) — Crawford;~~

23 ~~(11) — Cross;~~

24 ~~(12) — Dallas;~~

25 ~~(13)~~(4) Drew;

26 ~~(14) — Faulkner;~~

27 ~~(15) — Fulton;~~

28 ~~(16)~~(5) Grant;

29 ~~(17) — Greene;~~

30 ~~(18)~~(6) Hempstead;

31 ~~(19) — Hot Spring;~~

32 ~~(20)~~(7) Howard;

33 ~~(21)~~(8) Independence;

34 ~~(22) — Izard;~~

35 ~~(23) — Jackson;~~

36 ~~(24) — Johnson;~~

1 ~~(25) Lafayette;~~
 2 ~~(26)~~(9) Lee;
 3 ~~(27) Lincoln;~~
 4 ~~(28) Little River;~~
 5 ~~(29)~~(10) Madison;
 6 ~~(30) Marion;~~
 7 ~~(31)~~(11) Miller;
 8 ~~(32)~~(12) Montgomery;
 9 ~~(33)~~(13) Nevada;
 10 ~~(34)~~(14) Newton;
 11 ~~(35) Perry;~~
 12 ~~(36) Pike;~~
 13 ~~(37)~~(15) Polk;
 14 ~~(38) Pope;~~
 15 ~~(39)~~(16) Randolph;
 16 ~~(40)~~(17) Scott;
 17 ~~(41)~~(18) Searcy;
 18 ~~(42)~~(19) Sevier;
 19 ~~(43) St. Francis;~~
 20 ~~(44)~~(20) Stone; and
 21 ~~(45)~~(21) Union; ~~and~~
 22 ~~(46) Van Buren.~~

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

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

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

29

30 SECTION 39. Arkansas Code § 16-17-903 is amended to read as follows:
 31 16-17-903. Crittenden County District Courts.

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

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

36 (i) One (1) located in Marion;

- 1 (ii) One (1) located in Earle;
 2 (iii) One (1) located in Gilmore;
 3 (iv) One (1) located in Jericho;
 4 (v) One (1) located in Sunset; and
 5 (vi) One (1) located in Turrell.

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

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

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

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

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

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

19

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

21 16-17-904. ~~Counties having two district courts~~ Arkansas County
 22 District Courts.

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

27 (1) The Northern District shall have:

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

29 (B) One (1) district judge; and

30 (2) The Southern District shall have:

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

32 (i) One (1) located in Dewitt;

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

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

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

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

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

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

10
 11 SECTION 41. Arkansas Code § 16-17-912 is amended to read as follows:
 12 16-17-912. Garland County District Court.

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

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

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

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

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

20 (b) The judges of Garland County District Court shall be elected
 21 countywide.

22 (c) The Garland County District Court shall have countywide
 23 jurisdiction.

24
 25 SECTION 42. Arkansas Code § 16-17-913 is amended to read as follows:
 26 16-17-913. Jefferson County District Courts.

27 (a) Jefferson County shall have the following district courts and
 28 judges:

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

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

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

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

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

- 1 (iii) One (1) located in Humphrey;
 2 (iv) One (1) located in White Hall;
 3 (v) One (1) located in Wabaseka; and
 4 (vi) One (1) located in Redfield.

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

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

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

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

14 (2) The Jefferson County District Court shall have countywide
 15 jurisdiction.

16

17 SECTION 43. Arkansas Code § 16-17-914 is amended to read as follows:
 18 16-17-914. Lonoke County District Courts.

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

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

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

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

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

26 (iii) One (1) located in Austin.

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

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

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

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

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

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

2 (v) One (1) located in Humnoke.

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

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

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

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

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

14 (2) The Southern District of Lonoke County shall consist of the
15 townships of Carlisle, Crooked Creek, Dortch, Fletcher, Furlow, Gum Woods,
16 Gray, Hamilton, Indian Bayou, Isbell, Lafayette, Lonoke, Pettus, Richwoods,
17 Pulaski, Scott, Williams, and Walls.

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

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

23

24 SECTION 44. Arkansas Code § 16-17-915 is amended to read as follows:
25 16-17-915. Monroe County District Court.

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

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

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

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

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

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

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

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

3
4 SECTION 45. Arkansas Code § 16-17-916 is amended to read as follows:
5 16-17-916. Ouachita County District Courts.

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

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

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

10 (B) One (1) judge.

11 (2) East Camden shall have:

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

13 (i) One (1) located in Bearden;

14 (ii) One (1) located in Chidester;

15 (iii) One (1) located in East Camden; and

16 (iv) One (1) located in Stephens.

17 (B) All four (4) departments are to be served by one (1)
18 judge.

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

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

22 (2) The Camden District Court shall have countywide
23 jurisdiction.

24 (c)(1) The judge of the East Camden District Court shall be elected
25 countywide.

26 (2) The East Camden District Court shall have countywide
27 jurisdiction.

28
29 SECTION 46. Arkansas Code § 16-17-917 is amended to read as follows:
30 16-17-917. Phillips County District Court.

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

33 (A) ~~One (1)~~ Two (2) located in ~~Helena~~ Helena-West Helena;
34 and

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

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

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

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

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

6 (c) The Phillips County District Court shall have countywide
7 jurisdiction.

8

9 SECTION 47. Arkansas Code § 16-17-919 is amended to read as follows:
10 16-17-919. Washington County District Courts.

11 (a)(1) Washington County shall have the following district courts and
12 judges:

13 (A) Springdale shall have ~~one (1) district court and one~~
14 ~~judge;~~

15 (i) One (1) district court with three (3)
16 departments:

17 (a) One (1) located in Springdale

18 (b) One (1) located in Elm Springs; and

19 (c) One (1) located in Johnson.

20 (ii) All three (3) departments are to be served by
21 one (1) judge;

22 (B) Fayetteville shall have one (1) district court and one
23 (1) judge;

24 (C) Elkins shall have one (1) district court and one (1)
25 judge;

26 (D) West Fork shall have ~~one (1) district court and one~~
27 ~~judge; and;~~

28 (i) One (1) district court with two (2) departments:

29 (a) One (1) located in West Fork; and

30 (b) One (1) located in Greenland.

31 (ii) Both departments are to be served by one (1)
32 judge; and

33 (E) Prairie Grove shall have ~~one (1) district court and~~
34 ~~one judge;~~

35 (i) One (1) district court with three (3)
36 departments:

1 (a) One (1) located in Prairie Grove;
2 (b) One (1) located in Lincoln; and
3 (c) One (1) located in Farmington.
4 (ii) All three (3) departments are to be served by
5 one (1) judge.

6 (2) The district court boundaries in Washington County shall be
7 as follows:

8 (A) For Springdale District Court:
9 (i) The city limits of Springdale as now or in the
10 future constituted;
11 (ii) The township of Elm Springs;
12 (iii) The township of Tontitown;
13 (iv) The township of Harmon; and
14 (v) That portion of the township of Johnson that
15 lies outside the city limits of Fayetteville;

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

18 (C) For Elkins District Court, the townships of:
19 (i) Brush Creek;
20 (ii) Springdale 1;
21 (iii) Prairie 1;
22 (iv) Goshen;
23 (v) Wyman;
24 (vi) Prairie 2;
25 (vii) Richland;
26 (viii) Richland Senate;
27 (ix) White River; and
28 (x) Durham;

29 (D) For West Fork District Court:
30 (i) The township of Valley;
31 (ii) The township of West Fork;
32 (iii) The township of Crawford;
33 (iv) The township of Reed;
34 (v) The township of Winslow;
35 (vi) The township of Lee's Creek;
36 (vii) The township of Cove Creek;

1 (viii) The township of Boston;
 2 (ix) The township of Vineyard; and
 3 (x) That portion of the township of Greenland that
 4 lies outside the city limits of Fayetteville; and

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

- 6 (i) Prairie 4;
 7 (ii) Prairie 3;
 8 (iii) Wheeler;
 9 (iv) Litteral;
 10 (v) Center House;
 11 (vi) Center;
 12 (vii) Prairie Grove Senate;
 13 (viii) Prairie Grove;
 14 (ix) Marrs Hill;
 15 (x) Weddington;
 16 (xi) Illinois;
 17 (xii) Rheas;
 18 (xiii) Price;
 19 (xiv) Starr Hill;
 20 (xv) Dutch Mills;
 21 (xvi) Morrow; and
 22 (xvii) Cane Hill~~+~~.

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

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

28
 29 SECTION 48. Arkansas Code § 16-17-920 is amended to read as follows:

30 16-17-920. White County District Court.

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

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

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

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

- 1 (i) One (1) located in Searcy;
 2 (ii) One (1) located in Bald Knob;
 3 (iii) One (1) located in Bradford;
 4 (iv) One (1) located in Judsonia;
 5 (v) One (1) located in McRae;
 6 (vi) One (1) located in Kensett;
 7 (vii) One (1) located in Pangburn; and
 8 (viii) One (1) located in Rosebud.

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

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

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

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

16
 17 SECTION 49. Arkansas Code § 16-17-921 is amended to read as follows:
 18 16-17-921. Pulaski County District Courts.

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

20 (1) Jacksonville shall have:

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

24 (B) One (1) judge to be elected by the qualified electors
 25 of the City of Jacksonville;

26 (2) Little Rock shall have:

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

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

32 (3) North Little Rock shall have:

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

36 (B) One (1) judge for each department to be elected by the

1 qualified electors of the City of North Little Rock;

2 (4) Maumelle shall have:

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

5 (B) One (1) judge to be elected by the qualified electors
6 of the City of Maumelle; and

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

9 (i) One (1) located in Pulaski County known as the
10 Pulaski County District Court;

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

13 (iii) One (1) located in Wrightsville known as the
14 Wrightsville District Court; and

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

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

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

21 (iii) Both departments known as the Wrightsville
22 District Court and the Cammack Village District Court are to be served by one
23 (1) judge.

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

26 (D) The district court located in Pulaski County shall
27 have countywide jurisdiction.

28
29 SECTION 50. Arkansas Code § 16-17-928 is amended to read as follows:

30 16-17-928. Lawrence County District Court.

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

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

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

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

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

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

3 (b) The Lawrence County District Court Judge shall be elected
4 countywide.

5 (c) The Lawrence County District Court shall have countywide
6 jurisdiction.

7
8 SECTION 51. Arkansas Code Title 16, Chapter 17, Subchapter 9 is
9 amended to add additional sections to read as follows:

10 16-17-929. Mississippi County District Courts.

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

13 (1) The Osceola District shall have:

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

15 (i) One (1) located in Osceola; and

16 (ii) One (1) located in Joiner.

17 (B) Both departments are to be served by one (1) district
18 judge; and

19 (2) The Chickasawba District shall have:

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

21 (i) One (1) located in Blytheville;

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

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

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

25 (v) One (1) located in Dell.

26 (B) All five (5) departments are to be served by one (1)
27 judge.

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

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

33
34 16-17-930. Carroll County District Courts.

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

1 (1) The Western District shall have:

2 (A) One (1) district court located in Eureka Springs; and

3 (B) One (1) district judge; and

4 (2) The Eastern District shall have:

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

6 (i) One (1) located in Berryville; and

7 (ii) One (1) located in Green Forest.

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

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

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

15
16 16-17-931. Franklin County District Courts.

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

19 (1) The Charleston District shall have:

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

21 (B) One (1) district judge; and

22 (2) The Ozark District shall have:

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

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

25 (ii) One (1) located in Altus.

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

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

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

33
34 16-17-932. Logan County District Courts.

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

- 1 (1) The Northern District shall have:
- 2 (A) One (1) district court located in Paris; and
- 3 (B) One (1) district judge; and
- 4 (2) The Southern District shall have:
- 5 (A) One (1) district court with two (2) departments:
- 6 (i) One (1) located in Booneville; and
- 7 (ii) One (1) located in Magazine.
- 8 (B) Both departments are to be served by one (1) district
- 9 judge.

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

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

15
16 16-17-933. Cleburne County District Court.

- 17 (a)(1) Cleburne County shall have one (1) district court with four (4)
- 18 departments:
- 19 (A) One (1) located in Heber Springs;
- 20 (B) One (1) located in Greers Ferry;
- 21 (C) One (1) located in Concord; and
- 22 (D) One (1) located in Quitman.

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

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

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

28
29 16-17-934. Columbia County District Court.

- 30 (a)(1) Columbia County shall have one (1) district court with two (2)
- 31 departments:
- 32 (A) One (1) located in Magnolia; and
- 33 (B) One (1) located in Waldo.

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

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

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

3
4 16-17-935. Conway County District Court.

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

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

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

9 (C) One (1) located in Plumerville.

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

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

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

15
16 16-17-936. Crawford County District Court.

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

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

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

21 (C) One (1) located in Alma;

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

23 (E) One (1) located in Dyer.

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

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

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

29
30 16-17-937. Cross County District Court.

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

33 (A) One (1) located in Wynne;

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

35 (C) One (1) located in Parkin.

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

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

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

4
5 16-17-938. Dallas County District Court.

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

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

9 (B) One (1) located in Sparkman.

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

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

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

15
16 16-17-939. Faulkner County District Court.

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

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

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

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

22 (D) One (1) located in Mayflower;

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

24 (F) One (1) located in Vilonia.

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

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

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

30
31 16-17-940. Fulton County District Court.

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

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

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

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

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

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

5
6 16-17-941. Hot Spring County District Court.

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

9 (A) One (1) located in Malvern;

10 (B) One (1) located in Rockport;

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

12 (D) One (1) located in Donaldson.

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

14 (b) The Hot Spring County District Court Judge shall be elected
15 countywide.

16 (c) The Hot Spring County District Court shall have countywide
17 jurisdiction.

18
19 16-17-942. Izard County District Court.

20 (a)(1) Izard County shall have one (1) district court with three (3)
21 departments:

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

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

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

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

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

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

29
30 16-17-943. Jackson County District Court.

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

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

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

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

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

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

2 (b) The Jackson County District Court Judge shall be elected
3 countywide.

4 (c) The Jackson County District Court shall have countywide
5 jurisdiction.

6
7 16-17-944. Johnson County District Court.

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

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

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

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

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

14 (b) The Johnson County District Court Judge shall be elected
15 countywide.

16 (c) The Johnson County District Court shall have countywide
17 jurisdiction.

18
19 16-17-945. Lafayette County District Court.

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

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

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

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

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

26 (b) The Lafayette County District Court Judge shall be elected
27 countywide.

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

30
31 16-17-946. Lincoln County District Court.

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

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

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

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

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

2 (b) The Lincoln County District Court Judge shall be elected
3 countywide.

4 (c) The Lincoln County District Court shall have countywide
5 jurisdiction.

6
7 16-17-947. Little River County District Court.

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

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

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

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

13 (b) The Little River County District Court Judge shall be elected
14 countywide.

15 (c) The Little River County District Court shall have countywide
16 jurisdiction.

17
18 16-17-948. Marion County District Court.

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

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

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

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

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

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

26 (b) The Marion County District Court Judge shall be elected
27 countywide.

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

30
31 16-17-949. Pike County District Court.

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

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

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

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

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

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

3
4 16-17-950. St. Francis County District Court.

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

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

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

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

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

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

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

13 (b) The St. Francis County District Court Judge shall be elected
14 countywide.

15 (c) The St. Francis County District Court shall have countywide
16 jurisdiction.

17
18 16-17-951. Van Buren County District Court.

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

21 (A) One (1) located in Clinton; and

22 (B) One (1) located in Damascus.

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

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

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

28
29 16-17-952. Perry County District Court.

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

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

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

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

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

36 (c) The Perry County District Court shall have countywide

1 jurisdiction.

2
3 16-17-953. Clark County District Court.

4 (a)(1) Clark County shall have one (1) district court with two (2)
5 departments:

6 (A) One (1) located in Arkadelphia; and

7 (B) One (1) located in Amity.

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

9 (b) The Clark County District Court judge shall be elected countywide.

10 (c) The Clark County District Court shall have countywide
11 jurisdiction.

12
13 SECTION 52. Arkansas Code § 16-18-112 is repealed.

14 ~~16-18-112. Schedule of fees or monthly allowance for judge of city~~
15 ~~court—Jurisdiction—Designation of substitute judge.~~

16 ~~(a)(1)(A) The governing body of any city or town having a city court~~
17 ~~may establish a schedule of fees to be paid by the city or town from the~~
18 ~~general fund to the judge of the court for the trial of cases in the court.~~

19 ~~(B) However, the fee schedule or monthly allowance shall~~
20 ~~not be based upon the conviction of any person tried in the court.~~

21 ~~(2)(A) Alternatively, the governing body of the city or town may~~
22 ~~provide for the payment of a monthly allowance from the~~
23 ~~general fund of the city or town as compensation to the judge for sitting as~~
24 ~~judge in that court.~~

25 ~~(B) However, the fee schedule or monthly allowance shall~~
26 ~~not be based upon the conviction of any person tried in the court.~~

27 ~~(b) The city court of any city or town shall have, within the limits of~~
28 ~~the city, jurisdiction as provided by § 16-88-101.~~

29 ~~(c) The mayor shall give bond and security in any amount to be~~
30 ~~determined and approved by the city council.~~

31 ~~(d)(1) The court may award and issue any process or writs that may be~~
32 ~~necessary to enforce the administration of justice throughout the city, and~~
33 ~~for the lawful exercise of its jurisdiction, according to the usages and~~
34 ~~principles of law.~~

35 ~~(2) For crimes and offenses committed within the limits of the~~
36 ~~city, the court's power with respect to process or writs extends throughout~~

1 ~~the county in which the city is located.~~

2 ~~(e)(1) Any mayor of a city of the first class meeting the limitations~~
3 ~~of this section, any city of the second class, or any town may designate, at~~
4 ~~such times as he or she shall choose to do so, any attorney licensed in the~~
5 ~~State of Arkansas who resides in the county in which the city or town is~~
6 ~~situated, to sit in the mayor's stead as judge of the city court.~~

7 ~~(2) Any person so designated by the mayor to sit as judge shall~~
8 ~~receive such remuneration as is provided by the governing body of the city or~~
9 ~~town as provided in this section.~~

10 ~~(f) Any conviction or sentence of the city court may be appealed to~~
11 ~~circuit court for a trial de novo.~~

12
13 SECTION 53. Arkansas Code § 16-88-101 is amended to read as follows:

14 16-88-101. Jurisdiction of courts for certain offenses generally.

15 (a) The jurisdiction of the various courts of this state for the trial
16 of offenses shall be as follows:

17 (1) The Senate shall have exclusive jurisdiction of impeachment;

18 (2) The Supreme Court shall have general supervision and control
19 over all inferior courts in criminal cases;

20 (3) The circuit court shall have original jurisdiction,
21 exclusive of the district court ~~and city court~~, for the trial of offenses
22 defined as felonies by state law and shall have original jurisdiction
23 concurrent with the district court ~~and city court~~ for the trial of offenses
24 defined as misdemeanors by state law.

25 (4) The district court shall have original jurisdiction,
26 exclusive of the circuit court, for the trial of violations of ordinances of
27 ~~the city or county~~ any town or city in the county in which the district court
28 is located, for the trial of violations of ordinances of the county in which
29 the district court is located, and shall have original jurisdiction
30 concurrent with the circuit court for the trial of offenses defined as
31 misdemeanors by state law and committed within the territorial jurisdiction
32 of the district court.

33 ~~(5) The city court shall have original jurisdiction, exclusive~~
34 ~~of the circuit court, for the trial of violations of ordinances of the city~~
35 ~~in which the city court is located and shall have original jurisdiction~~
36 ~~concurrent with the circuit court for the trial of offenses defined as~~

1 ~~misdemeanors by state law and committed within the city in which the circuit~~
2 ~~court is located.~~

3 (b) Where an indictment is found in the circuit court for an offense
4 within its jurisdiction, the court shall have jurisdiction of all the degrees
5 of the offense, and of all the offenses included in the one (1) charge,
6 although some of those degrees or included offenses are within the exclusive
7 jurisdiction of ~~an inferior or local court~~ the district court.

8 (c) A district court may issue arrest warrants and search warrants and
9 may perform other pretrial functions, as authorized by the Arkansas Rules of
10 Criminal Procedure, in the prosecution of a person for an offense within the
11 exclusive jurisdiction of the circuit court.

12

13 SECTION 54. Arkansas Code § 16-88-105 is amended to read as follows:

14 16-88-105. Territorial jurisdiction of certain courts generally.

15 (a) The jurisdiction of the Senate and Supreme Court embraces the
16 whole state.

17 (b) The local jurisdiction of circuit courts ~~and justices' courts~~
18 shall be of offenses committed within the respective counties in which they
19 are held.

20 (c) The local jurisdiction of ~~police or city~~ district courts shall be
21 of offenses committed within the limits of the jurisdiction of the courts, as
22 prescribed by the statutes creating or regulating them.

23

24 SECTION 55. Arkansas Code § 16-88-116 is amended to read as follows:

25 16-88-116. Traffic citations issued within a ~~municipality~~ town or city
26 with a ~~municipal court or city~~ district court – Placement on docket.

27 ~~(a)~~ All traffic citations issued within the boundaries of a
28 ~~municipality~~ town or city of this state which has a district ~~or city~~ court
29 shall be placed on the docket of the district ~~or city~~ court of that
30 ~~municipality~~ town or city, unless the presiding judge of that court
31 authorizes a transfer to another court exercising jurisdiction over the area
32 in which the citation was issued.

33 ~~(b)~~ ~~If a municipality has more than one (1) court exercising subject~~
34 ~~matter jurisdiction over traffic citations issued within the boundaries of~~
35 ~~that municipality, then all traffic citations issued within the boundaries of~~
36 ~~that municipality shall be placed on the docket of the municipality's~~

1 ~~district or city court in the closest proximity to where the offense~~
2 ~~occurred.~~

3
4 SECTION 56. Effective dates.

5 (a) Sections 2 through 15 of this act are effective January 1, 2008.

6 (b) Sections 16 through 55 of this act are effective January 1, 2012.

7
8 /s/ Womack
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