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	A D:11		
2	87th General Assembly	A Bill		
3	Regular Session, 2009		HOUSE BILL	1398
4				
5	By: Representatives Powers, F	Pennartz, Harrelson, Reynolds		
6	By: Senator D. Wyatt			
7				
8		For An Act To Be Entitled		
9				
10		O INCREASE DISTRICT COURT FILING FE	-	
11		H ADDITIONAL PILOT STATE DISTRICT C PS; CONSOLIDATE CITY COURTS WITH DI		
12 13			.51K101	
13	COOKIS; A	AND FOR OTHER PURPOSES.		
15		Subtitle		
16	το τη	CREASE DISTRICT COURT FILING FEES;		
17		LISH ADDITIONAL PILOT STATE		
18		ICT COURT JUDGESHIPS; CONSOLIDATE		
19	CITY	COURTS WITH DISTRICT COURTS.		
20				
21				
22	BE IT ENACTED BY THE GE	ENERAL ASSEMBLY OF THE STATE OF ARK	ANSAS:	
23				
24	SECTION 1. Arkar	nsas Code § 16-17-705 is amended to	read as follows	:
25	16-17-705. Filir	ng fees and costs.		
26	(a)(l) The unifo	orm filing fee to be charged by the	clerks of the	
27	district courts for ini	itiating a cause of action in distr	ict court in this	S
28	state shall be as preso	cribed in this section.		
29	(2) No por	rtion of the filing fee shall be re	funded.	
30	(b)(l) For initi	iating a cause of action in the civ	il division of	
31	district court	••• \$50.00 <u>\$75.00</u>		
32	(2) For in	nitiating a cause of action in the	small claims	
33	division of district co			
34	_	city, or county shall <u>not</u> authorize	—	ct
35		assess or collect any other filing		
36	authorized by this sect	tion , unless specifically provided	by state law.	



1	
2	SECTION 2. Arkansas Code § 16-17-902 is amended to read as follows:
3	16-17-902. Counties having one district court. [Effective January 1,
4	2008; effective until January 1, 2012.]
5	(a) Each of the following counties shall have one (1) district court
6	and one (1) district judge:
7	(1) Bradley;
8	(2) Calhoun;
9	(3) Clark;
10	(4) Cleburne;
11	(5)(4) Cleveland;
12	(6)<u>(5)</u> Columbia;
13	(7) (6) Conway;
14	(8)(7) Crawford;
15	(9)<u>(8)</u> Cross;
16	(10)<u>(9)</u> Dallas;
17	(11) (10) Drew;
18	(12)(11) Faulkner;
19	(13)(12) Fulton;
20	(14)<u>(13)</u> Grant;
21	(15)(14) Hempstead;
22	(16)(15) Hot Spring;
23	(17) (16) Howard;
24	(18)(17) Independence;
25	(19)<u>(18)</u> Izard;
26	(20)<u>(19)</u> Jackson;
27	(21)(20) Johnson;
28	(22)<u>(</u>21) Lafayette;
29	(23)<u>(</u>22) Lee;
30	(24)(23) Lincoln;
31	(25)<u>(</u>24) Little River;
32	(26)<u>(</u>25) Madison;
33	(27)<u>(</u>26) Marion;
34	(28)<u>(</u>27) Miller;
35	(29)(28) Montgomery;
36	(30)<u>(</u>29) Nevada;

1 (31)(30) Newton; 2 (32)(31) Perry; 3 (33)(32) Pike; 4 (34)(33) Polk; 5 (35)(34) Randolph; 6 (36)(35) Scott; 7 (37)(36) Searcy; 8 (38)(37) Sevier; (39) St. Francis; 9 10 (40)(38) Stone; 11 (41)(39) Union; and 12 (42)(40) Van Buren. 13 The district court shall be located in the county seat of each (b) 14 county listed in subsection (a) of this section. 15 (c)(1) The judge of any district court located in a county with one 16 (1) district court shall be elected countywide. 17 (2) If there is only one (1) district court in a county, it shall have countywide jurisdiction. 18 19 20 SECTION 3. Arkansas Code § 16-17-1103 is amended to read as follows: 21 16-17-1103. Creation of pilot state district court judgeships. 22 (a) There are established mineteen (19) twenty-five (25) pilot state 23 district court judgeships. 24 The following counties or judicial districts of a county and the (b) 25 towns and cities in that county or judicial districts of a county in which a 26 district court is located shall participate in a program of full-time pilot 27 state district court judges: 28 (1) Baxter; 29 (2) Benton; 30 (3) Boone; 31 (4) Cleburne; 32 (4)(5) Greene; 33 (5)(6) Independence; 34 (6)(7) Miller; 35 (7)(8) Mississippi-Chickasawba District; (8)(9) Poinsett; 36

1	(9)<u>(10)</u> Pope;
2	(11) Pulaski- Jacksonville District Court; North Little Rock
3	District Court, Department 1 and Department 2; and Pulaski County District
4	<u>Court;</u>
5	<u>(12)</u> St. Francis;
6	(10)(13) Saline;
7	(11)(14) Sebastian; and
8	(12)(15) Union.
9	
10	SECTION 4. Arkansas Code § 16-17-1104 is amended to read as follows:
11	16-17-1104. Pilot state district court judges — Salaries.
12	(a) The pilot state district court judges who serve the judgeships
13	created under § $16-17-1003$ $16-17-1103$ are state district court judges.
14	(b) The salaries of the pilot state district court judges shall be
15	paid with moneys appropriated by the General Assembly.
16	
17	SECTION 5. Arkansas Code § 16-17-1105 is amended to read as follows:
18	16-17-1105. Consolidation of city courts with district courts.
19	(a) The city courts located in the following cities or towns shall be
20	consolidated with district courts:
21	(1) Alexander;
22	(2) Atkins;
23	(3) Barling;
24	(4) Bauxite;
25	(5) Bethel Heights;
26	(6) Briarcliff;
27	(7) Cave Springs;
28	(8) Centerton;
29	(9) Central City;
30	(10) Concord;
31	(10)(11) Cotter;
32	(11)(12) Dell;
33	(12)(13) Dover;
34	(13)(14) Gassville;
35	(14)(15) Gosnell;
36	

1	(17) Greers Ferry;
2	(16)(18) Haskell;
2	(19) Hughes;
4	(17) (20) Lakeview;
4 5	$\frac{(17)}{(20)}$ Lakeview; $\frac{(18)}{(21)}$ Leachville;
6	(19)(22) Little Flock;
7	(20)(23) London;
8	(21)(24) Lowell;
9	(25) Madison;
10	(22)(26) Manila;
11	(23) (27) Marmaduke;
12	(24)(28) Norfork;
13	(29) Palestine;
14	(25)<u>(</u>30) Pea Ridge;
15	(26)(31) Pottsville;
16	(32) Quitman;
17	(27)(33) Shannon Hills;
18	(28)(34) Sulphur Springs; and
19	(29)<u>(</u>35) Weiner , ; and
20	<u>(36) Widner.</u>
21	(b) Each city court under subsection (a) of this section:
22	(1) Is consolidated with the pilot state district court having
23	jurisdiction over the geographical area of the abolished city court;
24	(2) Shall continue to exist as a department of that pilot state
25	district court unless abolished by town or city ordinance; and
26	(3) Is redesignated as the " District
27	Court,Department"; and.
28	(4) Shall continue to levy and collect the court costs
29	applicable in city court under § 16-10-305.
30	(c) Under the Arkansas District Courts and City Courts Accounting Law,
31	§ 16-10-201 et seq., each department of a pilot state district court shall
32	maintain a docket and set court dates for hearing that docket in the town or
33	city unless the district court and the town or city in which the department
34	is located agree otherwise.
35	(d)(l) A town or city that operated a city court prior to January l,
36	2008, and became a department of a pilot state district court under this

5

1 subchapter may abolish that department by ordinance. 2 (2) The clerk of the town or city shall send a copy of the ordinance issued under subdivision (d)(1) of this section to the 3 4 Administrative Office of the Courts. 5 (3) After a department has been abolished under subdivision 6 (d)(1) of this section: 7 (A) The nearest district court in the county shall 8 exercise jurisdiction over the geographical area of that abolished 9 department; 10 The abolished city court shall transfer all its papers (B) 11 and records to the court described in subdivision (d)(3)(A) of this section; 12 and 13 (C)(i) All of the following existing on January 1, 2008, 14 shall continue unaffected unless otherwise affected by this subchapter: 15 (a) Actions; 16 (b) Appeals; 17 (c) Causes of action; 18 (d) Civil proceedings; 19 Criminal proceedings; (e) 20 (f) Decrees; 21 Judgments; (g) 22 (h) Liabilities; 23 (i) Orders; 24 (j) Prosecutions; 25 (k) Regulations; 26 (1) Sentences; 27 (m) Suits; and 28 (n) Writs. 29 (ii) No A suit or prosecution of any kind or nature 30 shall not abate as a result of this subchapter. 31 (4) No A town or city may not reinstate a department of district 32 court that has been abolished under subdivision (d)(1) of this section. 33 34 SECTION 6. Arkansas Code Title 16, Chapter 17, Subchapter 11 is 35 amended to add an additional section to read as follows: 16-17-1108. Travel expense reimbursement. 36

6

HB1398

1	From the appropriation provided for the expenses of pilot state
2	district court judges, a pilot state district court judge is authorized to be
3	reimbursed for those travel expenses at the rate as authorized for state
4	employees and for mileage at the rate established in the state travel
5	regulations for state employees while traveling within the state in the
6	performance of their official duties.
7	
8	SECTION 7. Section 56 of Act 663 of 2007 is amended to read as
9	follows:
10	SECTION 56. Effective dates.
11	(a) Sections 2 through 15 of this act are effective January 1, 2008.
12	(b) Sections 16 through <u>50 and 52 through</u> 55 of this act are effective
13	January 1, 2012.
14	(c) Section 51 of Act 663 of 2007 is effective January 1, 2012,
15	except:
16	(1) That portion of Section 51 of Act 663 of 2007 that is
17	referred to in Act 663 of 2007 as 16-17-933, establishing the Cleburne County
18	District Court and departments of that court, codified as § 16-17-936 is
19	effective January 1, 2010; and
20	(2) That portion of Section 51 of Act 663 of 2007 that is
21	referred to in Act 663 of 2007 as 16-17-950, establishing the St. Francis
22	County District Court and departments of that court, codified as § $16-17-954$
23	is effective January 1, 2010.
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	

7