

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

# A Bill

SENATE BILL 82

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE TRIAL COURT  
10 ADMINISTRATORS AND THE OFFICIAL COURT REPORTERS OF  
11 THE CIRCUIT COURTS FOR THE FISCAL YEAR ENDING JUNE  
12 30, 2017; AND FOR OTHER PURPOSES.  
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## Subtitle

15 AN ACT FOR THE ADMINISTRATIVE OFFICE OF  
16 THE COURTS - TRIAL COURT ADMINISTRATORS  
17 AND THE OFFICIAL COURT REPORTERS  
18 APPROPRIATION FOR THE 2016-2017 FISCAL  
19 YEAR.  
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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25 SECTION 1. REGULAR SALARIES - TRIAL COURT ADMINISTRATORS. There is  
26 hereby established for the Administrative Office of the Courts - Trial Court  
27 Administrators for the 2016-2017 fiscal year, the following maximum number of  
28 regular employees.  
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Item	Maximum	Maximum Annual
No.	No. of	Salary Rate
Title	Employees	Fiscal Year
		2016-2017
(1) TRIAL COURT ADMINISTRATOR	<u>122</u>	GRADE C117
MAX. NO. OF EMPLOYEES	122	



SECTION 2. APPROPRIATION - TRIAL COURT ADMINISTRATORS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Trial Court Administrator Fund, for personal services, Trial Court Administrator Substitutes expenses, and Trial Court Administrators expenses of the Trail Court Administrators of the Circuit Courts for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$5,535,479
(02) PERSONAL SERV MATCHING	1,902,432
(03) TRIAL COURT ADMINISTRATOR EXPENSES	225,000
(04) TRIAL COURT ADMINISTRATOR SUBSTITUTES	<u>125,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$7,787,911</u></u>

SECTION 3. REGULAR SALARIES - COURT REPORTERS. There is hereby established for the Administrative Office of the Courts - Official Court Reporters of the Circuit Courts for the 2016-2017 fiscal year, the following maximum number of regular employees.

Item	Maximum	Maximum Annual
<u>No.</u>	<u>No. of</u>	<u>Salary Rate</u>
Title	<u>Employees</u>	<u>Fiscal Year</u>
<u>NO.</u>	<u>Employees</u>	<u>2016-2017</u>
(1) COURT REPORTER	<u>122</u>	GRADE C119
MAX. NO. OF EMPLOYEES	122	

SECTION 4. APPROPRIATION - COURT REPORTERS. There is hereby appropriated, to the Administrative Office of the Courts, to be payable from the Court Reporter's Fund, for personal services, expenses allowance, indigent transcripts and court reporter substitutes of the Official Court Reporters of the Circuit Courts for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>

1	(01) REGULAR SALARIES	\$6,518,781
2	(02) PERSONAL SERV MATCHING	2,131,148
3	(03) EXPENSES ALLOWANCE	400,000
4	(04) INDIGENT TRANSCRIPTS	600,000
5	(05) COURT REPORTER SUBSTITUTES	<u>325,000</u>
6	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,974,929</u></u>

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8 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 9 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. AOC  
 10 RESPONSIBILITY FOR COURT REPORTERS AND TRIAL COURT ADMINISTRATORS.

11 (a) The Administrative Office of the Courts shall be responsible for  
 12 the financial oversight of the Official Court Reporters of the Circuit Courts  
 13 and Trial Court Administrators, which shall include but not be limited to  
 14 biennial and annual budget requests, all budgeting activities, monitoring  
 15 expenses, travel, substitute expenses, indigent transcript payments and to  
 16 ensure projected annual expenditures do not exceed total available funding.

17 (b) The Administrative Office of the Courts with assistance from the  
 18 Arkansas Judicial Council shall establish an official procedure or rules for  
 19 all new hires, terminations and salary adjustments for Trial Court  
 20 Administrators and Official Court Reporters. The official procedures or  
 21 rules shall be implemented prior to July 1, 2015 and shall be administered  
 22 for all Trial Court Administrators and Official Court Reporters.

23 The provisions of this section shall be in effect only from July 1, ~~2015~~  
 24 2016 through June 30, ~~2016~~ 2017.

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26 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUNDING  
 28 FROM THE ADMINISTRATION OF JUSTICE FUND.

29 (a) (i) The Administrative Office of the Courts shall be responsible  
 30 for requesting and verifying the need for any additional appropriation, any  
 31 position change level, and any increase in the Administration of Justice Fund  
 32 Allocation Section as authorized annually through special language in the  
 33 Department of Finance and Administration's Disbursing Act, for the Trial  
 34 Court Administrators and Official Court Reporters.

35 (ii) Any annual or biennial request for an increase in the  
 36 Administration of Justice Fund allocation section for Trial Court

1 Administrators and/or Official Court Reporters shall not exceed the total or  
2 projected total revenues available for the Trial Court Administrator Fund or  
3 the Court Reporter's Fund from the Administration of Justice Fund as  
4 determined by the Administrative Office of the Courts with assistance from  
5 the Department of Finance and Administration.

6 (b) (i) During a fiscal year the Administrative Office of the Courts  
7 shall not approve any change level in salary, operating expense and other  
8 distributions for Trial Court Administrators which will exceed actual or  
9 projected fund balances in the Trial Court Administrator Fund.

10 (ii) During a fiscal year the Administrative Office of the Courts  
11 shall not approve any change level in salary, operating expense and other  
12 distributions for Court Reporters which will exceed actual or projected fund  
13 balances in the Court Reporter's Fund.

14 The provisions of this section shall be in effect only from July 1, ~~2015~~  
15 2016 through June 30, ~~2016~~ 2017.

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17 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRIAL  
19 COURT ADMINISTRATOR EMPLOYMENT. In the event that any Trial Court  
20 Administrator terminates employment for any reason and is eligible for the  
21 payment of accumulated annual leave, the employment date for the new employee  
22 shall be delayed and the position shall remain vacant for the period of time  
23 required to account for the cost of the payment of accumulated annual leave.

24 The provisions of this section shall be in effect only from July 1,  
25 ~~2015~~ 2016 through June 30, ~~2016~~ 2017.

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27 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
28 authorized by this act shall be limited to the appropriation for such agency  
29 and funds made available by law for the support of such appropriations; and  
30 the restrictions of the State Procurement Law, the General Accounting and  
31 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
32 Procedures and Restrictions Act, or their successors, and other fiscal  
33 control laws of this State, where applicable, and regulations promulgated by  
34 the Department of Finance and Administration, as authorized by law, shall be  
35 strictly complied with in disbursement of said funds.

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1           SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
2 Assembly that any funds disbursed under the authority of the appropriations  
3 contained in this act shall be in compliance with the stated reasons for  
4 which this act was adopted, as evidenced by the Agency Requests, Executive  
5 Recommendations and Legislative Recommendations contained in the budget  
6 manuals prepared by the Department of Finance and Administration, letters, or  
7 summarized oral testimony in the official minutes of the Arkansas Legislative  
8 Council or Joint Budget Committee which relate to its passage and adoption.

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10           SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
11 General Assembly, that the Constitution of the State of Arkansas prohibits  
12 the appropriation of funds for more than a one (1) year period; that the  
13 effectiveness of this Act on July 1, 2016 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the legislative session, the delay in the  
16 effective date of this Act beyond July 1, 2016 could work irreparable harm  
17 upon the proper administration and provision of essential governmental  
18 programs. Therefore, an emergency is hereby declared to exist and this Act  
19 being necessary for the immediate preservation of the public peace, health  
20 and safety shall be in full force and effect from and after July 1, 2016.

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