

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 311

4
5 By: Senator A. Clark
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING THE
9 DISQUALIFICATION OF JUDGES; AND FOR OTHER PURPOSES.

Subtitle

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12 TO AMEND THE LAW CONCERNING THE
13 DISQUALIFICATION OF JUDGES.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code § 16-13-214 is amended to read as follows:
20 16-13-214. Disqualification of judges.

21 ~~No judge of the circuit court shall sit on the determination of any~~
22 ~~case in which he or she is interested in the outcome, is related to any party~~
23 ~~within the third degree of consanguinity or affinity, has been of counsel in~~
24 ~~the case or presided over it in any inferior court, or is otherwise~~
25 ~~disqualified under the Arkansas Code of Judicial Conduct, unless the parties~~
26 ~~waive the disqualification as provided therein~~ Unless the parties to a case
27 waive the basis for the disqualification of the judge, a judge of the circuit
28 court is disqualified from sitting on the determination of a case in which:

29 (1) He or she is interested in the outcome;

30 (2) He or she is related to a party to the case within the third
31 degree of consanguinity or affinity;

32 (3) He or she has been of counsel in the case or presided over
33 the case in an inferior court;

34 (4) A present member of his or her judicial staff is a party to
35 the case;

36 (5) An immediate family member of a present member of his or her



1 judicial staff is a party to the case or an attorney in the case;

2 (6) A person who was a former member of his or her judicial
3 staff within the past three (3) years is a party to the case or an attorney
4 in the case;

5 (7) An immediate family member of a person who was a former
6 member of his or her judicial staff within the past three (3) years is a
7 party to the case or an attorney in the case; or

8 (8) He or she is otherwise disqualified under the Arkansas Code
9 of Judicial Conduct.

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