

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 437

By: Senator B. Davis

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE FIFTH JUDICIAL DISTRICT; TO PROVIDE FOR AN ADDITIONAL CIRCUIT JUDGESHIP; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING THE FIFTH JUDICIAL DISTRICT; AND TO PROVIDE FOR AN ADDITIONAL CIRCUIT JUDGESHIP.

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

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that the Judicial Resources Assessment Committee has:

(1) Reviewed the caseloads of various judicial districts; and
(2) Determined that to ensure the smooth, efficient, and timely administration of justice, one (1) additional circuit judgeship is needed in the Fifth Judicial District.

(b) It is the intent of the General Assembly that this act:

(1) Authorizes the establishment of one (1) additional circuit judgeship;
(2) Articulates the applicable election process for the additional circuit judge; and
(3) Identifies various resources that will be available to the additional circuit judge.

SECTION 2. Arkansas Code § 16-13-1303 is amended to read as follows:



16-13-1303. Judges and chancellors.

~~The qualified electors of the~~ The qualified electors of the Fifth Judicial District shall elect:

- ~~(1) One (1) circuit judge;~~
- ~~(2) One (1) chancellor;~~
- ~~(3)(A) One (1) circuit chancery judge.~~

~~(B)(i) Each judge of the judgeship created by subdivision (3)(A) of this section shall be the judge of the juvenile division of chancery court.~~

~~(ii) The judge shall serve as judge of the juvenile division in lieu of the judge who would otherwise be designated as judge of the juvenile division of chancery court in the judicial district.~~

~~(C) The judge of the additional circuit chancery judgeship created in subdivision (3)(A) of this section shall devote such time as may be required to perform the duties of judge of the juvenile division, which duties shall be the primary obligation of the judge, and shall sit as judge of the circuit, chancery, or probate court as time permits; and~~

~~(4)(A) An additional circuit chancery and juvenile judgeship which shall have jurisdiction in law, equity, and probate.~~

~~(B) The additional judge shall be elected in the same manner and shall satisfy the same qualifications for holding office and shall receive the same salary, expenses, and other allowances as provided by law for judges of the circuit chancery courts.~~

~~(C) The judge shall serve for elected terms of four (4) years~~ five (5) circuit judges that have jurisdiction in law, equity, probate, and juvenile matters.

SECTION 3. Arkansas Code Title 16, Chapter 13, Subchapter 13, is amended to add an additional section to read as follows:

16-13-1305. Additional judgeship.

(a) In addition to the four (4) circuit judgeships existing on the effective date of this act, there is created in the Fifth Judicial District an additional circuit judgeship.

(b) The additional circuit judge shall:

- (1) Be elected from the district;
- (2) Satisfy the same qualifications for holding office as

provided by law for judges of the circuit courts; and

(3) Receive the same salary, expenses, and other allowances as provided by law for judges of the circuit courts.

(c) The additional circuit judge shall serve for an elected term of six (6) years.

(d)(1) The counties that compose the Fifth Judicial District shall provide courtroom and office facilities and supplies for the additional circuit judgeship.

(2) The requirements under subdivision (d)(1) of this section shall be paid for out of:

(A) The county treasuries in the same manner as other demands against the counties; and

(B) Funds appropriated by the respective quorum courts of the counties for these purposes.

(e)(1) A court reporter and a trial court administrator shall be provided for the additional circuit judgeship.

(2) The salaries of the court reporter and trial court administrator provided under subdivision (e)(1) of this section shall be:

(A) Fixed; and

(B) Paid in the manner provided by law for court reporters and trial court administrators of the circuit courts of this state.

SECTION 4. DO NOT CODIFY. TEMPORARY LANGUAGE.

(a) The additional circuit judgeship in the Fifth Judicial District created under this act shall be filled by election at the 2024 nonpartisan judicial general election, with the elected circuit judge taking office on January 1, 2025.

(b) This act does not affect the election or terms of the four (4) circuit judges in the Fifth Judicial District existing on the effective date of this act.