

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

HOUSE BILL 1661

By: Representative Dalby

By: Senator A. Clark

For An Act To Be Entitled

AN ACT TO AMEND THE LAWS CONCERNING STATE DISTRICT COURTS; TO ELIMINATE THE OBLIGATION OF CITIES AND COUNTIES TO PAY THE SALARIES OF STATE DISTRICT COURT JUDGES; TO AMEND THE LAWS CONCERNING DISTRICT COURT CLERKS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAWS CONCERNING STATE DISTRICT COURTS; TO ELIMINATE THE OBLIGATION OF CITIES AND COUNTIES TO PAY THE SALARIES OF STATE DISTRICT COURT JUDGES; AND TO AMEND THE LAWS CONCERNING DISTRICT COURT CLERKS.

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:

(1) Arkansas Constitution, Amendment 80 vested the judicial power of the State of Arkansas in the judicial department;

(2) Arkansas Constitution, Amendment 94 vested the power to determine the salaries of state officers, including district court judges, with the independent citizens commission and the salaries are paid from the Constitutional Officers Fund, Arkansas Code § 19-5-205;

(3) Arkansas Constitution, Amendment 94 and Arkansas Code § 19-5-205 further established that district court judges are state-elected officials under the Arkansas Constitution that render state judicial



services;

(4) Arkansas Constitution, Amendment 94, Arkansas Code § 16-17-1104, Acts 2007, No. 663, Acts 2009, No. 345, and Acts 2011, No. 1219 further directed that the state district court judges have their salaries set by the independent citizens commission to be paid out of the Constitutional Officers Fund, Arkansas Code § 19-5-205;

(5) In Cotham v. Coffman, 111 Ark. 108 (1914), the Supreme Court established that state funds should be used for state purposes;

(6) In Honorable v. Hyde, 2024 Ark. 114, the Supreme Court established that state funds should be used for state purposes; and

(7) Over the past quarter of a century the state has transitioned from hundreds of part-time local municipal court, city court, and district court judges to, commencing January 1, 2025, seventy (70) full-time state district court judges resulting from a consolidation of these courts into a unified state system of district courts.

(b) The General Assembly intends this act to:

(1) Eliminate the obligation of cities and counties to pay for the salaries of state district court judges in Arkansas; and

(2) Provide for the efficient administration of justice.

SECTION 2. Arkansas Code § 16-10-209(5)(F)(iii), concerning the collection of installment payments, is repealed.

~~(iii) A municipal or county governing body that adopted municipal or county legislation before July 1, 2012, to provide an alternative method of installment payment allocation as then authorized by state law shall remain in effect until repealed; and~~

SECTION 3. Arkansas Code § 16-10-307 is amended to read as follows:

(a) There is hereby created in each county a fund in the office of the county treasurer to be known as the “county administration of justice fund”.

(b) The county administration of justice fund shall be used to defray a part of the expenses of the administration of justice in the county. From the county administration of justice fund, the county shall ~~continue to~~ finance the following county agencies and programs and district court costs ~~which are currently funded, in whole or in part, by filing fees and court costs, at a funding level equal to not less than the greater of the amount~~

~~which was collected by the county from filing fees and court costs for the agency or program in the calendar year ending December 31, 1994, or the amount appropriated by ordinance enacted prior to December 31, 1994, or on February 13, 1995, or on February 14, 1995, or by resolution dated February 9, 1995, to the agency or program for the calendar year ending December 31, 1995:~~

- ~~(1) The prosecuting attorney fund, including all grant funds awarded and appropriated for the calendar year ending December 31, 1995;~~
- (2) The prosecuting attorney's victim-witness program fund;
- (3) The public defender/indigent defense fund and public defender investigator fund, ~~including all grant funds awarded and appropriated for the calendar year ending December 31, 1995;~~
- (4) The county law library book fund;
- (5) The county jail fund; ~~and~~
- (6) The intoxication detection equipment fund;
- (7) Operating costs of the district court;
- (8) Cost-sharing agreements related to the operation of the district court; and
- (9) Any other necessary costs associated with the administration of justice in the county.

(c)(1)(A)(i) ~~The~~ For funds collected in circuit court matters, the county administration of justice fund of each county may retain an amount equal to the amount which was collected by the county from court costs and filing fees for county administration of justice expense in the calendar year ending December 31, 1994, or the amount appropriated from court costs and filing fees by ordinance enacted prior to December 31, 1994, or on February 13, 1995, or on February 14, 1995, or by resolution dated February 9, 1995, for county administration of justice expense from court costs and filing fees for the calendar year ending December 31, 1995, plus, for calendar years 1995 – 2001, an additional amount based upon the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor for the two (2) years immediately preceding.

(ii) For funds collected in district court matters, the county administration of justice fund may retain an amount equal to but no more than fifty percent (50%) of uniform court costs and filing fees that

are collected.

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

(ii) Except as provided in subdivision (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each calendar year thereafter, an additional amount shall be added to the amount to be retained based upon the lesser of the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two (2) years immediately preceding or the percentage rate of increase in collections of the State Administration of Justice Fund for the two (2) years immediately preceding.

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

(C) All local ordinances of the counties and cities authorized and adopted under § 24-8-318 shall remain in full force and effect.

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

(A) Increased by any increase in the Consumer Price Index for All Urban Consumers as provided for in subdivision (c)(1) of this section; and

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

(d) Nothing in this section shall prevent the county from funding any additional costs for the administration of justice from these or other county funds.

(e) The county shall remit on or before the fifteenth day of each month all sums received in circuit court matters in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this

section during the previous month from the uniform filing fees provided for in §§ 21-6-403 and 9-15-202, and the uniform court costs provided for in § 16-10-305 to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund.

(f) The county shall remit on or before the fifteenth day of each month fifty percent (50%) of the moneys collected in district court matters during the previous month from the uniform filing fees provided for in §16-17-705 and the uniform court costs provided for in § 16-10-305 to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund.

SECTION 4. Arkansas Code § 16-10-308 is amended to read as follows:
16-10-308. City administration of justice fund.

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

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

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

(b) The city administration of justice fund shall be used to defray a part of the expense of the administration of justice in the town or city. From the city administration of justice fund, the town or city shall ~~continue to~~ finance the following town or city agencies and programs and district court costs ~~which are currently funded, in whole or in part, by filing fees and court costs, at a funding level equal to not less than the greater of the amount which was collected by the town or city from court costs and filing fees for the agency or program in the calendar year ending December 31, 1994, or the amount appropriated by ordinance enacted prior to December 31, 1994, to the agency or program for the calendar year ending December 31, 1995:~~

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

(2) The police and fire pension fund;

(3) The intoxication detection equipment fund;

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

(5) All county-level programs and agencies funded in whole or in part by court costs and filing fees assessed and collected by the district court, notwithstanding the repeal by this act of laws authorizing the collection of court costs and filing fees and the disbursement of all or a part thereof to the county;

(6) Operating costs of the district court;

(7) Cost-sharing agreements related to the operation of the district court; and

(8) Any other necessary costs associated with the administration of justice in the city or town.

~~(c)(1)(A) The city administration of justice fund of each town or city may retain an amount equal to the amount which was collected by the town or city from court costs and filing fees for city administration of justice expense in the calendar year ending December 31, 1994, or the amount appropriated from court costs and filing fees by ordinance enacted prior to December 31, 1994, for city or county administration of justice expense from court costs and filing fees for the calendar year ending December 31, 1995, plus, for calendar years 1995-2001, an additional amount based upon the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor for the two (2) years immediately preceding but no more than fifty percent (50%) of uniform court costs and filing fees that are collected.~~

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

~~(ii) Except as provided in subdivision (c)(1)(B)(iii) of this section, for calendar years beginning 2014 and each calendar year thereafter, an additional amount shall be added to the amount to be retained based upon the lesser of the average percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor, for the two (2) years immediately preceding or the percentage rate of increase in collections of~~

~~the State Administration of Justice Fund for the two (2) years immediately preceding.~~

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

~~(C) All local ordinances of the counties and cities authorized and adopted under § 24-8-318 shall remain in full force and effect.~~

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

~~(A) Increased by any increase in the Consumer Price Index for All Urban Consumers as provided for in subdivision (c)(1) of this section; and~~

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

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

(e) The town or city shall remit, on or before the fifteenth day of each month, ~~all sums received in excess of the amounts necessary to fund the expenses enumerated in subsections (b) and (c) of this section~~ fifty percent (50%) of the moneys collected during the previous month from the uniform filing fees provided for in §16-17-705 and the uniform court costs provided for in § 16-10-305 to the Administration of Justice Funds Section for deposit into the State Administration of Justice Fund.

SECTION 5. Arkansas Code § 16-10-602 is amended to read as follows:

16-10-602. Establishment of city and county shares.

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

fund.

(b) On or before the first day of October of each year, the Department of Finance and Administration shall certify in writing to each county ~~and to each town or city which operates a district court~~ the amount of money which may be retained during each month of the following calendar year by the ~~town, city, or county.~~

(c) Each town, city, or county which operates a district court, may retain a portion of the uniform court costs and filing fees collected in district court matters and deposited into the city administration of justice fund or county administration of justice fund.

(d) The amount of money which may be retained from district court matters shall be fifty percent (50%) of the uniform court costs and filing fees collected during each month by the town, city, or county.

SECTION 6. Arkansas Code § 16-10-603(b), concerning the procedure for county administration of justice funds, is amended to read as follows:

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

(1)(A) Pursuant to § 16-10-307(c), the Department of Finance and Administration will certify for each county the county's monthly share of uniform court costs and filing fees to be retained by the county in circuit court matters.

~~(B)(i) Each year the quorum court shall establish the amount of uniform filing fees and court costs to be appropriated to each of the county programs or agencies enumerated in § 16-10-307(b) from the county's share of uniform court costs and filing fees;~~

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

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

(3) Fifty percent (50%) of the monthly receipts of uniform filing fees and court costs into the fund from subdivisions (a)(2)(C) and (D)

of this section, shall be remitted to the department pursuant to § 16-10-307(e).

SECTION 7. Arkansas Code § 16-10-604(b)-(d), concerning the procedure for city administration of justice funds, is amended to read as follows:

(b) From the city administration of justice fund, the following fund transfers or disbursements shall be made on a monthly basis:

~~(1)(A) Pursuant to § 16-10-308(c), the Department of Finance and Administration will certify for each town or city the town's or city's monthly share of uniform court costs and filing fees to be retained by the town or city. Each town's or city's share shall be an amount equal to fifty percent (50%) of the uniform court costs and filing fees collected during each month by the town or city.~~

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

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

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

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

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

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

~~(3) For the calendar year beginning January 1, 1998, the amount~~

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

~~(4) The excess of the monthly receipts into the fund, less the town's or city's certified monthly share, Fifty percent (50%) of the uniform court costs and filing fees collected during each month by the town or city shall be remitted to the ~~department~~ Administration of Justice Fund Section in the Department of Finance and Administration, pursuant to under § 16-10-308(e).~~

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

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

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

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

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

~~(2) The remaining fifty percent (50%) shall be remitted to the~~

~~Department of Finance and Administration, pursuant to § 16-10-308(e).~~

SECTION 8. Arkansas Code § 16-13-704 is amended to read as follows:

16-13-704. Installment payments – Definition.

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

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

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

(3) When a person is authorized to pay a fine on an installment basis, any court cost assessed under § 9-15-202(d) or § 16-10-305(h) shall be collected from the initial installment payment first.

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

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

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

(2)(A)(i) One-half ($\frac{1}{2}$) of the installment fee collected in circuit court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section of the Office of Administrative Services of the Department of Finance and Administration, on a form provided by ~~that office~~ the Office of Administrative Services, for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

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

deposited into a fund entitled the "circuit court automation fund" to be used solely for circuit court-related technology.

(B)(i) Expenditures from the circuit court automation fund shall be approved by the administrative circuit judge of each judicial circuit and shall be authorized and paid under the state laws governing the appropriation and payment of county expenditures.

(ii) Expenditures may be made for indirect expenses related to implementation of new court-related technology, including overtime pay, personnel or travel expenses, and technology-related supplies.

(iii) Funds in each county in a judicial district may be pooled for expenditure pursuant to a circuit-wide technology plan approved by the administrative circuit judge.

(3)(A) One-half ($\frac{1}{2}$) of the installment fee collected in district court shall be remitted by the tenth day of each month to the Administration of Justice Funds Section, on a form provided by that section, for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

(B) The other half of the installment fee collected in district court shall be remitted by the tenth day of each month to the city treasurer of the city in which the district court is located to be deposited into a fund entitled the "district court automation fund" to be used solely for district court-related technology and court security-related expenditures.

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

(D)(i) Expenditures from the district court automation fund shall be approved by a district judge and shall be authorized and paid under state laws governing the appropriation and payment of county or municipal expenditures by the governing body or, if applicable, governing bodies, that contribute to the expenses of a district court.

(ii) Expenditures may be made for indirect expenses related to implementation of new court-related technology, including overtime

pay, personnel or travel expenses, and technology-related supplies.

(iii)(a) Expenditures may be made for indirect expenses related to the hiring and training of court security officers, including travel expenses related to the training of court security officers.

(b) Expenditures do not include salary, benefits, or overtime pay for court security officers.

(E)(i) In circuit court only, an installment fee of an additional five dollars (\$5.00) per month shall also be assessed on the first day of each month on each person who is ordered to pay a fine on an installment basis with the additional five dollars (\$5.00) to be remitted to the collecting official to be used to defray the cost of fine collection.

(ii) In district court only, an installment fee of an additional five dollars (\$5.00) per month shall also be assessed on the first day of each month on each person who is ordered to pay a fine on an installment basis with the additional five dollars (\$5.00) to be remitted by the tenth day of each month to the Administration of Justice Funds Section on a form provided by that section for deposit into the State Administration of Justice Fund.

(c)(1) For cases filed on or after January 1, 2026, in district court only, the fee authorized in subdivision (b)(1)(A) of this section shall be five dollars (\$5.00) and the fee authorized in subdivision (b)(3)(E)(ii) of this section shall be two dollars and fifty cents (\$2.50).

(2) The installment fees shall be assessed and collected until the defendant has paid ninety dollars (\$90.00) in installment fees or the total assessment owed by the defendant has been paid, whichever occurs first.

(3) When the defendant has paid ninety dollars (\$90.00) in installment fees on his or her respective assessment, no more installment fees shall be assessed or collected.

(4) If a defendant is ordered to pay a new fine, the ninety-dollar installment fee cap shall not carry over or prevent a new assessment of a monthly installment payment fee.

(5) If a defendant is making an installment payment in more than one (1) department of a district court, the fees authorized in this subsection shall be assessed and collected by each department.

(d) By September 1 of each year:

(1) The county treasurer shall submit electronically or in

writing a report disclosing the balance of the circuit court automation fund to the Administrative Office of the Courts, the Department of Finance and Administration, the county judge of each county in the judicial circuit, and each circuit judge of the judicial circuit;

(2) The city treasurer of the city in which a department of a district court is located shall submit electronically or in writing a report disclosing the balance of the district court automation fund to the Administrative Office of the Courts, the Department of Finance and Administration, the county judge of each county in the judicial district, the mayor of each city contributing to the operating expenses of the department of the district court, and each district judge of the judicial district; and

(3) The county treasurer shall submit electronically or in writing a report disclosing the balance of the district court automation fund to the Administrative Office of the Courts, the Department of Finance and Administration, the county judge of each county in the judicial district, the mayor of each city contributing to the operating expenses of the department of the district court, and each district judge of the judicial district.

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

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

(g) Unless extended or repealed, the authority to assess and collect the installment fee authorized in subdivision (b)(1)(A) of this section for cases filed in district court and the installment fee authorized in subdivision (b)(3)(E)(ii) of this section shall expire on December 31, 2031.

SECTION 9. Arkansas Code § 16-17-121 is amended to read as follows:
16-17-121. Salary increases – Factors to consider.

(a) In the event the General Assembly establishes a district court cost fund to be used exclusively for the operation and expenses of the district court, any district court ~~judge's, clerk's, or other employee's~~

salary authorized by § 16-17-108 may be increased from the minimum salary upward to any amount not exceeding the maximum salary authorized in § 16-17-108 and may be paid from the fund as set forth hereafter.

(b) The city council or the county quorum court, or both, if authorized, of the local governmental jurisdictions responsible for paying the salaries of the district court ~~judge,~~ clerks, and other employees may authorize salary increases for the various court personnel as authorized above after considering the following factors:

- (1) The amount and availability of funds in the district court cost fund;
- (2) The volume of caseload;
- (3) The backlog of cases, if any, on the court docket;
- (4) The time required in dealing with cases; and
- (5) The skill required in dealing with cases; ~~and~~
- ~~(6) The amount of time taken away from the judge's private practice, if applicable.~~

SECTION 10. Arkansas Code Title 16, Chapter 17, Subchapter 9, is repealed.

~~16-17-901. Definitions.~~

~~As used in this subchapter, unless the context otherwise requires:~~

- ~~(1) "Department" means the physical location where sessions of district court are held; and~~
- ~~(2) "Division" means the subject matter division of the district court.~~

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

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

- ~~(1) Howard;~~
- ~~(2) Montgomery;~~
- ~~(3) Perry;~~
- ~~(4) Polk;~~
- ~~(5) Randolph;~~
- ~~(6) Scott;~~
- ~~(7) Sevier; and~~

~~(8) Stone.~~

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

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

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

~~16-17-907. Clay County District Court.~~

~~(a)(1) Clay County shall have one (1) district court with three (3) departments:~~

~~(A) One (1) located in Corning;~~

~~(B) One (1) located in Piggott; and~~

~~(C) One (1) located in Rector.~~

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

~~(b) The Clay County District Court Judge shall be elected countywide.~~

~~(c) The Clay County District Court shall have countywide jurisdiction.~~

~~16-17-914. Lonoke County District Courts.~~

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

~~(1)(A) The Northern District of Lonoke County shall have one (1) district court, with three (3) departments:~~

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

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

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

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

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

~~(i) One (1) located in Lonoke;~~

~~(ii) One (1) located in England;~~

~~(iii) One (1) located in Carlisle;~~

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

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

~~(B) All five (5) departments are to be served by one (1)~~

judge.

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

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

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

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

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

~~16-17-916. Ouachita County District Courts.~~

~~(a) Ouachita County shall have the following district courts and judges:~~

~~(1) Camden shall have:~~

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

~~(B) One (1) judge; and~~

~~(2)(A) East Camden shall have one (1) district court with four (4) departments:~~

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

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

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

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

~~(B) All four (4) departments are to be served by one (1)~~

~~judge.~~

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

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

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

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

~~16-17-922. Yell County District Courts.~~

~~(a)(1) Yell County, having two (2) judicial districts, shall have two (2) district courts with one (1) department located in the Northern District.~~

~~(2) The two (2) judicial districts shall each have one (1) part-time judge serviced by the one (1) department in the Northern District.~~

~~(b) The judge of each district court in Yell County shall have jurisdiction within each respective Northern and Southern District.~~

~~(c) The judge shall be elected within each respective district.~~

~~16-17-925. Sharp County District Court.~~

~~(a)(1) Sharp County shall have one (1) district court with two (2) departments:~~

~~(A) One (1) located in Ash Flat; and~~

~~(B) One (1) located in Cherokee Village.~~

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

~~(b) The Sharp County District Court Judge shall be elected countywide.~~

~~(c) The Sharp County District Court shall have countywide jurisdiction.~~

~~16-17-926. Woodruff County District Court.~~

~~(a)(1) Woodruff County shall have one (1) district court with four (4) departments:~~

~~(A) One (1) located in Augusta;~~

~~(B) One (1) located in Cotton Plant;~~

~~(C) One (1) located in McCrory; and~~

~~(D) One (1) located in Patterson.~~

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

~~(b) The Woodruff County District Court Judge shall be elected countywide.~~

~~(c) The Woodruff County District Court shall have countywide jurisdiction.~~

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

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

- ~~(A) One (1) located in Walnut Ridge;~~
- ~~(B) One (1) located in Hoxie;~~
- ~~(C) One (1) located in Black Rock; and~~
- ~~(D) One (1) located in Portia.~~

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

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

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

~~16-17-933. Franklin County District Courts.~~

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

~~(1) The Charleston District shall have:~~

- ~~(A) One (1) district court located in Charleston; and~~
- ~~(B) One (1) district judge; and~~

~~(2)(A) The Ozark District shall have one (1) district court with two (2) departments:~~

- ~~(i) One (1) located in Ozark; and~~
- ~~(ii) One (1) located in Altus.~~

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

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

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

~~16-17-935. Logan County District Courts.~~

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

~~(1) The Northern District shall have:~~

- ~~(A) One (1) district court located in Paris; and~~
- ~~(B) One (1) district judge; and~~

~~(2)(A) The Southern District shall have one (1) district court with two (2) departments:~~

- ~~(i) One (1) located in Booneville; and~~
- ~~(ii) One (1) located in Magazine.~~

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

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

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

~~16-17-938. Columbia County District Court.~~

~~(a)(1) Columbia County shall have one (1) district court with two (2) departments:~~

- ~~(A) One (1) located in Magnolia; and~~
- ~~(B) One (1) located in Waldo.~~

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

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

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

~~16-17-939. Conway County District Court.~~

~~(a)(1) Conway County shall have one (1) district court with four (4) departments:~~

- ~~(A) One (1) located in Morrilton;~~
- ~~(B) One (1) located in Menifee;~~
- ~~(C) One (1) located in Oppelo; and~~
- ~~(D) One (1) located in Plumerville.~~

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

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

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

~~16-17-941. Cross County District Court.~~

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

- ~~(A) One (1) located in Wynne;~~
- ~~(B) One (1) located in Cherry Valley; and~~
- ~~(C) One (1) located in Parkin.~~

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

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

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

~~16-17-944. Fulton County District Court.~~

~~(a)(1) Fulton County shall have one (1) district court with two (2) departments:~~

- ~~(A) One (1) located in Salem; and~~
- ~~(B) One (1) located in Mammoth Spring.~~

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

~~(b) The Fulton County District Court Judge shall be elected countywide.~~

~~(c) The Fulton County District Court shall have countywide jurisdiction.~~

~~16-17-946. IZARD County District Court.~~

~~(a)(1) IZARD County shall have one (1) district court with two (2) departments:~~

- ~~(A) One (1) located in Melbourne; and~~
- ~~(B) One (1) located in Horseshoe Bend.~~

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

~~(b) The IZARD County District Court Judge shall be elected countywide.~~

~~(c) The IZARD County District Court shall have countywide jurisdiction.~~

~~16-17-947. Jackson County District Court.~~

~~(a)(1) Jackson County shall have one (1) district court with four (4) departments:~~

- ~~(A) One (1) located in Newport;~~

- ~~(B) One (1) located in Diaz;~~
- ~~(C) One (1) located in Swifton; and~~
- ~~(D) One (1) located in Tuckerman.~~

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

~~(b) The Jackson County District Court Judge shall be elected countywide.~~

~~(c) The Jackson County District Court shall have countywide jurisdiction.~~

~~16-17-948. Johnson County District Court.~~

~~(a)(1) Johnson County shall have one (1) district court with three (3) departments:~~

- ~~(A) One (1) located in Clarksville;~~
- ~~(B) One (1) located in Lamar; and~~
- ~~(C) One (1) located in Coal Hill.~~

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

~~(b) The Johnson County District Court Judge shall be elected countywide.~~

~~(c) The Johnson County District Court shall have countywide jurisdiction.~~

~~16-17-951. Little River County District Court.~~

~~(a)(1) Little River County shall have one (1) district court with three (3) departments:~~

- ~~(A) One (1) located in Ashdown;~~
- ~~(B) One (1) located in Foreman; and~~
- ~~(C) One (1) located in Winthrop.~~

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

~~(b) The Little River County District Court Judge shall be elected countywide.~~

~~(c) The Little River County District Court shall have countywide jurisdiction.~~

~~16-17-953. Pike County District Court.~~

~~(a)(1) Pike County shall have one (1) district court with two (2) departments:~~

~~(A) One (1) located in Murfreesboro; and~~

~~(B) One (1) located in Glenwood.~~

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

~~(b) The Pike County District Court Judge shall be elected countywide.~~

~~(c) The Pike County District Court shall have countywide jurisdiction.~~

SECTION 11. Arkansas Code § 16-17-1104 is amended to read as follows:
16-17-1104. State district court judges – Salaries.

(a) The judges who are appointed or elected to serve the courts created under this subchapter are state district court judges.

(b) The state shall pay the salary and benefits of a state district court judge.

(c) The salaries of the state district court judges are uniform and shall be paid with moneys appropriated from the Constitutional Officers Fund, § 19-5-205, by the General Assembly.

SECTION 12. Arkansas Code §§ 16-17-1106 and 16-17-1107 are repealed.
~~16-17-1106. Salary of state district court judges – Cost sharing.~~

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

~~(b)(1)(A) Each county and town or city in a district in which a state district court judgeship is created under this subchapter shall pay to the state an amount equal to its proportionate share of one half (½) of the base salary established by law for state fiscal year 2009 for that district's state district court judge.~~

~~(B)(i) The proportionate share is calculated as follows:~~

~~(a) Determine the sum total of the base salary paid by each county and town or city in a district to that county and town or city's district court judge or city court judge for the calendar year immediately preceding the creation of the state district court judgeship; and~~

~~(b) Determine the proportion of the base salary of each county and town or city to the sum total base salary of the district.~~

~~(ii) Each county and town or city shall pay to the state its proportionate share as determined in subdivision (b)(1)(B)(i)(a) of this section of one half (½) of the base salary established by law for state~~

~~fiscal year 2009 for each state district court judge in the district at the time the county and town or city had a state district court judgeship created.~~

~~(C) On a form provided by the Administration of Justice Funds Section, each county and town or city in a district shall certify annually on or before October 31 the amount to be paid to the state for its share of one half ($\frac{1}{2}$) of the salary as determined in this section for that district's state district court judge.~~

~~(2)(A) This section does not prohibit a county and town or city in a district in which a state district court judgeship is created under this subchapter from agreeing in writing on the amount to be paid to the state by the county and the town or city for its proportionate share of one half ($\frac{1}{2}$) of the salary as determined in this section for that district's state district court judge.~~

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

~~(e) The amount of the state district court judge's salary initially paid by the county and the town or city in a district and annually afterwards shall be the amount determined under subsection (b) of this section.~~

~~(d)(1) Beginning with its annual meeting of 2011, the quorum court in each county in a district in which a state district court judgeship is created under this subchapter and the council in each town or city in a district in which a state district court judgeship is created under this subchapter shall appropriate annually from its general revenues an amount sufficient to pay its share of the state district court judgeship salary allocated to it under subsection (b) of this section.~~

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

~~(e) On or before December 15, 2011, and annually afterwards, the Administration of Justice Funds Section shall certify to the county and the town or city in each district the amount of its share of one half ($\frac{1}{2}$) of the base salary established under subsection (b) of this section.~~

~~(f) On or before January 15, 2012, and annually afterwards, the county and the town or city shall remit to the Administration of Justice Funds~~

~~Section for deposit into the Constitutional Officers Fund the sum necessary to fund its share of the base salary allocated to it under subsection (c) of this section.~~

~~16-17-1107. Salary of judges serving city or county.~~

~~This subchapter shall not in any way limit the power and authority of local district courts currently existing. Except for the state district court judgeships created under this subchapter, a judge serving in another full-time or part time local district court position shall continue to be an employee of the cities or counties, or both, that he or she serves and shall be paid according to state law.~~

SECTION 13. Arkansas Code § 21-6-416(b) and (c), concerning the court technology fee, are amended to read as follows:

(b) The court technology fee is as follows:

(1) For all civil actions and misdemeanors filed in either the Supreme Court or the Court of Appeals..... \$15.00

(2) For initiating a cause of action in the civil, domestic relations, or probate division of circuit court, including appeals..... 15.00

(3) For initiating a cause of action in the civil or small claims division of district court..... 15.00

(4) For all criminal and traffic cases, from each defendant upon each conviction, each plea of guilty or nolo contendere, or each bond forfeiture..... 15.00.

(c)(1) The fee provided under subdivision (b)(1) of this section collected in the Supreme Court or the Court of Appeals shall be remitted by the Clerk of the Supreme Court on or before the fifteenth day of each month to the Administration of Justice Funds Section on a form provided by the Office of Administrative Services for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.

(2) The fee provided under subdivisions ~~(b)(2) and (3)~~ (b)(2)- (4) of this section collected in circuit court or district court shall be remitted by the county or city official, agency, or department designated under § 16-13-709 as primarily responsible for the collection of fines assessed in circuit court or district court on or before the fifteenth day of

each month to the section, on a form provided by the office, for deposit into the Judicial Fine Collection Enhancement Fund established by § 16-13-712.