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88th General Assembly **A Bill**
Regular Session, 2011 HOUSE BILL 1869

By: Representatives Powers, T. Baker, Branscum, J. Edwards, Ingram, Leding, Lovell, McCrary, Pennartz, Slinkard, Williams

## For An Act To Be Entitled

AN ACT TO CREATE STATE DISTRICT COURTS; TO DESIGNATE GEOGRAPHIC DISTRICTS FOR STATE DISTRICT COURTS; TO AMEND ARKANSAS CODE § 16-17-1101 ET SEQ.; TO AMEND ARKANSAS CODE § 16-17-901 ET SEQ.; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE STATE DISTRICT COURTS.

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

SECTION 1. Arkansas Code § 16-17-1101 is amended to read as follows:

16-17-1101. Legislative findings.

The General Assembly finds that:

(1) The goal expressed by Arkansas citizens with the adoption of Amendment 80 to the Arkansas Constitution was the creation of a three-tiered unified court system;

(2) The current structure of limited jurisdiction courts consists of a combination of full-time and part-time district and city courts funded by city and county governments;

(3) Based on availability of local resources, the cumulative effect of the creation and funding of those courts by local governments has been an unequal level of access to and an inequitable distribution of judicial services to communities;

(4) While Amendment 80 does not require the state to fund the district court system, there is a state interest in providing a more uniform level of

judicial resources to all citizens of the state;

(5) Because the current system of limited jurisdiction courts is not uniform, it is contrary to the interest of the state to merely shift the funding of the system from local government to state government without addressing the structure of the district court system;

(6) A way of addressing the shortage of resources for circuit courts in some areas of the state is the expansion of the jurisdiction of the district court which will shift cases from circuit court to district court and reduce expenses for the state;

(7) A state-funded system should include an analysis by the state that furthers the goal of a unified and equitable system for the delivery of judicial services;

~~(8) It is the intent of this subchapter to begin that analysis process by establishing a pilot program that creates a limited number of state-funded pilot state district court judgeships and a process for the study and consideration of establishing additional district courts in the future; and~~

(8) The District Court Resource Assessment Board, created in § 16-17-1001 et seq., has studied the effectiveness of the state's creation of pilot district courts and found that they are successful in creating a more uniform and equitable judicial system, reducing the number of district and city court judges, maintaining the level of service to the communities served by district and city courts, allowing the shift of cases from circuit to district courts, decreasing the number of conflicts requiring the appointment of special judges, and improving public access to the court system;

(9) The state should continue the incremental creation of state district courts served by full-time judges and designate geographic districts that have sufficient caseloads to justify a full-time judge until the system is implemented and operating statewide on January 1, 2017; and

~~(9)~~(10) For purposes of the ~~pilot~~ program, cities and counties should keep one hundred percent (100%) of all their current revenue from fines and costs with the exception of the adjustment from the cost-sharing formula.

SECTION 2. Arkansas Code § 16-17-1102 is amended to read as follows:

16-17-1102. Definitions.

As used in this subchapter:

~~(1)(A) "District court" means a court created under § 16-17-901 et~~

~~seq.~~

~~(B) "District court" includes a department of a district court;~~

~~(2) "Pilot state district court judge" means a full-time judge:~~

~~(A) Whose salary is paid by the state;~~

~~(B) Who is not engaged in the private practice of law; and~~

~~(C) Who is available for work in circuit court under rules adopted by the Arkansas Supreme Court; and~~

~~(3) "Pilot state district court judgeship" means a district court that has:~~

~~(A) Criminal jurisdiction, as established by the General Assembly; and~~

~~(B) Civil jurisdiction, as established by the Arkansas Supreme Court.~~

(1) "Department" means the physical location where sessions of court are held;

(2) "District" means the geographical area in which a state district court may exercise jurisdiction and from which a state district court judge is elected;

(3) "Division" means the designation of the judicial positions for case management or election purposes and does not refer to "subject matter divisions" under Arkansas Constitution, Amendment 80, § 7;

(4) "Local district court" includes a department of a district court;

(5)(A) "State district court" means a district court that is created by this subchapter and has:

(i) Criminal jurisdiction, as established by the General Assembly; and

(ii) Civil jurisdiction, as established by the Supreme Court.

(B) "State district court" includes a department of a state district court; and

(6) "State district court judge" means a full-time judge:

(A) Whose salary is paid by the state;

(B) Who is not engaged in the private practice of law; and

(C) Who is available for work in circuit court under rules adopted by the Supreme Court.

SECTION 3. Arkansas Code § 16-17-1103 is repealed.

~~16-17-1103. Creation of pilot state district court judgeships.~~

~~(a) There are established twenty-five (25) pilot state district court judgeships.~~

~~(b) The following counties or judicial districts of a county and the towns and cities in that county or judicial districts of a county in which a district court is located shall participate in a program of full-time pilot state district court judges:~~

~~(1) Baxter;~~

~~(2) Benton;~~

~~(3) Boone;~~

~~(4) Cleburne;~~

~~(5) Greene;~~

~~(6) Independence;~~

~~(7) Miller;~~

~~(8) Mississippi -- Chickasawba District;~~

~~(9) Poinsett;~~

~~(10) Pope;~~

~~(11) Pulaski -- Jacksonville District Court; North Little Rock District Court, Department 1 and Department 2; and Pulaski County District Court;~~

~~(12) St. Francis;~~

~~(13) Saline;~~

~~(14) Sebastian; and~~

~~(15) Union.~~

SECTION 4. Arkansas Code § 16-17-1104 is amended to read as follows:

16-17-1104. ~~Pilot state~~ State district court judges -- Salaries.

(a) The ~~pilot state district court~~ judges who are appointed or elected to serve the ~~judgeships~~ courts created under ~~§ 16-17-1103~~ this subchapter are state district court judges.

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

SECTION 5. Arkansas Code § 16-17-1106 is amended to read as follows:

16-17-1106. Salary of ~~pilot~~ state district court judges -- Cost-sharing.

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

(b)(1)(A) Each county and town or city in a district ~~that has~~ in which a ~~pilot~~ state district court judgeship is created under this subchapter shall pay to the state an amount equal to its proportionate share of one-half (1/2) of the base salary established by law for state fiscal year 2009 for that ~~county and town or city's pilot~~ district's state district court judge.

(B) The proportionate share is calculated as follows:

(i)(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;

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

(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 (1/2) 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.

~~(B)~~(C) On a form provided by the Administration of Justice ~~Fund~~ Funds Section of the Office of Administrative Services of the Department of Finance and Administration, 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 (1/2) of the salary ~~established by law~~ as determined in this section for ~~its pilot~~ that district's state district court judge.

(2)(A) ~~Nothing in this~~ This section ~~prohibits~~ does not prohibit a county and town or city ~~that has~~ in a district in which a ~~pilot~~ 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 (1/2) of the salary ~~established by law~~ as determined in this section for ~~its pilot~~ 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 ~~Fund~~ Funds Section.

(c) The amount of the ~~pilot~~ state district court judge's salary initially paid by the county and the town or city ~~for calendar year 2008~~ 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 ~~2007~~ 2011, the quorum court in each county ~~that has~~ in a district in which a ~~pilot~~ state district court judgeship is created under this subchapter and the council in each town or city ~~that has~~ in a district in which a ~~pilot~~ 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 ~~pilot~~ 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, ~~2007~~ 2011, and annually afterwards, the Administration of Justice ~~Fund~~ Funds Section shall certify to the county and the town or city in each district the amount of its share of one-half (1/2) of the base salary established ~~by law for that county and town or city's pilot state district court judge~~ under subsection (b) of this section.

(f) On or before January 15, ~~2008~~ 2012, and annually afterwards, the county and the town or city shall remit to the Administration of Justice ~~Fund~~ Funds Section for deposit in the Constitutional Officers Fund the sum necessary to fund its share of the base salary allocated to it under subsection (e) of this section.

SECTION 6. Arkansas Code § 16-17-1107 is amended to read as follows:

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

~~Nothing in this~~ This subchapter shall not in any way limit the power and authority of ~~other~~ local district courts currently existing. Except for the ~~pilot~~ 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 7. Arkansas Code § 16-17-1108 is amended to read as follows:

16-17-1108. Travel expense reimbursement.

From the appropriation provided for the expenses of ~~pilot~~ state district court judges, a ~~pilot~~ state district court judge is authorized to be reimbursed for those travel expenses at the rate as authorized for state employees and for mileage at the rate established in the state travel regulations for state employees while traveling within the state in the performance of ~~their~~ official duties.

SECTION 8. Arkansas Code Title 16, Chapter 17, Subchapter 11 is amended to add an additional section to read as follows:

16-17-1109. Jurisdiction.

(a)(1) State district courts are courts of limited jurisdiction with criminal jurisdiction as defined by the General Assembly and by the Arkansas Constitution, Amendment 80, § 7, and civil jurisdiction as defined by the Supreme Court.

(2) State district courts may be given greater criminal and civil jurisdiction than that provided for local district courts, subject to the provisions of the Arkansas Constitution, Amendment 80, §§ 7 and 10.

(b) Under rules prescribed by the Supreme Court, a state district court judge may hear cases filed in the circuit court that arise within the territorial jurisdiction of the state district court judge.

(c)(1) Under rules prescribed by the Supreme Court, a state district court judge may be assigned by the Chief Justice to hear cases outside the territorial jurisdiction of the court.

(2) When assigned, the state district court judge is entitled to the reimbursement of travel expenses under § 16-17-1108.

SECTION 9. Arkansas Code Title 16, Chapter 17 is amended to add an additional section to read as follows:

16-17-1110. Organization and designation.

The following pilot district courts which are in existence as of January 1, 2011, and being served by twenty-five (25) pilot district court

judges shall continue operation as state district courts and shall hereinafter be organized and designated in the following numbered judicial districts:

(1)(A) The First District is composed of Benton County.

(B) The First District has thirteen (13) departments as follows:

(i) One (1) located in Rogers;

(ii) One (1) located in Bentonville;

(iii) One (1) located in Siloam Springs;

(iv) One (1) located in Gentry;

(v) One (1) located in Decatur;

(vi) One (1) located in Bethel Heights;

(vii) One (1) located in Cave Springs;

(viii) One (1) located in Centerton;

(iv) One (1) located in Gravette;

(x) One (1) located in Little Flock;

(xi) One (1) located in Lowell;

(xii) One (1) located in Pea Ridge; and

(xiii) One (1) located in Sulphur Springs.

(C)(i) The district is served by four (4) state district court judges.

(ii) The judgeship which is presently held by Brad Karren shall hereinafter be designated as Division 1.

(iii) The judgeship which is presently held by John Skaggs shall hereinafter be designated as Division 2.

(iv) The judgeship which is presently held by Stephen Thomas shall hereinafter be designated as Division 3.

(v) The judgeship which is presently held by Jeff Conner shall hereinafter be designated as Division 4.

(D) The assignment of judges to departments under subdivision (1)(B) of this section is determined by the mutual agreement of the state district court judges.

(E) For the purpose of venue, the district court boundaries in Benton County are as follows:

(i) Division 1 - Rogers District Court:

(a) All of District 94, District 95, and

District 96 of the House of Representatives as drawn by the Board of Apportionment in 2002;

(b) That part of District 98 of the House of Representatives as drawn by the Board of Apportionment in 2002 that is in Benton County Quorum Court District 1 as established by the Benton County Election Commission;

(c) That part of Benton County Quorum Court District 6 as established by the Benton County Election Commission that is in District 96 and District 98 of the House of Representatives as drawn by the Board of Apportionment in 2002; and

(d) All of precinct 43, precinct 44, and precinct 49 as they existed on January 1, 2011;

(ii) Division 2 - Bentonville District Court:

(a) All of District 7, District 8, District 9, and District 10 except for the now existing precinct 22, of the Benton County Quorum Court as established by the Benton County Election Commission;

(b) All of District 99 of the House of Representatives as drawn by the Board of Apportionment in 2002 except for the now-existing precinct 43, precinct 44, and precinct 49; and

(c) All of precinct 45 as it existed on January 1, 2011;

(iii) Division 3 - Siloam Springs District Court:

(a) All of District 97 of the House of Representatives as drawn by the Board of Apportionment in 2002; and

(b) All of precinct 7, precinct 14, precinct 16, and precinct 17 as they existed on January 1, 2011; and

(iv) Division 4 - Benton County West District Court:

(a) All of Benton County Quorum Court District 11 as established by the Benton County Election Commission; and

(b) All of precinct 6, precinct 15, precinct 18, precinct 19, and precinct 22 as they existed on January 1, 2011.

(F) The First District judges are elected district wide.

(G) The First District court has district-wide jurisdiction;

(2)(A) The Fourth District is composed of Boone County.

(B) Beginning January 1, 2017, the Fourth District shall

be composed of the counties of Boone, Newton, and Searcy.

(C) The Fourth District has two (2) departments as follows:

(i) One (1) located in Alpena; and

(ii) One (1) located in Harrison.

(D) Beginning January 1, 2017, the Fourth District shall have two (2) additional departments as follows:

(i) One (1) located in Marshall; and

(ii) One (1) located in Jasper.

(E) The Fourth District is served by one (1) state district court judge.

(F) The Fourth District judge is elected district wide.

(G) The Fourth District court has district-wide jurisdiction;

(3)(A) The Sixth District is composed of the Greenwood District of Sebastian County and the Fort Smith District of Sebastian County.

(B) The Greenwood District of Sebastian County has one (1) district court with one (1) judge and three (3) departments as follows:

(i) One (1) located in Greenwood;

(ii) One (1) located in Barling; and

(iii) One (1) located in Central City.

(C)(i) The Fort Smith District of Sebastian County has one (1) district court with three (3) departments and one (1) judge for each department.

(ii) The judgeship which is presently held by David Saxon shall hereinafter be designated Division 1.

(iii) The judgeship which is presently held by Ben Beland shall hereinafter be designated Division 2.

(iv) The judgeship which is presently held by Claire Borengasser shall hereinafter be designated Division 3.

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

(E) The jurisdiction of the district courts in Sebastian County shall be limited to the judicial district in which the court is located;

(4)(A) The Eighth District is composed of Pope County.

(B) The Eighth District has five (5) departments as follows:

(i) One (1) located in Russellville;

(ii) One (1) located in Atkins;

(iii) One (1) located in Dover;

(iv) One (1) located in London; and

(v) One (1) located in Pottsville.

(C) The Eighth District is served by one (1) state district court judge.

(D) The Eighth District judge is elected district wide.

(E) The Eighth District court has district-wide jurisdiction;

(5)(A) The Tenth District is composed of Baxter County.

(B) Beginning January 1, 2017, the Tenth District shall be composed of the counties of Baxter and Marion.

(C) The Tenth District has seven (7) departments as follows:

(i) One (1) located in Briarcliff;

(ii) One (1) located in Cotter;

(iii) One (1) located in Gassville;

(iv) One (1) located in Lakeview;

(v) One (1) located in Mountain Home;

(vi) One (1) located in Norfork; and

(vii) One (1) located in Salesville.

(D) Beginning January 1, 2017, the Tenth District shall have four (4) additional departments as follows:

(i) One (1) located in Yellville;

(ii) One (1) located in Bull Shoals;

(iii) One (1) located in Flippin; and

(iv) One (1) located in Summit.

(E) The Tenth District is served by one (1) state district court judge.

(F) The Tenth District judge is elected district wide.

(G) The Tenth District court has district-wide jurisdiction;

(6)(A) The Thirteenth District is composed of Cleburne County.

*(B)* The Thirteenth District has four (4) departments as follows:

(i) One (1) located in Heber Springs;

(ii) One (1) located in Greers Ferry;

(iii) One (1) located in Concord; and

(iv) One (1) located in Quitman.

*(C)* The Thirteenth District is served by one (1) state district court judge.

*(D)* The Thirteenth District judge is elected district wide.

*(E)* The Thirteenth District court has district-wide jurisdiction;

*(7)(A) The Fourteenth District is composed of Independence County.*

*(B) The Fourteenth District has one (1) department located in Batesville.*

*(C) The Fourteenth District is served by one (1) state district court judge.*

*(D) The Fourteenth District judge is elected district-wide.*

*(E) The Fourteenth District court has district-wide jurisdiction;*

(8)(A) The Seventeenth District is composed of Greene County.

*(B)* The Seventeenth District has two (2) departments as follows:

(i) One (1) located in Paragould; and

(ii) One (1) located in Marmaduke.

*(C)* The Seventeenth District is served by one (1) state district court judge.

*(D)* The Seventeenth District judge is elected district wide.

*(E)* The Seventeenth District court has district-wide jurisdiction;

(9)(A) The Eighteenth District is composed of Mississippi County, Chickasawba District.

(B) Beginning January 1, 2021, the Eighteenth District

shall be composed of Mississippi County.

(C) The Eighteenth District has five (5) departments as follows:

(i) One (1) located in Blytheville;

(ii) One (1) located in Manila;

(iii) One (1) located in Leachville;

(iv) One (1) located in Gosnell; and

(v) One (1) located in Dell.

(D) Beginning January 1, 2021, the Eighteenth District shall have two (2) additional departments as follows:

(i) One (1) located in Osceola; and

(ii) One (1) located in Joiner.

*(E) The Eighteenth District is served by one (1) state district court judge until January 1, 2021, when the district shall be served by two (2) district court judges.*

*(F) The Eighteenth District judges are elected district wide.*

(H) The Eighteenth District court has district-wide jurisdiction;

(10)(A) The Twentieth District is composed of Poinsett County.

(B) The Twentieth District has six (6) departments as follows:

(i) One (1) located in Marked Tree;

(ii) One (1) located in Trumann;

(iii) One (1) located in Tyronza;

(iv) One (1) located in Lepanto;

(v) One (1) located in Harrisburg; and

(vi) One (1) located in Weiner.

(E) The Twentieth District is served by one (1) state district court judge.

(H) The Twentieth District judges is elected district wide.

(I) The Twentieth District court has district-wide jurisdiction;

(11)(A) The *Twenty-Fifth District* is composed of St. Francis County.

(B) The *Twenty-Fifth District* has three (3) departments as follows:

(i) One (1) located in Forrest City;

(ii) One (1) located in Madison; and

(iii) One (1) located in Palestine.

(C) The *Twenty-Fifth District* is served by one (1) state district court judge.

(D) The *Twenty-Fifth District* judge is elected district wide.

(E) The *Twenty-Fifth District* court has district-wide jurisdiction;

(12)(A) The Thirty-First District is composed of Pulaski County.

(B) The Thirty-First District has ten (10) departments until January 1, 2012, and thereafter shall have eleven (11) departments, as follows:

(i) One (1) located in Jacksonville, to be known as Jacksonville District Court;

(ii) Four (4) located in Little Rock, to be known as:

(a) Little Rock District Court – First Division;

(b) Little Rock District Court – Second Division;

(c) Little Rock District Court–Third Division; and

(d) Pulaski County District Court;

(iii) One (1) located in Maumelle, to be known as Maumelle District Court;

(iv) Two (2) located in North Little Rock, to be known as:

(a) North Little Rock District Court – First Division; and

(b) North Little Rock District Court – Second Division;

(v) One (1) located in Sherwood, to be known as Sherwood District Court;

(vi) One (1) located in Wrightsville, to be known as Wrightsville District Court; and

(vii) Effective January 1, 2012, subject to the provisions of § 16-17-1202, one (1) located in Cammack Village, to be known as Cammack Village District Court.

(C) From and after January 1, 2012, until January 1, 2017, subject to the provisions of § 16-17-1202, the Cammack Village District Court and the Wrightsville District Court shall be served by one (1) judge; otherwise, the provisions of subdivisions *(12)(B)(i)-(vii)* will apply in the *Thirty-First* District.

(D) From the effective date of this act until January 1, 2017, the Thirty-First District is served by four (4) state district judges and six (6) local district judges, as follows:

(i) The Jacksonville District Court is served by one (1) state district judge who is elected by the qualified electors of the city of Jacksonville and has territorial jurisdiction only within the city limits of Jacksonville;

(ii) The Little Rock District Court – First Division is served by one (1) local district judge who is elected by the qualified electors of the city of Little Rock and has territorial jurisdiction only within the city limits of Little Rock;

(iii) The Little Rock District Court – Second Division is served by one (1) local district judge who is elected by the qualified electors of the city of Little Rock and has territorial jurisdiction only within the city limits of Little Rock;

(iv) The Little Rock District Court – Third Division is served by one (1) local district judge who is elected by the qualified electors of the city of Little Rock and has territorial jurisdiction only within the city limits of Little Rock;

(v) The Maumelle District Court is served by one (1) local district judge who is elected by the qualified electors of the city of Maumelle and has territorial jurisdiction only within the city limits of Maumelle;

(vi) The North Little Rock District Court – First Division is served by one (1) state district judge who is elected by the qualified electors of the city of North Little Rock and has territorial

jurisdiction only within the city limits of North Little Rock;

(vii) The North Little Rock District Court – Second Division is served by one (1) state district judge who is elected by the qualified electors of the city of North Little Rock and has territorial jurisdiction only within the city limits of North Little Rock;

(viii) The Pulaski County District Court is served by one (1) state district judge who is elected district wide and has district-wide territorial jurisdiction;

(ix) The Sherwood District Court is served by one (1) local district judge who is elected district wide and has district-wide territorial jurisdiction; and

(x)(a) The Wrightsville District Court is served by one (1) local district judge who is elected district wide and has district-wide territorial jurisdiction.

(b) From and after January 1, 2012, the Wrightsville District Court and the Cammack Village District Court are served by one (1) judge.

(E) Effective January 1, 2017, the Thirty-First District shall continue to have eleven (11) departments that shall be served by eight (8) state district judges. All the following judges shall be elected district wide and shall have district-wide territorial jurisdiction:

(i) The Jacksonville District Court and the Maumelle District Court shall be served by one (1) judge;

(ii) The Little Rock District Court - First Division shall be served by one (1) judge;

(iii) The Little Rock District Court - Second Division shall be served by one (1) judge;

(iv) The Little Rock District Court - Third Division, the Wrightsville District Court, and the Cammack Village District Court shall be served by one (1) judge;

(v) The North Little Rock District Court - First Division shall be served by one (1) judge;

(vi) The North Little Rock District Court - Second Division shall be served by one (1) judge;

(vii) The Pulaski County District Court shall be served by one (1) judge; and

(viii) The Sherwood District Court shall be served by one (1) judge.

(F)(i) Any judge serving as a local district judge in the Thirty-First District whose base annual salary is paid by a city and whose base annual salary is more than the annual salary paid to a state district judge, upon becoming a state district judge, shall continue to be paid by the city the differential amount between his or her annual salary as of December 31, 2016, and the annual salary established by the state for a state district judge.

(ii) The differential amount as calculated as of December 31, 2016, shall continue as long as the judge continues to serve as a state district judge.

(iii) Upon leaving office of state district court judge, by retirement or otherwise, his or her successor shall be paid only the salary established for a state district judge without regard to the differential amount provided for in this section.

(13)(A) The Thirty-Second District is composed of Saline County and the city of Alexander in Pulaski County.

(B) The Thirty-Second District has six (6) departments as follows:

(i) One (1) located in Benton;

(ii) One (1) located in Bryant;

(iii) One (1) located in Alexander;

(iv) One (1) located in Bauxite;

(v) One (1) located in Haskell; and

(vi) One (1) located in Shannon Hills.

(C)(i) The Thirty-Second District is served by two (2) state district court judges.

(ii) The judgeship which is presently held by Mike Robinson shall hereinafter be designated as Division 1.

(iii) The judgeship which is presently held by Curtis Rickard shall hereinafter be designated Division 2.

(D) The assignment of judges to departments under subdivision (a)(12)(B) of this section is determined by the mutual agreement of the state district court judges.

(E) The Thirty-Second District judges are elected district

wide.

(F) The Thirty-Second District court has district-wide jurisdiction;

(14)(A) The Thirty-Fourth District is composed of Union County.

(B) The Thirty-Fourth District has one (1) department located in El Dorado and one (1) state district court judge.

(C) The Thirty-Fourth District judge is elected district wide.

(D) The Thirty-Fourth District court has district-wide jurisdiction; and

(15)(A) The Thirty-Seventh District is composed of Miller County.

(B) Beginning January 1, 2017, the Thirty-Seventh District shall be composed of the counties of Miller and Lafayette.

(C) The Thirty-Seventh District shall have two (2) departments located in Texarkana.

(D) Beginning January 1, 2017, the Thirty-Seventh District shall have three (3) additional departments as follows:

(i) One (1) located in Lewisville;

(ii) One (1) located in Bradley; and

(iii) One (1) located in Stamps.

(E) The Thirty-Seventh District is served by one (1) state district court judge.

(F) The Thirty-Seventh District judge is elected district wide.

(G) The Thirty-Seventh District court has district-wide jurisdiction.

SECTION 10. Arkansas Code Title 16, Chapter 17 is amended to add an additional section to read as follows:

16-17-1111. Reorganization of local district courts to state district courts.

(a)(1) Beginning January 1, 2013, the following cities and counties that are currently served by local district courts under § 16-17-901 et seq. shall be reorganized as state district courts and served by a state district court judge.

(2) The new state district court judgeships created by this section shall become effective January 1, 2013, and shall be placed on the ballot to be elected in the 2012 nonpartisan judicial election from the newly constructed judicial district.

(3) The cities and counties which were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in § 16-17-1106 effective January 1, 2013.

(b)(1)(A) The Fifth District shall be composed of Crawford County.

(B) The Fifth District shall have five (5) departments as follows:

(i) One (1) located in Van Buren;

(ii) One (1) located in Mountainburg;

(iii) One (1) located in Alma;

(iv) One (1) located in Mulberry; and

(v) One (1) located in Dyer.

(C) The Fifth District shall be served by one (1) state district court judge.

(D) The Fifth District judge shall be elected district wide.

(E) The Fifth District court shall have district-wide jurisdiction.

(2)(A) The Ninth District shall be composed of the counties of Faulkner and Van Buren.

(B) The Ninth District shall have eight (8) departments as follows:

(i) One (1) located in Conway;

(ii) One (1) located in Greenbrier;

(iii) One (1) located in Guy;

(iv) One (1) located in Mayflower;

(v) One (1) located in Mount Vernon;

(vi) One (1) located in Vilonia;

(vii) One (1) located in Clinton; and

(viii) One (1) located in Damascus.

(C) The Ninth District shall be served by two (2) state district court judges;

(i) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 1; and

(ii) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 2.

(D) The assignment of judges to departments under subdivision (b)(6)(B) of this section shall be determined by the mutual agreement of the state district court judges.

(E) The Ninth District judges shall be elected district wide.

(F) The Ninth District court shall have district-wide jurisdiction.

*(3)(A)* The Nineteenth District shall be composed of Craighead County.

(B) The Nineteenth District shall have two (2) departments as follows:

(i) One (1) department located in Jonesboro; and

(ii) One (1) department located in Lake City.

(C) The Nineteenth District shall be served by two (2) state district court judges:

(i) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 1; and

(ii) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 2.

(D) The Nineteenth District judges shall be elected district wide.

(E) The Nineteenth District court shall have district-wide jurisdiction.

*(4)(A)* The Twenty-First District shall be composed of Crittenden County.

(B) The Twenty-First District shall have eight (8) departments as follows:

(i) One (1) located in Earle;

(ii) One (1) located in Gilmore;

(iii) One (1) located in Jennette;

(iv) One (1) located in Jericho;

(v) One (1) located in Marion;

(vi) One (1) located in Sunset;

(vii) One (1) located in Turrell; and

(viii) One (1) located in West Memphis.

(C) The Twenty-First District shall be served by one (1) state district court judge.

(D) The Twenty-First District judge shall be elected district wide.

(E) The Twenty-First District court shall have district-wide jurisdiction.

*(5)(A)* The Twenty-Third District shall be composed of White County.

(B) Beginning January 1, 2017, the Twenty-Third District shall be composed of the counties of White and Prairie.

(C) The Twenty-Third District shall have nine (9) departments as follows:

(i) One (1) located in Beebe;

(ii) One (10 located in Searcy;

(iii) One (1) located in Bald Knob;

(iv) One (1) located in Bradford;

(v) One (1) located in Judsonia;

(vi) One (1) located in McRae;

(vii) One (1) located in Kensett;

(viii) One (1) located in Pangburn; and

(ix) One (1) located in Rose Bud.

(D) Beginning January 1, 2017, the Twenty-Third District shall have four (4) additional departments as follows:

(i) One (1) located in Des Arc;

(ii) One (1) located in Hazen;

(iii) One (1) located in Biscoe; and

(iv) One (1) located in De Valls Bluff.

(E) The Twenty-Third District to be served by *two (2)* state district court *judges.*

(F) The Twenty-Third District *judges* shall be elected district wide.

(G) The Twenty-Third District court shall have district-wide jurisdiction.

*(6)(A)* The Twenty-Ninth District shall be composed of Jefferson County.

(B) Beginning January 1, 2017, the Twenty-Ninth District shall be composed of the counties of Jefferson and Lincoln.

(C) The Twenty-Ninth District shall have six (6) departments as follows:

(i) One (1) located in Pine Bluff;

(ii) One (1) located in Altheimer;

(iii) One (1) located in Humphrey;

(iv) One (1) located in White Hall;

(v) One (1) located in Wabbaseka; and

(vi) One (1) located in Redfield.

(D) Beginning January 1, 2017, the Twenty-Ninth District shall have three (3) additional departments as follows:

(i) One (1) located in Star City;

(ii) One (1) located in Grady; and

(iii) One (1) located in Gould.

(E)(i) The Twenty-Ninth District shall be served by two (2) state district court judges.

(ii) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 1.

(iii) One (1) judgeship first to be elected in 2012 and to become effective January 1, 2013, shall be designated as Division 2.

(F)(i) Beginning January 1, 2017, the Twenty-Ninth District shall be served by three (3) state district court judges.

(ii) The judgeship to first be elected in 2016 and to become effective January 1, 2017, shall be designated as Division 3.

(G) The assignment of judges to departments under subdivisions (b)(5)(C) and (D) of this section shall be determined by the mutual agreement of the state's district court judges.

(H) The Twenty-Ninth District judge shall be elected district wide.

(I) The Twenty-Ninth District court shall have district-wide jurisdiction.

*(7)(A)* The Thirty-Fourth District shall be composed of Calhoun, Cleveland, and Dallas counties.

(B) The Thirty-Fourth District shall have four (4) departments as follows:

(i) One (1) located in Hampton;

(ii) One (1) located in Rison;

(iii) One (1) located in Fordyce; and

(iv) One (1) located in Sparkman.

(C) The Thirty-Fourth District shall be served by one (1) state district court judge.

(D) The Thirty-Fourth District judge shall be elected district wide.

(E) The Thirty-Fourth District court shall have district-wide jurisdiction.

*(8)(A)* The Thirty-Eighth District shall be composed of the counties of Hempstead and Nevada.

(B) The Thirty-Eighth District shall have two (2) departments as follows:

(i) One (1) located in Hope; and

(ii) One (1) located in Prescott.

(C) The Thirty-Eighth District shall be served by one (1) state district court judge.

(D) The Thirty-Eighth District judge shall be elected district wide.

(E) The Thirty-Eighth District court shall have district-*wide jurisdiction.*

*(12)(A) The Fortieth District shall be composed of Clark County.*

*(B) The Fortieth District shall have four (4) departments as follows:*

*(i) One (1) located in Arkadelphia;*

*(ii) One (1) located in Amity;*

*(iii) One (1) located in Caddo Valley; and*

*(iv) One (1) located in Gurdon.*

*(C) The Fortieth District shall be served by one (1) state district court judge.*

*(D) The Fortieth District judge shall be elected district wide.*

*(E) The Fortieth District court shall have district-wide jurisdiction.*

SECTION 11. Arkansas Code Title 16, Chapter 17 is amended to add an additional section to read as follows:

16-17-1112. Reorganization of local district courts to state district courts.

(a)(1) Beginning January 1, 2017, the following cities and counties that are currently served by local district courts pursuant to § 16-17-901 et seq. shall be reorganized as state district courts and served by a state district court judge.

(2) The new state district court judgeships created by this section shall become effective January 1, 2017, and shall be placed on the ballot to be elected in the 2016 nonpartisan judicial election from the newly constructed judicial district.

(3) The cities and counties which were previously served by local district courts and will be served by state district courts shall comply with the cost-sharing requirements established in § 16-17-1106, effective January 1, 2017.

(b)(1)(A) The Second District shall be composed of Washington County and the city limits of Springdale as of January 1, 2011, including that portion of the city of Springdale which extends into Benton County.

(B) The Second District shall have ten (10) departments as follows:

(i) One (1) located in Springdale;

(ii) One (1) located in Elm Springs;

(iii) One (1) located in Johnson;

(iv) One (1) located in Fayetteville;

(v) One (1) located in Elkins;

(vi) One (1) located in West Fork;

(vii) One (1) located in Greenland;

(viii) One (1) located in Prairie Grove;

(ix) One (1) located in Lincoln; and

(x) One (1) located in Farmington.

(C) The Second District shall be served by four (4) state district court judges;

(i) One (1) judgeship first to be elected in 2016 and to become effective January 1, 2017, shall be designated as Division 1;

(ii) One (1) judgeship first to be elected in 2016 and to become effective January 1, 2017, shall be designated as Division 2;

(iii) One (1) judgeship first to be elected in 2016 and to become effective January 1, 2017, shall be designated as Division 3; and

(iv) One (1) judgeship first to be elected in 2016 and to become effective January 1, 2017, shall be designated as Division 4.

(D) The presiding judge of the departments under subdivision (b)(3)(B) of this section shall be determined by the mutual agreement of the state district court judges.

(E) The Second District judges shall be elected district wide.

(F) The Second District court shall have district-wide jurisdiction.

(2)(A) The Third District shall be composed of the counties of Carroll and Madison.

(B) The Third District shall have three (3) departments as follows:

(i) One (1) located in Berryville;

(ii) One (1) located in Eureka Springs; and

(iii) One (1) located in Huntsville.

(C) The Third District shall be served by one (1) state district court judge.

(D) The Third District judge shall be elected district wide.

(E) The Third District court shall have district-wide jurisdiction.

(3)(A) The Seventh District shall be composed of the counties of Franklin and Johnson.

(B) The Seventh District shall have six (6) departments as follows:

(i) One (1) located in Charleston;

(ii) One (1) located in Ozark;

(iii) One (1) located in Altus;

(iv) One (1) located in Clarksville;

(v) One (1) located in Coal Hill; and

(vi) One (1) located in Lamar.

(C) The Seventh District shall be served by one (1) state district court judge.

(D) The Seventh District judge shall be elected district wide.

(E) The Seventh District court shall have district-wide *jurisdiction.*

*(4)(A) The Twenty-Seventh District shall be composed of the counties of Desha and Chicot.*

*(B) The Twenty-Seventh District shall have five (5) departments as follows:*

*(i) One (1) located in Dermott;*

*(ii) One (1) located in Eudora;*

*(iii) One (1) located in Lake Village;*

*(iv) One (1) located in Dumas; and*

*(v) One (1) located in McGehee.*

*(C) The Twenty-Seventh District shall be served by one (1) state district court judge.*

*(D) The Twenty-Seventh District judge shall be elected district wide.*

*(E) The Twenty-Seventh District court shall have district-wide jurisdiction.*

*(5)(A) The Twenty-Ninth District shall be composed of Lonoke* County.

(B) The Twenty-Ninth District shall have seven (7) departments as follows:

(i) One (1) located in Cabot;

(ii) One (1) located in Ward;

(iii) One (1) located in Austin;

(iv) One (1) located in Lonoke;

(v) One (1) located in England;

(vi) One (1) located in Carlisle; and

(vii) One (1) located in Allport.

(C) The Twenty-Ninth District shall be served by one (1) state district court judge.

(D) The Twenty-Ninth District judge shall be elected district wide.

(E) The Twenty-Ninth District court shall have district-wide jurisdiction.

*(5)*(A) The Forty-First District shall be composed of Garland County.

(B) The Forty-First District shall have three (3) departments as follows:

(i) Two (2) located in Hot Springs; and

(ii) One (1) located in Mountain Pine.

(C) The Forty-First District shall be served by two (2) state district court judges.

(D) The Forty-First District judges shall be elected district wide.

(E) The Forty-First District court shall have district-wide jurisdiction.

*/s/Powers*

***APPROVED: 04/06/2011***