



State of Arkansas
Bureau of
Legislative Research

Marty Garrity, Director
 Kevin Anderson, Assistant Director
 for Fiscal Services
 Eric Sanders, Assistant Director
 for Information Technology
 Matthew Miller, Assistant Director
 for Legal Services
 Jessica Whittaker, Assistant Director
 for Research Services

State Agency Litigation Notification Form

Dear Agency Director:

Arkansas Code § 10-3-312 requires that any agency or institution that is not represented by the Attorney General shall notify the Director of the Bureau of Legislative Research of pending litigation so that the appropriate legislative committee may “determine the action that may be deemed necessary to protect the interests of the General Assembly and the State of Arkansas in that matter.”

In order to submit a report regarding pending litigation pursuant to Arkansas Code § 10-3-312, please complete the following form for each pending lawsuit, along with a cover letter to the Director of the Bureau of Legislative Research, and submit to desikans@blr.arkansas.gov.

DATE REPORTING:	
Agency:	Arkansas Public Service Commission
E-mail:	fran.hickman@arkansas.gov
Phone:	501-682-5881
Contact:	Fran Hickman
1. STYLE OF THE CASE BEING LITIGATED	
Arkansas Democrat-Gazette, Inc. and Sidney Sasser v. Arkansas Public Service Commission	
2. IDENTITY OF THE TRIBUNAL BEFORE WHICH THE MATTER HAS BEEN FILED (COURT)	
Sixth Division Circuit Court	
3. BRIEF DESCRIPTION OF THE ISSUES INVOLVED	
The Democrat-Gazette sued the Arkansas Public Service Commission to compel a FOIA production of documents that are exempted under FOIA. BLR Staff Note: The agency indicated on July 31, 2026, that this lawsuit has been dismissed by the circuit court.	
3A. OTHER DESCRIPTION INFORMATION	
Docket Number	60CV-26-7792
Date Filed	June 18, 2026
Defendant	Arkansas Public Service Commission
Defendant Attorney	Attorney General Ryan Hale
Plaintiff	Democrat-Gazette, Inc.
Plaintiff Attorney	John Tull and Vincent Chadick
4. ANY OTHER RELEVANT INFORMATION	
An expedited hearing was held Monday, June 29, 2026	
4A. OTHER RELEVANT INFORMATION	
Case History	The Defendant requested production of information under FOIA and APSC claimed it was exempted.
Relief Sought	Production of the exempted documents.
Current Status	Pending

A.C.A. § 10-3-312

Current through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission.

- **Arkansas Code Annotated**
- **Title 10 General Assembly**
- **Chapter 3 Committees**
- **Subchapter 3-- Legislative Council**

10-3-312. NOTIFICATION OF LAWSUITS AFFECTING STATE.

- (a) In order that the General Assembly may take whatever steps it deems necessary concerning lawsuits which may affect the State of Arkansas, its officials, or its financial resources:
 - (1) The Attorney General shall notify the Director of the Bureau of Legislative Research who is the Executive Secretary to the Legislative Council as soon as possible after the Attorney General becomes involved in such litigation;
 - (2) **When any state agency or any entity which receives an appropriation of funds from the General Assembly becomes involved in litigation without representation by the Attorney General, the director or administrative head of the agency shall notify the Director of the Bureau of Legislative Research as soon as possible.**
- (b) The notice given by the Attorney General or by the director or administrative head of a state agency to the Director of the Bureau of Legislative Research shall include the style of the case being litigated, the identity of the tribunal before which the matter has been filed, a brief description of the issues involved, and other information that will enable the Legislative Council or the Joint Budget Committee to determine the action that may be deemed necessary to protect the interests of the General Assembly and the State of Arkansas in that matter.
- (c) Upon receipt of the notice, the Director of the Bureau of Legislative Research shall during the interim between legislative sessions transmit a copy of the notice to the cochairmen of the Legislative Council and to the cochairmen of the Joint Budget Committee during legislative sessions in order that those committees may schedule that matter upon their respective agendas at the earliest possible date.
- (d) During the interim between legislative sessions, the Legislative Council shall determine, and during legislative sessions the Joint Budget Committee shall determine, whether the General Assembly has an interest in the litigation and, if so, take whatever action deemed necessary to protect the General Assembly's and the state's interest in that matter.

HISTORY

Acts 1987, No. 798, §§ 1, 2.

Arkansas Code of 1987 Annotated Official Edition
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A.C.A. § 10-3-312 (Lexis Advance through all laws of the 2017 Regular Session and 2017 First Extraordinary Session, including changes and corrections by the Arkansas Code Revision Commission)