

House & Senate Judiciary Committee – Act 38 of 2023 Legislative Study of Financial Matters Related to the Court System

Recommendations (as of September 4, 2024)

1) Representative Andrew Collins

- a) Do not fund the courts with fines and fees and instead use general revenue to fully meet the needs of the judicial system.
- b) End criminal and civil filing fees, the installment fee, the bail bond fee, the driver's license reinstatement fee, and probation and parole supervision fees.
- c) Require an ability to pay assessment with standard criteria that should be considered prior to assessing a criminal fine.
- d) Criminal fines and whatever remaining fee revenue exists should be directed to general revenue.
- e) Require each district court to present an annual financial report detailing general operating revenue; total revenues from fines and fees; and the percentage of general operating revenue that comes from fines and fees.
- f) Prohibit driver's license suspension for nonpayment of fines and fees.

2) Representative Carol Dalby

- a) District Court Judge salary paid by the state thereby eliminating the county or city contributions.
- b) The retained share of all district courts should be moved to 50/50. 50% retained by the county or city & 50% sent to the state.
- c) Eliminating the monthly fee charges for paying over time, but recognizing that the lost revenue will need to be replaced. Expanding the definition as to what the money can be used for in the district court, while retaining the district judge discretion as to how best use the funds.
- d) Transfer the money that typically funds the Administration of Justice Fund (AOJ) to the budget & move those entities receiving AOJ funds to line items in the state budget.
- e) Courtroom security for district courts needs to be addressed.
- f) The issue of many small departments within the district court judicial district should be considered for consolidation at the recommendation of DECRA.

3) District Judges Perspective (via text received by Rep. Dalby)

- a) In order to help secure the respect that states district judges deserve, there should be funds set aside for state district judges to attend out of state education programs. There are funds already in place for circuit judges to do so. There is value in Arkansas judges attending education programs with colleagues from other states.
- b) Allow for district judges to have a fund that would be at the judges' discretion to pay for technology or other needs of the court.
- c) In the final report, a provision should be included for the "turn back" amount to be reviewed on a five to ten year basis.

4) Senator Clarke Tucker

- a) The system of fines and fees in the justice system is in need of serious review and reform. The legislature must work to eradicate the installment fee, in particular.
- b) The judicial branch is encourages to develop a web-based application that automatically notifies individuals, via text message or other automated electronic notification, when they have an upcoming court appearance, in an effort to reduce the number of failures to appear in the state.