



ARKANSAS JUDICIARY

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## Arkansas Supreme Court



In 1836, Arkansas became the 25th state admitted to the union. Its first constitution created a supreme court composed of three judges including one styled Chief Justice, and directed that the judges be elected by the Arkansas General Assembly. *Ark. Const. of 1836*, art. VI, § §2 & 7. Daniel Ringo, Townsend Dickinson, and Thomas J. Lacy were selected to serve as the first supreme court judges, and Mr. Ringo became the first Chief Justice.

The state's current constitution, ratified in 1874 <sup>[1]</sup>, likewise initially provided for three supreme

court judges, but also authorized the Arkansas General Assembly to increase the number of judges to five, if it deemed necessary, when the state population amounted to one million. *Ark. Const. of 1874*, art. VII, § 2 & 3. By Act 19 of 1889, the number of supreme court judges increased to five. In 1924, the Constitution was amended to allow the General Assembly to increase the number of judges to seven should it thereafter become necessary. By Act 205 of 1925, the number increased to seven judges, whose terms began January 1, 1927.

Effective July, 2001, the judicial article of the Arkansas constitution was rewritten by Amendment 80. Judicial power is vested in the Judicial Department of state government, consisting of a Supreme Court and other courts established by the Constitution. *Ark. Const. of 1874*, amend. 80, §1. The Supreme Court has statewide appellate jurisdiction and such other original jurisdiction as provided by the Constitution. *Id.* at §2. The Arkansas Supreme Court exercises general superintending control over all courts of the state. *Id.* at §4.

The Arkansas Supreme Court's appellate jurisdiction is described by its [Rule 1-2](#) [2]. Any case is subject to reassignment or transfer by the Arkansas Supreme Court. The Arkansas Court of Appeals may seek to transfer a case to the Arkansas Supreme Court, upon requisite certification. Proceedings for extraordinary writs, expedited consideration and temporary relief are described in [Rule 6-1](#) [2].

Constitutional amendment 28, adopted in 1938, vested the Arkansas Supreme Court with power to make rules regulating the practice of law and the professional conduct of attorneys at law.

Amendment 80, §16 describes the qualifications for an Arkansas Supreme Court justice:

- A justice of the Supreme Court shall be a licensed attorney for at least eight years immediately preceding the date of assuming office.
- The justices of the Supreme Court shall be elected by the qualified electors of the State and shall serve eight-year terms.

The seven Arkansas Supreme Court justices are elected in statewide non-partisan races, and serve staggered terms, such that it is unlikely all members of the court would be replaced in one election. In the event a member of the court fails to serve the entire term of office, the vacancy shall be filled by appointment by the governor of Arkansas. *Ark. Const. of 1874*, amend. 29, §1. The appointee shall serve during the entire unexpired term in the office in which the vacancy occurs if such office would in regular course be filled at the next general election if no vacancy had occurred; otherwise, the appointee may serve until the first or second general election following appointment, depending upon the timing of that election. *Id.* at §4. No person appointed under Section 1 shall be eligible for appointment or election to succeed himself. *Id.* at §2.

The official version of the Supreme Court opinions handed down prior to February 14, 2009, may be found in the bound volumes of *Arkansas Reports*. As of that date, the Arkansas Supreme Court became the first state court to designate the electronic version as opposed to a physical, published version as the official version of its opinions. The opinions of the Arkansas Supreme Court -- both the official electronic versions, and scanned unofficial versions of the opinions published in the bound reporter -- [may be accessed online here](#) [3].

All signed opinions of the Supreme Court handed down after July 1, 2009, are designated for publication and may be cited in briefs and other pleadings before the state's appellate courts. [Ark. Sup. Ct. R. 5-2](#)

[4]. Opinions handed down prior to that date, and marked "not designated for publication," are without precedential value and may not be cited as authority. *Id.* The slip opinion version of each opinion remains posted until any editorial changes are made by the Supreme Court Reporter of Decisions [5] and approved by the judge or justice who authored the opinion. Slip opinions are not to be considered the final decisions of the court. Final official opinions of the court will be marked as such with the seal of the Arkansas Supreme Court. See the Reporter's page [5] for more information about electronic publication and the new citation format.

Questions regarding the Supreme Court docket or schedule, or requests for copies of appellate records should be addressed to the Clerk of the Courts [6].

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**Links:**

[1] <http://www.arkleg.state.ar.us/assembly/Summary/ArkansasConstitution1874.pdf>

[2] <https://courts.arkansas.gov/rules-supreme-court-and-court-of-appeals>

[3] <http://opinions.aoc.arkansas.gov/WebLink8/Welcome.aspx>

[4] <https://courts.arkansas.gov/./rules-and-administrative-orders/court-rules/rule-5-2-opinions>

[5] <https://courts.arkansas.gov/courts/supreme-court/reporter>

[6] <https://courts.arkansas.gov/courts/clerk-of-the-courts>