

CHAPTER 18
MUNICIPAL COURT

Sec. 18-1. Municipal Court Established; Mayor's Court Abolished.

Pursuant to the provisions of Sections 22-701 through 22-733 Ark. Stats., there is hereby created and established a Corporation Court for the City of Searcy, White County, Arkansas, having jurisdiction co-extensive with White County, to be styled the "Municipal Court of Searcy, Arkansas", which shall be a court of record, having a seal, and which shall be regarded in law a continuation of the Mayor's Court as now existing by law therein, and the said Mayor's Court is hereby abolished. *(Ord. No. 330, § 1, 8-23-51)*

Sec. 18-2. Adoption of State Laws.

All provisions of the laws of the State of Arkansas applicable to such courts are hereby adopted. *(Ord. No. 330, § 2, 8-23-51)*

Sec. 18-3. Municipal Judge.

Said Municipal Court shall be held by a Municipal Judge who shall receive as compensation for his services such sums as prescribed by state law. *(Ord. No. 330, § 2, 8-23-51; Ord. No. 345, § 1, 11-6-52)*

Sec. 18-4. Municipal Court Clerk Separated from Municipal Clerk and Records; Appointment and Approval; Term; Removal; Salary.

1. The office of Searcy municipal court clerk shall be separate and distinct from the office of Searcy municipal clerk and recorder. The person duly elected and/or appointed and holding the office of Searcy municipal clerk and recorder shall not be appointed and hold the office of Searcy municipal court clerk at the same time that person is serving as Searcy municipal clerk and recorder.
2. The Searcy municipal judge shall appoint a person to serve as the Searcy municipal court clerk. The Searcy municipal judge's appointment of the Searcy municipal court clerk shall be subject to approval by a two-thirds (2/3) majority vote of the Searcy City Council in favor of said appointment. In the event of a vacancy in the office of Searcy municipal court clerk, the Searcy Municipal Judge shall appoint a person to fill said vacancy subject to approval by a two-thirds (2/3) majority vote of the Searcy City Council in favor of said appointment.
3. The appointment of Searcy municipal court clerk shall be for a period of two (2) years. The initial appointment shall be until January 1, 1975. The Searcy Municipal Judge may remove and dismiss the person serving as Searcy municipal court clerk

for cause subject to approval by a two-thirds (2/3) majority vote of the Searcy City Council.

- 4. The salary of the Searcy municipal court clerk shall be fixed by the City Council from time to time. (Ord. No. 559, §§ 1-4, 5-15-73)

Sec. 18-5. Additional Court Costs Levied.

Pursuant to the provisions of Arkansas Code Annotated § 16-17-109 et seq., the Municipal Court of Searcy, Arkansas, the following costs, in addition to such costs as now are or may hereafter be provided by law, the following:

For any conviction on a charge of public intoxication.....\$1.00

**For any conviction on a charge of driving while under the influence of
intoxicants.....\$5.00**

All such costs collected shall be managed and accounted for pursuant to Arkansas Code Annotated § 16-17-109 et seq. (Ord. No. 391, §§ 1, 2, 12-4-57; Ord. No. 643, §§ 1-3, 8-11-81)

Sec. 18-6. Same -- Appropriation of Funds.

Costs collected in cases of public drunkenness and driving under the influence of intoxicating beverages shall be paid into the fund to be used in the purchase, maintenance and operation of equipment designed to test the fact and degree of intoxication of persons arrested on charges of public drunkenness, or driving under the influence of intoxicants. The surplus, if any, after accomplishment of the above purpose, may be used in defraying any other legitimate administrative expense of said court. (Ord. No. 391, § 3, 12-4-57)

Sec. 18-7. Additional Fine on Convictions.

Pursuant to the provisions of Arkansas Code Annotated, Section 16-17-129, there is hereby levied, in addition to all other fines and costs provided by law, a fine of \$5.00 upon any defendant who pleads guilty, or nolo contendere to, is found guilty of, or forfeits bond with respect to, any offense classified as a misdemeanor, or any traffic violation in the Municipal Court of the City of Searcy, Arkansas. All funds derived from the collection of the fine imposed hereby shall be separately accounted for by the Municipal Court Clerk, and shall be set aside and reserved by the City for the exclusive use of defraying the cost of incarcerating City prisoners, including the cost of constructing and maintaining a City jail and payments to other entities for incarcerating City prisoners. (Ord. No. 2000-01, §13, 1-11-2000; Ord. No. 2000-01, §1, 1-11-2000)

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