

**Uniform Personnel Classification and
Compensation Plan Subcommittee**

October 16,2013

Interim Study Proposal 2013-162

Preliminary Report

Review of

Court Reporters

and

Trial Court Assistants

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Arkansas Code for Court Reporters and Trial Court Administrative Assistants

Court Reporters

Court reporters were made state employees through Act 16 of the Extraordinary Session of 1981. According to Act 16 and Arkansas Code 16-13-501 they are subject to the Uniform Classification and Compensation Act. However, Arkansas Code 21-5-204 specifically states that Circuit Court employees are exempt from the Uniform Classification and Compensation Act. According to Bureau legal staff, the enacting legislation and Arkansas Code 16-13-501 supersede the exception in code 21-5-204 because it is the latest expression, making them subject to the Uniform Classification and Compensation Plan.

It is important to note that Arkansas Code 16-13-504 references "Step 1" of Grade 19 as the initial salary for Court Reporter and that all subsequent step increases shall be in conformance with the compensation. The problem or confusion here is that Grade 19 no longer exists. Court Reporters are now classified as Grade C119 (\$35,554 to \$65,221). Also, "step increases" no longer exist in the current pay plan structure. Under current state law, employees can only receive base salary increases through the annual cost of living increase. Merit adjustments are handled as annual lump sum payments based on performance evaluations, and do not increase an employee's base salary. Employees in approved classifications may also be eligible for salary grid adjustments or compensation differentials (paid in addition to base salary) for specific job duties, knowledge, skills and abilities.

Below is the Arkansas Code pertinent to this Interim Study Proposal (ISP) regarding Court Reporters. The underlined portions note specific areas that may need to be reviewed and addressed. You will also find Arkansas Code 21-5-204 as referenced above.

16-13-501. Court reporters made state employees.

Statute text

The official court reporters of the circuit courts in this state are employees of the State of Arkansas. The court reporters shall be subject to, and their compensation shall be determined in accordance with, the provisions of the Uniform Classification and Compensation Act, § 21-5-201 et seq., and all laws amendatory thereto.

16-13-503. Appointment — Compensation — Leave.

Statute text

(a) Each judge of each circuit court may appoint one (1) or more court reporters as may be authorized by law.

(b)(1) The salaries of the reporters shall be prescribed by the General Assembly in accordance with the Uniform Classification and Compensation Act, § 21-5-201 et seq.

(2) The salaries, together with such expenses as may be authorized by law for the court reporters to be paid from state funds, shall be paid with moneys appropriated therefore by the General Assembly from the Court Reporter's Fund.

(c) The official court reporters of the circuit courts in the state shall be subject to, and their attendance and leave time shall be governed by, the Uniform Attendance and Leave Policy Act,

§ 21-4-201 et seq. However, the judge of the court served by each reporter shall have the authority and responsibility to administer the Uniform Attendance and Leave Policy Act, § 21-4-201 et seq., as applied to the respective court reporters.

(d)(1) Rules for the regulation of the practice of court reporting in this state, including, but not limited to, certification, discipline, and provisions for the retention of court reporter records, shall be the responsibility of the Supreme Court.

(2) Provided, however, that nothing in this subsection shall permit the Supreme Court to require that counties or county officials provide space for the storage of court reporter records.

16-13-504. Initial annual salary of court reporters — Salary implementation procedures.

Statute text

(a) All court reporters appointed after March 28, 1983, shall receive an initial annual salary not to exceed that salary provided for in Step 1 of Grade 19 of the Uniform Classification and Compensation Plan unless the Legislative Council approves entrance at a greater salary, but in no instance shall court reporters enter at an annual salary greater than that provided in Step 5 of Grade 19.

(b) The following salary implementation procedures shall apply to all court reporters who were official court reporters in the state on June 30, 1981:

(1) The beginning compensation of persons first appointed to a position of court reporter after June 30, 1981, shall not be made at greater than the first, or entrance, step unless a special entrance rate is requested through and approved by the Office of Personnel Management of the Division of Administrative Services of the Department of Finance and Administration with the advice of the Legislative Council;

(2) All subsequent step increases granted to court reporters shall be in conformance with the schedule provided in the compensation plan;

(3) Increase eligibility dates shall be determined from the dates of initial employment by the state:

(A) For those court reporters who are official court reporters in the state on June 30, 1981, the increase eligibility date shall be July 1, 1982.

(B) For those court reporters who are appointed after June 30, 1981, the increase eligibility date shall be determined by the date of appointment.

A.C.R.C. Notes. The reference to the Uniform Classification and Compensation Plan in (a) refers to the "Uniform Classification and Compensation Act", § 21-5-201 et seq., which was partially amended by Acts 2009, No. 688, effective July 1, 2009. All career service plans for state agencies and institutions were reclassified within §§ 21-5-208 and 21-5-209.

16-13-505. Court reporters — Reimbursement for expenses.

Statute text

(a)(1) The official court reporters of the respective circuit courts shall be entitled to reimbursement for actual expenses incurred for meals, lodging, and transportation costs for attending court away from a reporter's official station.

(2) If the reporter uses a personal vehicle for transportation, he or she shall be entitled to reimbursement for mileage at the rate prescribed for state employees in the state travel regulations.

(b) Reimbursements for expenses shall be made monthly by the Auditor of State upon claims by the respective court reporters certified by the circuit judge.

History

History. Acts 1981 (Ex. Sess.), No. 16, § 6; 1985, No. 63, § 1; A.S.A. 1947, § 22-367.3; Acts 2003, No. 1185, § 89; 2005, No. 461, § 2.

Annotations

Publisher's Notes. Acts 1981 (Ex. Sess.), No. 16, § 6, is also codified as § 16-14-107.

Amendments. The 2005 amendment deleted the former last sentence in (a), which read: "However, no court reporter shall be entitled to receive reimbursement for such meals, lodging, and transportation in excess of four thousand five hundred dollars (\$4,500) per year."

16-13-506. Court reporters — Transcript fees.

Statute text

(a)(1) When required to make a transcript of court proceedings, each court reporter of the circuit courts shall be entitled to compensation at the rate of four dollars and ten cents (\$4.10) per page for the original and two (2) copies and at the rate of fifty cents (50¢) per page for each additional copy.

(2) When required to prepare photocopied evidence as part of a transcript, each reporter shall be entitled to compensation at the rate of one dollar and fifty cents (\$1.50) per page, for an original and two (2) copies and at the rate of fifty cents (50¢) per page for each additional copy thereafter, with the cost to be paid by the parties ordering transcripts.

(b)(1)(A) In indigent and in forma pauperis proceedings, the compensation to the court reporter for transcripts provided for in subsection (a) of this section shall be paid by the State of Arkansas.

(B) However, in such proceedings, the court reporters shall be entitled to compensation from the state only for the original and two (2) copies of the transcript.

(2) The payments shall be made only upon certification thereof by the presiding judge and shall be paid by the Auditor of State from funds appropriated out of the Court Reporter's Fund.

16-13-512. Funding of official court reporters.

Statute text

(a) The state, rather than individual counties, shall bear the responsibility of funding the salaries and expenses of official state court reporters.

(b) Each county or counties within a judicial district shall continue to bear the responsibility of providing, at the county's expense, each official court reporter with appropriate office space and operating expenses, when approved in advance by the quorum court.

21-5-204. Exceptions. (From Uniform Classification and Compensation Act)

Statute text

(a) The provisions of this subchapter shall not apply to the following agencies:

- (1) The elected constitutional officers of this state and their employees;
- (2) The General Assembly and its employees, including employees of the Bureau of Legislative Research and the Division of Legislative Audit;
- (3) Members and employees of the Supreme Court, the Court of Appeals, circuit courts, prosecuting attorneys, and the Administrative Office of the Courts;
- (4) The Arkansas State Highway and Transportation Department; and
- (5) Federal military technicians, military training support personnel, federally funded personnel of the Arkansas National Guard, and other military personnel who are paid directly by the federal government.

(b) Salaries for agency head, agency director, or head of institution positions shall be exempt from the classification and compensation plan, and the maximum annual salary rate shall be authorized in the respective appropriation act.

Trial Court Administrative Assistants

Trial Court Administrative Assistants (TCAs) were made state employees through Act 1256 of 1995. Prior to this Act the TCAs had been county employees. Unlike Court Reporters, Act 1256 of 1995 and Arkansas Code 16-10-133 do not specifically tie TCAs to the Uniform Classification and Compensation plan. However, they state that a “trial court staff person shall be equal to that established in the state pay plan at a grade “16”. Grade 16 no longer exists because the update pay plan took the classification to a grade C117.

One of the major differences between the Trial Court Administrative Assistants and the Court Reporters is that the TCAs are authorized to receive a supplement from a county or counties to their base salary when approved by a quorum court. This county supplement is not available to Court Reporters.

Another difference between TCAs and Court Reporters as referenced below is the “Credit For County Service” provided to TCAs. Arkansas Code 16-10-134 provides a specific process to address those TCAs that were part of the initial changeover from county employment to state employment. It states that the converted employees will use their accrued county service to establish accrual rates for sick and annual leave, as well as career service recognition payments. In essence, they came to work for the state on their first day earning career service payments and accruing sick and annual leave as if they had been employed by the state for a number of years. This language did not exist for court reporters.

Finally, TCAs are eligible for a 10% increase in base salary if they become certified by the National Center for State Courts as a Certified Court Manager. This was implemented in 2011 by Act 926.

Below is the Arkansas Code that is pertinent to this ISP regarding TCAs. The underlined portions note specific areas that may need to be examined as options and ideas are discussed.

16-10-133. Trial court staff.

(a) Beginning July 1, 1996, positions shall be authorized and funds appropriated to the Auditor of State from the State Administration of Justice Fund to provide one (1) staff person for each of the judges of the circuit courts. The staff person may be employed to perform secretarial, docketing, and management services. Each judge of the circuit court shall report to the Administrative Office of the Courts his or her intention to employ such a staff person. Two (2) or more judges within a judicial district may employ jointly, in their discretion, one (1) staff person when coordinated with the office.

(b) A circuit judge authorized by subsection (a) of this section to employ a staff person shall have the authority to select and hire the person who will serve, and any person so employed shall serve at the will and pleasure of the judge.

(c) The entry level salary of a trial court staff person shall be equal to that established in the state pay plan at grade 16.

(d) A county or counties shall be authorized to supplement the base salary of any trial court staff person when approved by the quorum court. Any county or counties that employed a trial court administrative assistant as of July 1, 1996, and that supplemented their salaries pursuant to this subsection shall be required to continue to provide said supplement so long as the trial court administrative assistant shall continue to be employed in that position in the county.

(e) A staff person shall be subject to the Uniform Attendance and Leave Policy Act, § 21-4-201 et seq., as administered by the judge by whom he or she is employed.

(f) A trial judge who already has one (1) or more staff persons on April 13, 1995, shall designate one (1) such staff person to be subject to and paid by the provisions of this section.

A.C.R.C. Notes. Acts 2012, No. 245, § 3, provided: “RATE OF PAY. The entry level salary of a trial court staff person shall be equal to that established in the state pay plan at grade C117.”

Acts 2012, No. 245, § 4, provided: “CERTIFICATION.

Any Trial Court Administrative Assistant who is or becomes certified by the National Center for State Courts as a certified Court Manager shall be entitled to have the annual salary for which he or she is eligible to be increased by ten percent (10%), which shall not exceed the maximum amount for the grade assigned.

“The provisions of this section shall be in effect only from July 1, 2012 through June 30, 2013.”

16-10-134. Trial court staff — Credit for county service.

Statute text

Trial court staff persons who converted from county employment to state employment and were employed under § 16-10-133 shall have their length of service with the county recognized by the state for purposes of accrual rates for sick leave and annual leave and attainment of career service recognition awards.

Salary History and Current Salary Data

Salary Adjustments and Grid History for Court Reporters and Trial Court Administrative Assistants

In the past, Court Reporter and TCA salaries were adjusted through a process similar to Exceptionally Well Qualified and Special Entry Rate requests. A judge would request a higher entry level salary or an increase in an a current employee's salary and if approved by the committee, the employee received the requested rate. Some judges would request and receive high salaries for their employees, while others either did not request or did not receive the requested salary.

Because some judges never requested increased entry rates or increased salaries for existing employees, salary differences within both classifications were created. For example, there are instances where employees with similar years of service have vastly different salaries. Also, some employees with fewer years of state service have greater salaries than those with more years of service. Requests for new employees also created these salary differences because the special entry rate request and recommendation may have been based on their years of experience outside of state employment.

In an effort to regulate entry level salaries and increases for existing employees a salary grid was implemented in 2002. The grid increased the entry rate or current salary of a Court Reporter or TCA strictly based on the number of years that they had been in their position and established a increased rate for new hires based on their related experience as Court Reporters and TCAs. However, the grid rate was still only utilized for an employee if the Judge requested an increased rate before the Personnel Committee. It was not an automatic increase. If a Judge did not request an increase for their employees, they only received a Cost of Living Adjustment (COLA). Those TCAs and Court reporters who worked for a Judge that requested the grid rates saw potentially significant increases in salary.

It should be noted that in July of 2008, prior to the pay plan being implemented (2009), the Administrative Office of the Courts sent a letter to the Personnel Committee explaining that the Judicial Council had requested all circuit judges refrain from seeking any increases in salary for TCAs from the Personnel Committee until the current funding shortage could be addressed during the 2009 legislative session. However, the requests continued to come before the committee to be reviewed for both classifications.

After the new Pay Plan was implemented in 2009 it was determined that the existing grid no longer kept pace with the new pay plan because the lower tiered grid rates were below the entry rate of the new grade for the TCAs and Court Reporters. The basis of this grid was similar to the previous one in that it only accounted for years of experience as a Court Reporter or related experience for TCAs. During the drafting phase of the updated grid a recommendation was made by the Judicial Council that the new grid cover only newly hired Court Reporters and TCAs. Existing employees would be eligible for cost of living and merit payments as well as the

10% increase for TCAs if they became Certified Court Managers and 6% increase for Court Reporters who were certified in Real Time Court Reporting.

The updated grid was implemented in September of 2010 and used through August of 2011. In August 2011 the Personnel Committee began holding all requests from circuit judges for both new and existing employees. The committee currently functions under this practice. Any new employee hired by a judge is eligible for the entry rate of their respective grade and all current employees are eligible for cost of living and merit payments.

Special Language added to Act 1328 of 2009 also made Trial Court Administrative Assistants eligible for a 10% increase in salary if they complete the certification process to become Certified Court Managers. The language states "Any Trial Court Administrative Assistant who is or becomes certified by the National Center for State Courts as a certified Court Manager shall be entitled to have the annual salary for which he or she is eligible to be increased by ten percent (10%), which shall not exceed the maximum amount for the grade assigned." Although a large number of TCAs have received the certification, only a small portion have actually seen their salary increased. This is due to the lack of funds available in the AOJ fund. There are currently 56 TCAs that have received certification at their own expense for travel, lodging, and food that have not received the 10% increase.

Court Reporter and Trial Court Administrative Assistant Salaries

The salaries for individual Court Reporters and TCAs begin on the next page. The list has been sorted by years of service to include 0-5, 5-10, 10-15, 15-20 and 20+ year groups. Also listed for each employee is the amount above or below the group average and the amount above or below the average of all Court Reporters or TCAs.

Following each of the individual employee salary lists is a summary of the salary averages for both classifications including averages sorted by years of service. Information is included that provides a projected cost to bring employees up to their group average or the overall average. In both cases, any employee who was earning more than the average of the group or the overall average of the classification was not adjusted. The costs provided should not be considered recommendations. These are simple calculations meant to provide an understanding of the possible costs of adjusting salaries. There are a number of salary adjustment options that could be calculated if that action was recommended.

Court Reporter Salaries

Court Reporters	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all Court Reporters \$51,216
Curry, Polly R	\$36,265	0.5	-\$6,572	-\$14,951
Layman, Kimberly	\$36,265	0.8	-\$6,572	-\$14,951
Smith, Kellye	\$36,265	1.3	-\$6,572	-\$14,951
Fletcher, Kristena R	\$38,498	1.6	-\$4,339	-\$12,718
Veach, Deanna	\$36,265	1.8	-\$6,572	-\$14,951
Coffman, Marian L	\$36,265	1.9	-\$6,572	-\$14,951
Cole, Rebekah L	\$36,265	2.2	-\$6,572	-\$14,951
Ambrose, Mary L	\$51,994	2.3	\$9,157	\$778
Wood, Donna	\$55,114	2.4	\$12,277	\$3,898
Leding, Shana	\$40,423	2.5	-\$2,414	-\$10,793
East, Sherry P	\$50,033	2.8	\$7,196	-\$1,183
Harner, Monica	\$36,990	2.8	-\$5,847	-\$14,226
Richerson, Rosemary	\$45,531	2.8	\$2,694	-\$5,685
Jones, Susan	\$51,158	2.9	\$8,321	-\$58
Crow, Carrie L	\$36,265	3	-\$6,572	-\$14,951
Barden, Paula S	\$44,654	3.4	\$1,817	-\$6,562
Marvin, Jacqueline	\$51,012	3.5	\$8,175	-\$204
Garner, Kim J	\$40,779	4.1	-\$2,058	-\$10,437
Burks, Jenny L	\$36,265	4.3	-\$6,572	-\$14,951
Flora, Valarie D	\$52,681	4.5	\$9,844	\$1,465
Harbuck, Janis	\$52,681	4.5	\$9,844	\$1,465
Wheeler, Joyce	\$40,754	4.5	-\$2,083	-\$10,462
Total 0-5 Yrs	\$42,837	2.75	\$69,322	\$191,936
Olenberger, Therese	\$38,674	5.2	-\$7,153	-\$12,542
Speer, Amber	\$38,777	5.3	-\$7,050	-\$12,439
White, Amber	\$41,055	5.5	-\$4,772	-\$10,161
Russell, Andrea	\$36,265	5.8	-\$9,562	-\$14,951
Bowen, Laura D	\$44,766	6	-\$1,061	-\$6,450
Poe, Amanda	\$47,072	6	\$1,245	-\$4,144
Arwood, Sandra K	\$41,055	6.5	-\$4,772	-\$10,161
Cook, Carol A	\$36,265	6.9	-\$9,562	-\$14,951
Murphy, Alice	\$38,674	7.3	-\$7,153	-\$12,542
Warford, Neva	\$55,445	7.3	\$9,618	\$4,229
Dozier, Elizabeth A	\$45,219	7.4	-\$608	-\$5,997

Court Reporters	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all Court Reporters \$51,216
Lawson, Jerry	\$53,229	7.8	\$7,402	\$2,013
Kincy, Monica	\$45,244	8.2	-\$583	-\$5,972
Irby, Reni	\$51,158	8.3	\$5,331	-\$58
Reynolds, Bobby	\$60,672	8.5	\$14,845	\$9,456
Nickles, Gloria	\$55,636	8.8	\$9,809	\$4,420
Wood, Rita	\$43,116	8.8	-\$2,711	-\$8,100
Stacy, Elveeta	\$47,871	9	\$2,044	-\$3,345
Mulliken, Denise	\$47,671	9.9	\$1,844	-\$3,545
Hart, Ellen	\$48,668	10	\$2,841	-\$2,548
Total 5-10 Yrs	\$45,827	7.43	\$54,983	\$127,906
Briggs, Dianne	\$52,891	10.1	\$1,659	\$1,675
Kopech, Tabetha	\$48,657	10.5	-\$2,575	-\$2,559
Russell, Sheila	\$49,316	11.1	-\$1,916	-\$1,900
McBee, Raleen	\$43,641	11.5	-\$7,591	-\$7,575
White, Cynthia	\$50,416	12	-\$816	-\$800
Wright, Paulette	\$56,708	12.8	\$5,476	\$5,492
Stuart, June	\$60,971	13.1	\$9,739	\$9,755
Fourt, Richard A	\$48,524	13.3	-\$2,708	-\$2,692
Foreman, Tammie L	\$52,134	13.5	\$902	\$918
Hassell, Vickie	\$51,087	14	-\$145	-\$129
Beckman, Julie A	\$47,299	14.5	-\$3,933	-\$3,917
Mauldin, William	\$55,500	14.5	\$4,268	\$4,284
May, Amy	\$43,153	14.5	-\$8,079	-\$8,063
McLeod, Janis	\$57,088	14.5	\$5,856	\$5,872
Warren, Nancy	\$61,270	14.5	\$10,038	\$10,054
Hamilton, Shari	\$41,055	15	-\$10,177	-\$10,161
Total 10-15 Yrs	\$51,232	13.09	\$37,939	\$37,796
Fields, Sharon L	\$53,474	15.8	\$3,069	\$2,258
McLain, Betty	\$46,372	15.9	-\$4,033	-\$4,844
Ledbetter, Leca	\$47,299	16	-\$3,106	-\$3,917
Harrelson, Jerri	\$47,299	16.1	-\$3,106	-\$3,917
Foster, Vicki R	\$44,405	16.5	-\$6,000	-\$6,811
Griggs-Washington, Alvah	\$43,761	16.5	-\$6,644	-\$7,455
Kesterson, Chren	\$45,397	16.5	-\$5,008	-\$5,819
Whitfield, Linda	\$50,314	16.9	-\$91	-\$902

Court Reporters	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all Court Reporters \$51,216
Dyer, Linda L	\$57,407	17	\$7,002	\$6,191
Jones, Krystal	\$52,028	17	\$1,623	\$812
Kremers, Beth	\$53,560	17.8	\$3,155	\$2,344
Moody, Sharon	\$53,803	17.8	\$3,398	\$2,587
Vaughn, Willma	\$53,172	18	\$2,767	\$1,956
Burson, Felisha D	\$52,029	18.2	\$1,624	\$813
Daugherty, Renee H	\$46,056	18.2	-\$4,349	-\$5,160
Vint, Mary	\$49,348	18.2	-\$1,057	-\$1,868
Pierson, Kathryn	\$61,270	18.3	\$10,865	\$10,054
Lancaster, Margaret	\$52,857	18.5	\$2,452	\$1,641
Pense, Amy	\$45,379	19.9	-\$5,026	-\$5,837
Keeland, Michelle	\$52,868	20	\$2,463	\$1,652
Total 15-20 Yrs	\$50,405	17.46	\$38,419	\$46,530
Johnson, Docie	\$56,042	20.5	\$4,944	\$4,826
Gibson, Marie D	\$60,825	20.6	\$9,727	\$9,609
Arthur, Jewel L	\$53,430	20.7	\$2,332	\$2,214
Brown, Ronda K	\$59,093	21.3	\$7,995	\$7,877
Simpson, Stacy	\$54,244	21.4	\$3,146	\$3,028
Works, Patricia	\$61,569	21.9	\$10,471	\$10,353
Brown, Jerri J	\$61,569	22.5	\$10,471	\$10,353
Haynes, Frances	\$49,302	22.5	-\$1,796	-\$1,914
Jones, Rosemary	\$43,394	22.9	-\$7,704	-\$7,822
Begley, Kathryn L	\$60,298	23	\$9,200	\$9,082
Smith, Nevelyn	\$57,922	23.4	\$6,824	\$6,706
Cameron, Ranaye M	\$57,094	23.7	\$5,996	\$5,878
Brooks, Joan V	\$61,569	23.9	\$10,471	\$10,353
Hubbard, Linda	\$59,969	23.9	\$8,871	\$8,753
Westmoreland, Debra	\$56,684	23.9	\$5,586	\$5,468
Whillock, Deborah	\$59,841	23.9	\$8,743	\$8,625
Vaughn, Glenda	\$61,868	24.2	\$10,770	\$10,652
Hawley, Jana	\$61,868	24.5	\$10,770	\$10,652
McLemore, Janice	\$61,868	24.5	\$10,770	\$10,652
Watkins, Donna	\$61,868	25	\$10,770	\$10,652
Woolf, Joyce	\$48,605	25	-\$2,493	-\$2,611
Lafferty, Maria	\$61,870	25.8	\$10,772	\$10,654
Dillion, Cathy M	\$61,868	26	\$10,770	\$10,652

Court Reporters	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all Court Reporters \$51,216
Wood, Ann	\$51,221	26	\$123	\$5
Morrow, Karen	\$61,868	26.5	\$10,770	\$10,652
Lair, Megan	\$52,859	26.8	\$1,761	\$1,643
Minton, Kathy	\$54,531	27.9	\$3,433	\$3,315
Ashcraft, George M	\$60,655	28	\$9,557	\$9,439
Tarver, Melinda	\$58,597	28	\$7,499	\$7,381
Astin, Carla K	\$62,167	30.5	\$11,069	\$10,951
Ball, Audrey	\$62,167	30.5	\$11,069	\$10,951
Douglas, Joan P	\$62,167	31.5	\$11,069	\$10,951
Toland, Patricia	\$62,167	31.5	\$11,069	\$10,951
Bell, Linda S	\$62,465	32	\$11,367	\$11,249
Dixon, Mary E	\$62,167	32	\$11,069	\$10,951
Howard, Anita	\$62,167	32	\$11,069	\$10,951
Kisselburg, William	\$62,167	32	\$11,069	\$10,951
Kuciejki, Jane	\$62,167	32	\$11,069	\$10,951
Roedenbeck, Johna	\$62,167	32	\$11,069	\$10,951
Shepherd, Larry	\$54,246	32	\$3,148	\$3,030
Young, Darlene	\$59,336	32	\$8,238	\$8,120
Total 20+ Yrs	\$51,098	26.30	\$11,992	\$12,347

Summary of Average Salaries and Cost to Bring Court Reporters to Group or Total Average

AVG Salary for all Court Reporter	\$51,216
AVG Salary of 0-5 Group	\$42,837
AVG Salary of 5-10 Group	\$45,827
AVG Salary of 10-15 Group	\$51,232
AVG Salary of 15-20 Group	\$50,405
AVG Salary of 20+ Group	\$51,098
Cost to bring 0-5 Group to AVG of 0-5 Group	\$69,322
Cost to bring 5-10 Group to AVG of 5-10 Group	\$54,983
Cost to bring 10-15 Group to AVG of 10-15 Group	\$37,939
Cost to bring 15-20 Group to AVG of 15-20 Group	\$38,419
Cost to bring 20+ Group to AVG of 20+ Group	\$11,992
Total Cost to bring Court Reporters to Group Averages	\$212,655

Cost to bring 0-5 Group to AVG of all Court Reporters	\$191,936
Cost to bring 5-10 Group to AVG of all Court Reporters	\$127,906
Cost to bring 10-15 Group to AVG of all Court Reporters	\$37,796
Cost to bring 15-20 Group to AVG of all Court Reporters	\$46,530
Cost to bring 20+ Group to AVG of all Court Reporters	\$12,347
Total Cost to bring Court Reporters to the overall Average	\$416,515

Trial Court Administrative Assistant Salaries

Trial Court Asst.	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all TCAs \$41,356
Hicks, Mayla	\$32,894	0.3	-\$3,885	-\$8,462
Hux, Linda	\$32,894	0.5	-\$3,885	-\$8,462
Lute, Christy	\$32,894	0.5	-\$3,885	-\$8,462
Moore, Phyllis	\$32,894	0.5	-\$3,885	-\$8,462
Waltermire, Debra	\$32,894	0.7	-\$3,885	-\$8,462
Caswell, Michelle	\$32,893	0.8	-\$3,886	-\$8,463
Holicer, Kristie	\$32,894	0.9	-\$3,885	-\$8,462
Noland, Robin	\$32,894	1.3	-\$3,885	-\$8,462
Glenn, Kacie	\$32,894	1.5	-\$3,885	-\$8,462
Goodrum, Karen	\$44,564	1.8	\$7,785	\$3,208
Taylor, Kimberly	\$32,894	1.8	-\$3,885	-\$8,462
Dean, Jerrie	\$32,894	1.9	-\$3,885	-\$8,462
Ketter, Hannah	\$34,919	2.5	-\$1,860	-\$6,437
Low, Charlene	\$43,386	2.6	\$6,607	\$2,030
Gilbert, Annette	\$49,031	2.8	\$12,252	\$7,675
Shoptaw, Gregory	\$33,552	2.8	-\$3,227	-\$7,804
Sheely, Cynthia	\$34,306	3.5	-\$2,473	-\$7,050
Hassell, Kasey	\$35,078	3.8	-\$1,701	-\$6,278
Ball, Leah	\$41,715	4.5	\$4,936	\$359
Bretherick, Gwendolyn	\$43,528	4.5	\$6,749	\$2,172
Clark, Lanna	\$37,238	4.5	\$459	-\$4,118
Davis, Tiffany	\$33,634	4.5	-\$3,145	-\$7,722
Holland, Nadine	\$37,842	4.5	\$1,063	-\$3,514
Howard, Bridgette	\$35,078	4.5	-\$1,701	-\$6,278
Lawson, Marcey	\$39,328	4.5	\$2,549	-\$2,028
Martinez, Antonia	\$35,078	4.5	-\$1,701	-\$6,278
Millsap, Suzanne	\$37,238	4.5	\$459	-\$4,118
Pullen, Carolyn	\$38,762	4.5	\$1,983	-\$2,594

Trial Court Asst.	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all TCAs \$41,356
Reid, Judith	\$41,068	4.5	\$4,289	-\$288
Robin, Frances	\$35,078	4.5	-\$1,701	-\$6,278
Wooley, Carla	\$46,142	4.5	\$9,363	\$4,786
Naylor, Shannon	\$37,238	4.9	\$459	-\$4,118
Thompson, Dawn	\$38,076	5.0	\$1,297	-\$3,280
Total 0-5 Yrs	\$36,779	3.0	\$79,955	\$170,978
Walker, Linda	\$35,078	5.1	-\$6,076	-\$6,278
Williams, Diana	\$49,984	5.1	\$8,830	\$8,628
Miller, Sarah	\$43,086	5.3	\$1,932	\$1,730
Daniels, Sherri	\$39,169	5.4	-\$1,985	-\$2,187
Greer, Christine	\$39,169	5.4	-\$1,985	-\$2,187
Colbert, Sherri	\$35,078	5.6	-\$6,076	-\$6,278
Blair, Deseria	\$44,394	6.0	\$3,240	\$3,038
Penn, Belinda	\$46,351	6.0	\$5,197	\$4,995
Dodson, Kimela	\$37,414	6.3	-\$3,740	-\$3,942
Porterfield, Janis	\$41,354	6.5	\$200	-\$2
Schultz, Alice	\$50,231	6.6	\$9,077	\$8,875
Cobb, Karen	\$39,878	6.8	-\$1,276	-\$1,478
Moory, Julie	\$45,359	7.3	\$4,205	\$4,003
Piatt, Melinda	\$39,363	7.3	-\$1,791	-\$1,993
Benton, Tonya	\$32,894	7.5	-\$8,260	-\$8,462
Hunt, Cindy	\$44,483	7.9	\$3,329	\$3,127
Evans, Vicki	\$39,922	8.5	-\$1,232	-\$1,434
Robinson, Lashannon	\$41,092	8.5	-\$62	-\$264
Uzzell, Margaret	\$37,238	8.5	-\$3,916	-\$4,118
Draheim, Ailien	\$37,238	8.8	-\$3,916	-\$4,118
Schrader, Betty	\$46,478	9.2	\$5,324	\$5,122
Anderson, Melissa	\$40,143	9.6	-\$1,011	-\$1,213
Total 5-10 Yrs	\$41,154	7.0	\$41,331	\$43,954
Ballard, Linda	\$36,418	10.2	-\$5,215	-\$4,938
Foster, Delia	\$39,948	10.2	-\$1,685	-\$1,408
Jones, Vickie	\$37,766	10.2	-\$3,867	-\$3,590
Ridley, Bonnie	\$51,126	10.2	\$9,493	\$9,770
Pedigo, Rita	\$40,684	10.4	-\$949	-\$672
Houser, Lisa	\$41,337	10.5	-\$296	-\$19
Landis, Brenda	\$35,257	10.5	-\$6,376	-\$6,099

Trial Court Asst.	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all TCAs \$41,356
Leimberg, Pollyanna	\$43,400	10.5	\$1,767	\$2,044
Morgan, Joyce	\$38,899	10.5	-\$2,734	-\$2,457
Rasdon, April	\$39,470	10.5	-\$2,163	-\$1,886
Sexton, Becky	\$39,948	10.5	-\$1,685	-\$1,408
Stewart, Lisa	\$51,221	10.5	\$9,588	\$9,865
Vaughn, Geraldine	\$37,290	10.5	-\$4,343	-\$4,066
Langham, Jeanette	\$37,238	10.8	-\$4,395	-\$4,118
Fleer, Donna	\$43,688	11.0	\$2,055	\$2,332
King, Melissa	\$48,212	12.0	\$6,579	\$6,856
Moses, Gayla	\$39,948	12.3	-\$1,685	-\$1,408
Tanner, Crissie	\$40,368	12.3	-\$1,265	-\$988
Hicks, Andrea	\$39,661	12.5	-\$1,972	-\$1,695
Matthews, Michele	\$39,948	12.5	-\$1,685	-\$1,408
Beaty, Kathleen	\$39,948	13.9	-\$1,685	-\$1,408
Reed, Laquina	\$37,279	13.9	-\$4,354	-\$4,077
Wolfe, Linda	\$43,140	14.0	\$1,507	\$1,784
Dunkin, Eunice	\$43,876	14.5	\$2,243	\$2,520
Gill, Tonja	\$40,144	14.5	-\$1,489	-\$1,212
Gravels, Lisa	\$42,723	14.5	\$1,090	\$1,367
Lucena, Katherine	\$43,876	14.5	\$2,243	\$2,520
Rich, Teresa	\$44,334	14.5	\$2,701	\$2,978
Sykes, Roselita	\$47,980	14.5	\$6,347	\$6,624
Welch, Brenda	\$43,876	14.5	\$2,243	\$2,520
Total 10-15 Yrs	\$41,633	12.1	\$71,649	\$42,857
Bower, Erika	\$37,248	17.0	-\$5,695	-\$4,108
Bowles, Billie	\$43,872	17.0	\$929	\$2,516
Clark, Verna	\$47,520	17.0	\$4,577	\$6,164
Fleming, Martha	\$41,403	17.0	-\$1,540	\$47
Grilletta, Michelle	\$43,876	17.0	\$933	\$2,520
Hagen, Laura	\$43,876	17.0	\$933	\$2,520
McGehee, Susan	\$49,446	17.0	\$6,503	\$8,090
Smith, Joann	\$43,876	17.0	\$933	\$2,520
Whitfield, Freddie	\$43,876	17.0	\$933	\$2,520
Simmons, Donna	\$35,078	17.8	-\$7,865	-\$6,278
Gary, Kimberly	\$43,876	18.2	\$933	\$2,520
Simmonds, Linda	\$44,090	19.5	\$1,147	\$2,734
Nellums, Brenda	\$40,218	19.8	-\$2,725	-\$1,138

Trial Court Asst.	Salary	Yrs of Service	Annual Salary above or below AVG of Group	Annual Salary above or below AVG of all TCAs \$41,356
Total 15-20 Yrs	\$42,943	17.6	\$17,824	\$11,524
King, Helen	\$45,722	20.0	-\$1,383	\$4,366
Hoskyn, Melinda	\$45,722	20.4	-\$1,383	\$4,366
Whitson, Merideth	\$46,388	20.7	-\$717	\$5,032
Duncan, Diane	\$50,973	20.9	\$3,868	\$9,617
Boehler, Michelle	\$35,592	21.4	-\$11,513	-\$5,764
Walters, Nellie	\$46,388	21.4	-\$717	\$5,032
Drake, Rebecca	\$45,169	21.8	-\$1,936	\$3,813
Jones, Michelle	\$50,973	22.0	\$3,868	\$9,617
Reed, Barbara	\$46,388	22.0	-\$717	\$5,032
Newkirk, Connie	\$46,388	22.5	-\$717	\$5,032
Murphy, Pamela	\$45,722	23.0	-\$1,383	\$4,366
Rosegrant, Penny	\$46,494	23.3	-\$611	\$5,138
Berryman, Laura	\$43,608	23.9	-\$3,497	\$2,252
Bailey, Farie	\$45,384	24.7	-\$1,721	\$4,028
Hardin, Ouida	\$54,381	26.3	\$7,276	\$13,025
Lester, Barbara	\$51,221	26.5	\$4,116	\$9,865
Womack, Terri	\$47,980	26.5	\$875	\$6,624
Burke, Jodi	\$49,392	26.8	\$2,287	\$8,036
Evans, Adele	\$47,980	27.8	\$875	\$6,624
Hall, Virginia	\$50,369	34.5	\$3,264	\$9,013
Eason, Jerlene	\$43,457	34.6	-\$3,648	\$2,101
Smith, Janet	\$50,610	40.1	\$3,505	\$9,254
Total 20+ Yrs	\$47,105	25.1	\$29,938	\$5,764

Summary of Average Salaries and Cost to Bring Trial Court Assistants to Group or Total Average

AVG Salary for all Trial Court Assistants	\$41,356
AVG Salary of 0-5 Group	\$36,779
AVG Salary of 5-10 Group	\$41,154
AVG Salary of 10-15 Group	\$41,633
AVG Salary of 15-20 Group	\$42,943
AVG Salary of 20+ Group	\$47,105

Cost to bring 0-5 Group to AVG of 0-5 Group	\$79,955
Cost to bring 5-10 Group to AVG of 5-10 Group	\$38,948
Cost to bring 10-15 Group to AVG of 10-15 Group	\$59,545
Cost to bring 15-20 Group to AVG of 15-20 Group	\$10,339
Cost to bring 20+ Group to AVG of 20+ Group	\$5,369
Total Cost to bring TCAs to Group Averages	\$194,156
Cost to bring 0-5 Group to AVG of all TCAs	\$170,978
Cost to bring 5-10 Group to AVG of all TCAs	\$43,954
Cost to bring 10-15 Group to AVG of all TCAs	\$42,857
Cost to bring 15-20 Group to AVG of all TCAs	\$11,524
Cost to bring 20+ Group to AVG of all TCAs	\$5,764
Total Cost to bring TCAs to the overall Average	\$275,077

Information from Surrounding States

Several surrounding states were contacted to gather data concerning their court reporters and TCAs. Many of the state court reporter associations were also contacted. Several of the states contacted had court staff that were county employees and not employees of the state. These include Alabama, Georgia, Texas, and Louisiana.

Missouri and Florida are staffed much like Arkansas and were able to provide the employment numbers and salary averages below. Information about the Court Clerk and Judicial Assistant duties are also included. These titles best represent similar duties to Arkansas' Trial Court Administrative Assistants. Oklahoma also has Court Reporters as state employees. However, they are all paid the same salary of \$39,160, much like a line item maximum.

Missouri provided the following information:

Title	Employee Count	Average Salary
Court Reporter II	20	\$45,809
Court Reporter Supervisor	2	\$49,542
Court Reporter	141	\$56,112
Court Clerk I	7	\$21,996
Court Clerk II	772	\$25,186
Court Clerk III	379	\$28,971

Based on the information provided from the Missouri Office of State Courts Administrator the Court Clerk II and Court Clerk III would best represent the Arkansas Trial Court Assistants. Court Clerk II' personnel are the bulk of the front line staff involved with case processing, docketing, scheduling, receipting payments, closing cases, etc.

The Court Clerk III personnel are either front line supervisors or clerks that handle more complex cases -usually probate. In some circumstances, the Court Clerk III are those that are

specifically assigned to one judge and operate more like an administrative assistant to the judge.

Florida provided the following information:

Title	Employee Count	Average Salary
Judicial Assistant – Circuit Court	599	\$36,372
Judicial Assistant – County Court	322	\$33,940
Digital Court Reporter	187	\$32,804
Court Reporter I	20	\$49,437
Court Reporter II	67	\$56,788

The essential function for Judicial Assistants in Florida is to provide responsible administrative, secretarial and clerical support to the assigned circuit court judge’s office. The position works independently under general supervision according to procedures; developing work methods and sequences, schedules trials, maintains trial dockets, continuances, and trial orders. Judicial Assistants also prepare and maintain the judge’s court and professional calendar, schedules and coordinates motions, hearings and conferences, assists attorneys with procedures on filing motions and hearing dates. The position is considered one of high responsibility.

The Judicial Assistant also provides organizational support for the judge’s caseload, including preparing orders, docketing jury instructions and a list of pending cases, ordering jurors and coordinating in-house services, such as interpreters, reviews case files for accuracy, format compliance and completeness prior to submitting files to the judge. They are also responsible for screening telephone calls and visitors to the judge’s office, providing information, resolving issues, directing caller/visitor to proper personnel or agency, and taking messages.

US Dept of Labor Statistics and Job Descriptions

US Bureau of Labor Statistics provided the following information for the national averages for Court Reporters and Legal Assistants and Legal Secretaries from 2012. In the past, the Department of Finance and Administration's Office of Personnel Management (DFA/OPM) has used the 25% below national average figure in salary comparison. Historically, DFA/OPM has found this figure to better reflect the averages of the surrounding southern states. US Bureau of Labor Statistics did not have the specific title of Trial Court Assistant. The job description of Legal Secretary seemed to best match the duties being performed by the State of Arkansas' job classification of Trial Court Assistant.

Court Reporters

The average pay was \$48,160 per year.

10% below \$24,790

25% below \$34,530

75% above \$69,190

90% above \$90,530

Paralegals/Legal Assistants

The average pay was \$46,990 per year.

10% below \$29,420

25% below \$36,460

75% above \$60,340

90% above \$75,410

Legal Secretary

The average pay was \$42,170 per year.

10% below \$26,250

25% below \$32,730

75% above \$54,650

90% above \$67,790

Bureau of Labor Statistics Job Descriptions

Court Reporter

- Attend events that require written transcripts
- Record spoken dialogue with specialized equipment, such as covered microphones
- Report gestures and actions
- Review notes for names of speakers and technical terminology
- Prepare transcripts for the record
- Edit transcripts for typographical errors
- Provide copies of transcripts and recordings to the courts, counsels, and parties involved

Court reporters create word-for-word transcripts of speeches, conversations, legal proceedings, meetings, and other events. They play a critical role in legal proceedings and other meetings where it is important to have a record of exactly what was said. They are responsible for producing a complete, accurate, and secure legal record.

Court reporters who work in courts also help judges and trial attorneys by organizing the official record and searching for information in it.

Paralegals/Legal Assistants

- Investigate the facts of a case
- Conduct research on relevant laws, regulations, and legal articles
- Organize and present the information
- Keep information related to cases or transactions in computer databases
- Write reports to help lawyers prepare for trials
- Draft correspondence and other documents, such as contracts and mortgages
- Get affidavits and other formal statements that may be used as evidence in court
- Help lawyers during trials

Paralegals and legal assistants help lawyers prepare for hearings, trials, and corporate meetings. However, their specific duties may vary depending on the size of the firm or organization.

In smaller firms, paralegals duties tend to vary more. In addition to reviewing and organizing information, paralegals may prepare written reports that help lawyers determine how to handle their cases. If lawyers decide to file lawsuits on behalf of clients, paralegals may help prepare the legal arguments and draft documents to be filed with the court.

Legal Secretary

- Maintain paper and electronic filing systems for records and messages
- Route and distribute incoming mail and email
- Answer routine letters and email
- Reply and attach files to incoming messages
- Correct spelling and grammar to ensure accuracy
- Operate fax machines, videoconferencing and phone systems, and other office equipment
- Use computers for spreadsheet, word processing, database management, and other applications
- Complete forms in accordance with company procedures

Secretaries and administrative assistants perform a variety of clerical and organizational tasks that are necessary to run an organization efficiently. They use computer software to create spreadsheets, compose messages, manage databases, and produce presentations, reports, and documents. They also may negotiate with vendors, buy supplies, manage stockrooms or corporate libraries, and get data from various sources. Specific job duties vary by experience, job title, and specialty.

Legal secretaries do specialized work requiring knowledge of legal terminology and procedures. Legal secretaries prepare messages and legal papers, such as summonses, complaints, motions, responses, and subpoenas under the supervision of an attorney or a paralegal. They also may review legal journals and help with legal research—for example, by verifying quotes and citations in legal briefs.

Salary.com Data and Job Descriptions

Salary data provided by Salary.com provides the following information for US national averages for Court Reporters and Court Clerks. Salary.com did not have the specific title of Trial Court Assistant. The job description of Court Clerk seemed to best match the duties being performed by the State of Arkansas' job classification of Trial Court Assistant.

Court Reporters

The national average is \$52,170.

10% below \$25,788

25% below \$37,605

75% above \$68,217

90% above \$82,873

Court Clerk

The national averages is \$35,080.

10% below \$23,197

25% below \$28,860

75% above \$41,783

90% above \$47,885

Salary.com Job Descriptions

Court Reporter

Documents court proceedings by using a stenotype machine. May require completion of a 2-4 year training program at a vocational school. Has knowledge of commonly-used concepts, practices, and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a supervisor or manager.

Court Clerk

Responsible for clerical and administrative duties in a court of law. Maintains a docket of filing and hearing dates to ensure deadlines are met. Arranges and records payments of fees and fines. Assembles documents and materials for court proceedings. Follows organization and departmental procedures to complete tasks in a timely manner. Requires a high school diploma or its equivalent with 0-3 years of experience in the field or in a related area. Has knowledge of commonly-used concepts, practices and procedures within a particular field. Relies on instructions and pre-established guidelines to perform the functions of the job. Works under immediate supervision. Primary job functions do not typically require exercising independent judgment. Typically reports to a supervisor or manager.

Funding for Court Reporters and Trial Court Administrative Assistants

Administration of Justice Fund

The Administration of Justice (AOJ) Fund is the primary source of salary funding for the Court Reporters and TCAs in Arkansas. The AOJ fund was created by Act 1256 of 1995 and is administered by the Department of Finance and Administration. The fund is made up of allocated monies from the Uniform Filing Fees and Court Costs established in Title 16, Chapter 10, Subchapter 3 of the Arkansas Code Annotated. These are fees that are assessed and collected in the district and circuit courts of Arkansas.

Special language in the Department of Finance and Administration Disbursing Officer Act allocates a maximum amount for each fund, agency, commission, board or program funded through the AOJ fund. These entities are listed below in the provided code section Arkansas Code 16-10-310. With the exception of four years between 1996 and 2010 the maximum allocations have been funded. During these four years there was sufficient fund balances to cover the shortfall in receipts. Since 2010, expenditures have exceeded receipts and supplemental or one-time funding has been necessary due to the depletion of the fund balance. See The AOJ Fund Allocation History (Chart A) for a comparison of revenues and expenditures, including end of year fund balances for previous years.

Also adding to the depletion of the fund balances were various one time transfers from the AOJ fund balances to fund projects other than those in the AOJ allocation section, as listed in the AOJ Fund One-Time Fund Balance Distributions (Chart B). These transfers out of the Administration of Justice Fund balances total over \$19.7 million from 1999 to 2009.

The AOJ Fund allocations authorized in Special Language in the Department of Administration – Disbursing Officer Appropriation Act has been amended over the years to add additional projects and programs. The AOJ Allocation Comparison Implementation (Chart C) compares the implementation of the allocation section to the current allocations. The total allocated amount has increased from \$13.5 million to \$39.7 million and currently has ten more allocations than it had in 1997.

New Special Language was authorized by the General Assembly in Section 58 of Act 1443 of 2013 (Item D). The language requires funds from the AOJ fund to be fully distributed to the allocations for the Court Reporter's Fund, the District Court Coordinator, and the Trial Court Administrative Assistant Fund in the event sufficient funds are not available to fully fund all allocations. This Special Language mirrors the codified priority funding language in Arkansas Code 16-10-310 authorized by Act 504 of 2013.

16-10-310. State Administration of Justice Fund — Distribution of revenue.

Statute text

(a) At the close of books on or before the twentieth working day of each month, the Department of Finance and Administration shall distribute revenue credited to the State Administration of Justice Fund and received for the previous month as provided in this section.

(b) The revenue described in subsection (a) of this section shall be distributed to the following state programs and state agencies in monthly installments of at least one-twelfth (1/12) of the annual allocation provided for each state program or state agency from the State Administration of Justice Fund subject to the limitations stated in this section:

(1) The Board of Trustees of the University of Arkansas for the purpose and as regulated by §§ 6-64-604 — 6-64-606;

(2) The Public Health Fund and the Drug Abuse Prevention and Treatment Fund for use in the drug abuse prevention and treatment program of the Division of Behavioral Health Services;

(3) The Department of Arkansas State Police for the State Police Retirement Fund;

(4) The Crime Victims Reparations Revolving Fund for the purpose of and as regulated by the Arkansas Crime Victims Reparations Act, § 16-90-701 et seq.;

(5) The Prosecutor Coordinator's office for deposit into the Law Enforcement and Prosecutor Drug Enforcement Training Fund;

(6) The Crime Information System Fund;

(7) The Justice Building Construction Fund;

(8) The District Court Judge and District Court Clerk Education Fund;

(9) The Judges Retirement Fund;

(10) The State Central Services Fund for the benefit of the Arkansas Public Defender Commission;

(11) The Court Reporter's Fund;

(12) The Justice Building Fund;

(13) The Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Program Fund;

(14) The Auditor of State to fund the Trial Court Administrative Assistant Fund;

(15) The Department of Arkansas State Police Fund;

(16) The State Central Services Fund for the benefit of the Division of Dependency-Neglect Representation of the Administrative Office of the Courts;

(17) The Miscellaneous Agencies Fund Account for the benefit of the State Crime Laboratory;

(18) The Arkansas District Judges Council for the Executive Director;

(19) The Public Legal Aid Fund;

(20) The Administrative Office of the Courts for county reimbursements for jurors; and

(21) The Administrative Office of the Courts to reimburse the State Central Services Fund for the Drug Court Coordinator.

(c) If the Chief Fiscal Officer of the State determines that the State Administration of Justice Fund balance and estimated revenue to be received by the State Administration of Justice Fund are inadequate to fully fund all authorized monthly allocations from the State Administration of Justice Fund:

(1)(A) The available revenue and remaining State Administration of Justice Fund balance shall be distributed first to fully fund the monthly allocation for:

(i) The Court Reporter's Fund;

(ii) The Arkansas District Judges Council for the Executive Director; and

(iii) The Auditor of State to fund the Trial Court Administrative Assistant

Fund.

(B) Funds or allocations for a state program or state agency listed in subdivision (c)(1)(A) of this section shall not be affected if a deficit occurs in other State Administration of Justice Fund appropriations, allocations, or funds not listed in subdivision (c)(1)(A) of this section for that particular state program or state agency;

(2) The Chief Fiscal Officer of the State shall notify the disbursing officer of each state agency and state program not listed in subdivision (c)(1)(A) of this section of the amount of the state agency's or state program's portion of any reduction required from the state agency's or state program's authorized allocation in order to maintain the State Administration of Justice Fund with a projected positive balance; and

(3)(A) The total funds remaining in the State Administration of Justice Fund after the distribution is made under subdivision (c)(1)(A) of this section shall be distributed to the state programs and state agencies not listed in subdivision (c)(1)(A) of this section in an amount equal to the proportion of the State Administration of Justice Fund that each state program would have received under subsection (b) of this section.

(B) A funding shortage from one (1) month shall be recouped from future months' payments as funds become available.

(d)(1) If required to help meet the commitments of the State Administration of Justice Fund and if funds are determined to be available, the Chief Fiscal Officer of the State may transfer a sum not to exceed four million dollars (\$4,000,000) during any fiscal year from the Budget Stabilization Trust Fund to the State Administration of Justice Fund.

(2) As determined by the Chief Fiscal Officer of the State, if a positive fund balance remains in the State Administration of Justice Fund at the end of a fiscal year, the Chief Fiscal Officer of the State may transfer the positive fund balance from the State Administration of Justice Fund to the Budget Stabilization Trust Fund to reimburse for any transfers made under subdivision (d)(1) of this section.

History

History. Acts 1995, No. 1256, § 15; 1995 (1st Ex. Sess.), No. 13, § 2; 1997, No. 788, § 10; 1997, No. 1341, § 10; 2003, No. 1185, § 54; 2009, No. 166, § 2; 2011, No. 1132, § 3; 2013, No. 504, § 2; 2013, No. 1107, § 13.

CHART A

Administration of Justice Fund History

FY	REVENUES	EXPENDITURES	End of Fiscal Year Fund Balance
1996	9,571,697	7,292,897	4,046,995
1997	17,107,843	15,315,155	7,696,339
1998	25,910,836	21,816,150	14,614,715
1999	32,871,804	26,338,895	18,033,846
2000	31,366,534	27,356,726	7,781,357
2001	33,082,446	43,334,935	13,296,135
2002	37,233,737	31,127,387	8,276,566
2003	42,186,844	37,784,457	8,992,934
2004	41,650,860	33,880,638	11,779,576
2005	42,700,714	41,015,208	11,172,350
2006	46,433,823	43,373,685	10,962,675
2007	46,315,110	45,617,800	11,654,532
2008	44,572,036	46,574,589	9,988,062
2009	43,221,102	43,245,894	12,641,940
2010	42,770,967	44,922,076	10,288,101
2011	38,357,905	42,637,200	5,804,143
2012	36,800,261	39,783,753	2,726,001
2013	37,320,943	38,559,799	1,220,348

FY2002-2013: Arkansas Administrative Statewide Information System entries based on cash balances.

Revenues include only court fee and fine receipts, special revenue collected from the Real Estate Transfer Tax and earned interest.

Expenditures include only distributions to the funds, agencies, commissions, board or programs within the allocation section of the DFA - Disbursing Officer Acts, and monies collected for Court Reporters from the Real Estate Transfer Tax. County juror reimbursement costs, outlawed warrants and CAFR beginning and end of year adjustments are not included.

CHART B

Administration of Justice Fund One-Time Fund Balance Distributions				
Fiscal Year	Act	Agency	Purpose	Amount
FY1999	264 of 1999	Highway and Transportation Department	Community Alcohol Safety Grants	\$800,000
FY2001	760 of 2001	Department of Correction	County Jail Reimbursement	\$7,000,000
FY2001	1588 of 2001	University of Arkansas System Administration	UA & UALR School of Law	\$2,000,000
FY2001	1489 of 2001	Public Defender Commission	Court Ordered Attorney's Fees	\$866,957
FY2001	1637 of 2001	Public Defender Commission	Trial Public Defender Office	\$2,000,000
FY2001	1627 of 2001	Public Defender Commission	Payment of Claims	\$187,721
FY2001	1642 of 2001	State Crime Laboratory	Crime Lab in Hope	\$600,000
FY2005	1856 of 2005	Auditor of State	Court Reporters	\$225,000
FY2006	2298 of 2005	Attorney General	Crime Victims Reparation	\$1,500,000
FY2007	2298 of 2005	Attorney General	Crime Victims Reparation	\$1,000,000
FY2008	1290 of 2007	Auditor of State	District Court Judges Pilot Program	\$2,361,962
FY2008	1290 of 2007	Administrative Office of the Courts	Court Security	\$618,080
FY2009	626 of 2009	Auditor of State	Trial Court Administrative Assistants	\$515,788
FY2009	751 of 2009	Administrative Office of the Courts	Reimbursing Arkansas counties for the costs of jurors	\$40,000
GRAND TOTAL				\$19,715,508

CHART C

**State of Administrative Justice Allocation Comparison Implementation
1996 to 2013**

Entity	FY 1996	FY 1997	FY 2013
	Act 13 of 1995 S1		Act 1443 of 2013
Board of Trustees of the University of Arkansas for the purpose and as regulated by Arkansas Code Annotated § 6-64-604 - 606	\$2,565,979	\$2,565,979	\$2,687,619
Public Health Fund for use in the Drug Abuse Prevention and Treatment program of the Division of Alcohol and Drug Abuse Prevention	\$75,000	\$75,000	\$342,000
Highway Safety Special Fund for programs of the Arkansas Highway Safety Program within DHS	\$994,117	\$994,117	\$1,324,795
Department of Arkansas State Police for the State Police Retirement Fund	\$1,169,971	\$1,169,971	\$1,499,256
Department of Arkansas State Police Fund			\$400,000
Crime Victims/Reparations Revolving Fund for the purpose and as regulated by Arkansas Code Annotated § 16-90-701 et seq.	\$1,669,971	\$1,669,971	\$2,089,723
Prosecutor Coordinator's office for deposit in the Law Enforcement and Prosecutor Drug Enforcement Training Fund	\$59,012	\$59,012	\$70,660
Code Revision Fund for the purpose and as regulated by Arkansas Code Annotated § 1-2-305	\$137,656	\$137,656	
Crime Information System Fund	\$49,489	\$49,489	\$98,064
Municipal Court Judge and the Municipal Court Clerk Education	\$19,569	\$19,569	\$100,000
Arkansas Judicial Retirement System Fund	\$836,361	\$836,361	\$902,797
State Central Services Fund for the Public Defender Commission	\$505,611	\$505,611	\$6,908,027
<i>Court Reporter Fund</i>	<i>\$1,610,104</i>	<i>1,610,104</i>	<i>5,555,833</i>
Justice Building Fund	\$200,000	\$200,000	\$83,528
Arkansas Counties Alcohol and Drug Abuse and Crime Prevention Fund	\$370,338	\$370,338	\$375,000
<i>Auditor of State to fund Trial Court Administrative Assistants</i>	<i>\$0</i>	<i>\$3,286,000</i>	<i>\$7,035,365</i>

Drug Abuse Prevention and Treatment Fund for use in the Drug Abuse Prevention and Treatment program of the Bureau of Alcohol and Drug Abuse Prevention			\$312,000
Justice Building Construction Fund			\$990,000
State Central Services Fund for the Administrative Office of the Courts Division of Dependency-Neglect Representation			\$4,284,838
Miscellaneous Agencies Fund Account for the benefit of the State Crime Laboratory			\$576,988
District Judges Association for the District Court Coordinator			\$62,528
Public Legal Aid Fund			\$855,432
Administrative Office of the Courts – County Reimbursements for Jurors			\$850,000
Administrative Office of the Courts - Drug Court Coordinator to reimburse the State Central Services Fund			\$66,320
Constitutional officers Fund for District Judges Pilot Program Distributed by Auditor of State			\$1,881,861
State Central Services Fund for Court Security by Admin. Office of the Courts			\$362,791
Total Amount Allocated	\$10,263,178	\$13,549,178	\$39,715,425

Item D

Act 1443 of 2013 Department of Finance and Administration-Disbursing Officer

SECTION 58. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. DISTRIBUTION OF ADMINISTRATION OF JUSTICE FUNDS. In the event that the fund balance in the Administration of Justice Fund is inadequate to fund the monthly allocation to State Agencies, the funds will be distributed as follows:

(a) The available revenue and remaining State Administration of Justice Fund balance shall be distributed first to fully fund the monthly allocations found in Section 59 herein for

- (1) the Auditor of State to fund the Trial Court Administrative Assistants Fund,
- (2) the District Judges Association for the District Court Coordinator, and
- (3) the Court Reporter Fund.

(b) The total funds remaining in the State Administration of Justice Fund after the monthly distribution is made under subdivision (a) of this section shall be distributed to the remaining state programs and state agencies listed in Section 59 herein but not listed in subdivision (a) of this section and shall be funded in the percentage of the total funds available in the Administration of Justice Fund; that is, if less than 100% of the total monthly allocation is available for distribution, monthly allocations for the remaining agencies will be funded at an equal percentage consistent with the remaining available funds, provided that any of the allocations listed in Section 59 that have been fully pledged prior to January 1, 2001 to the repayment of a bond issue or bond issues shall not be reduced below the amount listed in Section 59. Any shortage from one month will be adjusted in future months' payments as funds become available.

The provisions of this section shall be in effect only from July 1, ~~2012~~ 2013 through June 30, ~~2013~~ 2014.

Recent Legislative Modifications for Court Reporters, Trial Court Administrative Assistants and the Administration of Justice Fund

Act 6 of 2013:

Provides a supplemental appropriation of \$150,000 to the Auditor of State payable from the Trial Court Administrative Assistant Fund. This appropriation is funded by fund transfers of \$100,000 from the unobligated balances of the Court Juror Reimbursement Fund and \$50,000 from the unobligated balances of the Municipal Court Judge and Municipal.

Act 504 of 2013:

Amended Arkansas Code 16-10-310 to distribute funds from the AOJ Fund to fully fund the monthly allocations for the Court Reporter's Fund, the District Court Coordinator for the District Judges Association, and the Trial Court Administrative Assistant Fund if there is a deficit in the Administration of Justice Fund that prevents all of the allocations from being fully funded. Also allows the Chief Fiscal Officer of the State to transfer up to four million dollars from the Budget

Stabilization Fund in the event of a shortfall in the Administration of Justice Fund. The Chief Fiscal Officer may use any remaining balance at the end of the Fiscal Year in which the money was borrowed to repay the Budget Stabilization Fund.

Act 1110 of 2013:

Section 12 amended Arkansas Code 7-10-103 which provides the first \$100,000 collected from the Nonpartisan Filing Fee Fund (from filing fees for the office of prosecuting attorney) shall be deposited as direct revenue to the Trial Court Administrative Assistant Fund annually.

Act 282 of 2013:

Section 9 amends Arkansas Code 16-10-704 and requires that in District Courts an additional five dollars (\$5) shall be assessed on persons paying fines on an installment basis. The additional five dollars shall be remitted to State Administration of Justice Fund.

Section 10 amends Arkansas Code 16-90-904 and requires Circuit Clerks or District Courts to collect a fifty dollar (\$50) fee for filing a uniform petition to seal records and shall remit one-half (1/2) of the fee to the State Administration of Justice Fund.

Note:

For Fiscal Year 2013 the Office of the Attorney General disbursed a one-time grant of \$350,000 to the Trial Court Administrative Assistant Fund from the Attorney Generals unappropriated cash fund balance.

Real Estate Transfer Tax

An additional difference between TCAs and Court Reporters is that the Court Reporters have additional funding available to them that Trial Court Assistants do not have. The Court Reporters may receive funding from the Real Estate Transfer Tax (Arkansas Code 26-60-105) if the allocated amount in the AOJ fund is not sufficient. The allocation for Court Reporters in the AOJ fund has not increased since 2000 and consequently the amount of funds needed from the Real Estate Transfer Tax have increased. Currently the Court Reporters receive approximately 50% of their total funding from the Real Estate Transfer Tax as set forth in section (B)(i) of Arkansas Code 26-60-112. In 2013 the Court Reporter fund was provided \$6.4 million from Real Estate Transfer Tax, which is now more than the allocation provided by the Administration of Justice fund.

26-60-105. Levy on deeds, instruments, and writings — Additional tax.

Statute text

(a) There is levied on each deed, instrument, or writing by which any lands, tenements, or other realty is granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by the purchaser's direction, when the consideration for the lands, tenements, or other realty conveyed exceeds one hundred dollars (\$100), a tax at the rate of one dollar and ten cents (\$1.10) for each one thousand dollars (\$1,000) or fractional part thereof.

(b) In addition to the tax levied in subsection (a) of this section, there is levied an additional tax of two dollars and twenty cents (\$2.20) for each one thousand dollars (\$1,000) or fractional part thereof to be paid by the purchaser and to be allocated and used for the purposes stated in § 15-12-103.

(c)(1) The taxes levied under this section shall be based solely on the consideration given for the lands, tenements, or other realty, and a tax shall not be levied under this section on the consideration given for tangible personal property or intangible personal property.

(2) If a grant, assignment, transfer, or other conveyance involves lands, tenements, or other realty in addition to tangible personal property or intangible personal property, then the taxes levied under this section shall be based solely on the consideration for the lands, tenements, or other realty.

History

History. Acts 1971, No. 275, § 1; A.S.A. 1947, § 84-4301; Acts 1987, No. 729, § 4; 1993, No. 1181, § 1; 2011, No. 795, § 1.

Annotations

A.C.R.C. Notes. Acts 2007, No. 793, § 38, provided:

“SPECIAL FUNDING PROVISION - REAL ESTATE TRANSFER TAX. For the biennium ending June 30, 2009, revenues derived from the tax levied by Arkansas Code § 26-60-105(b) shall be credited by the Treasurer of State each fiscal year of the biennium in the order and percentage and amounts as follows:

“(1) Three percent (3%) for distribution to the Constitutional Officers Fund and the State Central Services Fund;

“(2) Of the eighty percent (80%) of the net amount to be credited to the Arkansas Natural and Cultural Resources Grants and Trust Fund, the first four million five hundred thousand dollars (\$4,500,000) shall be distributed to the General Revenue Fund Account of the State Apportionment Fund; and

“(3) The remainder as provided in Arkansas Code § 15-12-103(b)(1) — (3).”

Amendments. The 2011 amendment substituted “Levy on deeds, instruments, and writings” for “Tax on transfer instruments” in the section heading; substituted “lands, tenements, or other realty” for “interest or property” in (a); rewrote (b); and added (c).

26-60-112. Disposition of funds collected.

(B)(i) After making the distribution of the revenues as provided in subdivision (b)(2)(A) of this section, the remainder available each fiscal year shall be credited as special revenues to the State Administration of Justice Fund to be used for supplementing moneys in the State Administration of Justice Fund for court reporter salaries and expenses in the event that the moneys available in the Court Reporter's Fund are inadequate during any fiscal year to make the necessary payments for salary and related expenses of the various court reporters of the state.

Preliminary Summary Information

- Inconsistencies between the enabling legislation for both classifications and the Classification and Compensation Act creates confusion in how to treat Court Reporters and TCAs equally. The enabling legislation for each classification is the latest expression as well as the most specific language and takes precedence over the Class and Comp Act which expressly exempts Circuit Court employees in Arkansas Code 21-5-204.
- Comparing enabling legislation for Court Reporters and TCAs also reveals inconsistencies. These two groups are now state employees, and operate in the same work area but the prevailing code is not the same.
- TCAs and Court Reporters work under the direction of a elected judge (Judicial), are paid by the State Auditor's office (Constitutional) and are classified as state employees. Court Reporters subject to the Class and Comp Act (similar to Executive Branch employees), while TCAs are not specifically tied to the Class and Comp Act.
- Average salaries for Court Reporters and Trial Court Assistants in Arkansas are not that different from the National Averages or surrounding states.
- The differences in salary among both classifications may be explained due to inconsistencies in requests by judges for existing employees as well as consideration of experience outside of state government. For instance, employees with a relatively low number of state years of service may have had increased entry rates due to a greater number of years of experience in a related field.
- The funding for TCAs is provided solely from the AOJ fund. The AOJ fund has a number of other entities that it supports as well. From the time that the AOJ fund was created it has seen an increase in these additional funded entities. The fund has also seen a number of one-time fund balance distributions made for special projects or programs.
- The funding for Court reporters is provided by the AOJ fund as well, but they also receive a large portion (approx 50%) of their appropriated funding from the Real Estate Transfer Tax.
- Funding available for the AOJ fund and its allocations has been in decline since 2010. Previous year end balances closed as high at \$11 to \$12 million. In 2013 the ending balance was at just over \$1 million for all allocations to start 2014.
- A number of bills were passed during the last session to help provide additional funding for Court Reporters and TCAs through the AOJ fund. These include additional fees at District Courts, supplemental appropriations funded by transfers of unobligated balances, and new code that dictates Court Reporters and TCAs will be funded fully before any other entities funded by the AOJ fund.