

THIS BOOK CONTAINS
ARKANSAS REPORTS
Volume 305

CASES DETERMINED
IN THE

**Supreme Court
of Arkansas**

FROM
March 11, 1991 — June 3, 1991
INCLUSIVE¹

AND

**ARKANSAS APPELLATE
REPORTS**
Volume 34

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IN THE

**Court of Appeals
of Arkansas**

FROM
March 6, 1991 — May 29, 1991
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PUBLISHED BY THE
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1991

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ARKANSAS REPORTS

Volume 305

CASES DETERMINED
IN THE

Supreme Court of Arkansas

FROM
March 11, 1991 — June 3, 1991
INCLUSIVE

MARLO M. BUSH
REPORTER OF DECISIONS

CINDY M. ENGLISH
ASSISTANT
REPORTER OF DECISIONS

PUBLISHED BY THE
STATE OF ARKANSAS
1991

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OF THE
SUPREME COURT OF
ARKANSAS**

**DURING THE PERIOD COVERED
BY THIS VOLUME
(March 11, 1990 —
June 3, 1991, inclusive)**

JUSTICES

JACK HOLT, JR.	Chief Justice
ROBERT H. DUDLEY	Justice
STEELE HAYS	Justice
DAVID NEWBERN	Justice
TOM GLAZE	Justice
DONALD L. CORBIN	Justice
ROBERT L. BROWN	Justice

OFFICERS

WINSTON BRYANT	Attorney General
LESLIE W. STEEN	Clerk
JACQUELINE S. WRIGHT	Librarian
MARLO M. BUSH	Reporter of Decisions

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DURING THE PERIOD COVERED BY THIS
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STANDARDS FOR PUBLICATION OF OPINIONS**Rule 21****Rules of the Arkansas Supreme Court and Court of Appeals****OPINIONS**

1. All signed opinions of the Supreme Court shall be designated for publication.

2. Opinions of the Court of Appeals may be in conventional form or in memorandum form. They shall be filed with the Clerk. The opinions need not contain a detailed statement of the facts, but may set forth only such matters as may be necessary to an understandable discussion of the errors urged. In appeals from decisions of the Arkansas Board of Review in unemployment compensation cases when the Court finds the decision appealed from is supported by substantial evidence, that there is an absence of fraud, no error of law appears in the record and an opinion would have no precedential value, the order may be affirmed without opinion.

3. Opinions of the Court of Appeals which resolve novel or unusual questions will be released for publication when the opinions are announced and filed with the Clerk. The Court of Appeals may consider the question of whether to publish an opinion at its decision-making conference and at that time, if appropriate, make a tentative decision not to publish. Concurring and dissenting opinions will be published only if the majority opinion is published. All opinions that are not to be published shall be marked, Not Designated For Publication.

4. Opinions of the Court of Appeals not designated for publication shall not be published in the official reports and shall not be cited, quoted, or referred to by any court or in any argument, brief, or other materials presented to any court (except in continuing or related litigation upon an issue such as *res judicata*, collateral estoppel, or law of the case). Opinions not designated for publication shall be listed in the Arkansas Reports by case number, style, date, and disposition.

5. Copies of All Opinions Available. — In every case the Clerk will furnish without charge one typewritten copy of all of either court's published or unpublished opinions in the case to counsel for every party on whose behalf a separate brief was filed. The charge for additional copies is fixed by statute.

OPINIONS NOT DESIGNATED FOR PUBLICATION

- Blackmon v. State**, CR 90-255 (Per Curiam), Pro Se Motion to File a Handwritten Brief and Motion to File a Belated Brief denied and appeal dismissed April 29, 1991.
- Burnett v. State**, CR 90-293 (Per Curiam), Pro Se Motion for Permission to File a Handwritten Brief and for Appointment of Counsel denied and appeal dismissed May 6, 1991.
- Clark v. State**, RC 91-14 (Per Curiam), Pro se Motion for Rule on the Clerk denied May 13, 1991.
- Coley v. State**, CR 90-10, CR 90-83, and CR 90-294 (Per Curiam), Pro Se Motion for Documents at Public Expense denied April 1, 1991.
- Curry v. State**, CR 90-197 (Per Curiam), affirmed March 11, 1991.
- Drayton v. State**, RC 91-4 (Per Curiam), Pro Se Motion for Belated Appeal denied March 11, 1991.
- Edwards v. State of Arkansas**, CR 90-289 (Per Curiam), affirmed April 15, 1991.
- Emery v. Eddy**, CR 90-214 (Per Curiam), Pro Se Petition for Writ of Mandamus moot April 15, 1991.
- Engeldinger v. State**, RC 91-24 (Per Curiam), Pro Se Motion for Rule on the Clerk denied June 3, 1991.
- Ford v. State**, CR 88-96 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Pulaski County Pursuant to Criminal Procedure Rule 37 denied April 1, 1991.
- Harris v. State**, CR 91-32 (Per Curiam), Pro Se Motion to File a Belated Brief Pursuant to Ark. R. Crim. P. 11 (h) denied April 22, 1991.
- Harris v. State**, CR 91-32 (Per Curiam), affirmed May 6, 1991.
- Harris v. State**, CR 90-290 (Per Curiam), affirmed May 28, 1991.
- Harvey v. State**, CR 86-213 (Per Curiam), Pro Se Motion for Transcript denied, March 25, 1991.
- Hawthorne v. State**, RC 91-6 (Per Curiam), Pro Se Motion for Belated Appeal denied, March 25, 1991.
- Hilliard v. State**, CR 91-45 (Per Curiam), Pro Se Motion to File a Handwritten Brief, Extension of Time to File Brief and Motion for Transcript denied and appeal dismissed May 28, 1991.
- Huffman v. State**, CR 90-245 (Per Curiam), affirmed March 11, 1991.
- Ingram v. State**, CR 90-190 (Per Curiam), affirmed March 11, 1991.
- Jackson v. State**, RC 90-70 (Per Curiam), Pro Se Motion for Rule on the Clerk denied April 1, 1991.
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- Jackson v. State, CR 90-303 (Per Curiam), affirmed April 29, 1991.
- Jacobson v. State, CR 90-271 (Per Curiam), affirmed April 22, 1991.
- Johnson v. State, RC 90-64 (Per Curiam), Pro Se Motion for Belated Appeal remanded March 11, 1991.
- Johnson v. State of Arkansas, CR 88-182 (Per Curiam), Pro Se Motion for Transcript denied April 15, 1991.
- Johnson v. State, CR 88-116 (Per Curiam), Pro Se Petition in the Circuit Court of Pulaski County pursuant to Rule 37 denied April 22, 1991.
- Johnson v. State, RC 90-64 (Per Curiam), Pro Se Motion for Belated Appeal denied May 20, 1991.
- Johnson v. State, RC 91-15 (Per Curiam), Pro Se Motion for Rule on the Clerk and Petition for Writ of Certiorari denied June 3, 1991.
- Kiefer v. State, CR 88-49 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Lawrence County Pursuant to Criminal Procedure Rule 37 denied March 11, 1991.
- King v. State, CR 88-170 (Per Curiam), Pro Se Motion to have Records Forwarded to the United States District Court denied May 20, 1991.
- Kricfalusi v. Brokers Securities, Inc. 90-306 (Corbin, J.) Affirmed April 15, 1991.
- Laird v. State of Arkansas, CR 90-221 (Per Curiam), affirmed April 15, 1991.
- Lambert v. State, CR 90-234 (Per Curiam), affirmed March 25, 1991.
- Leeks v. State, CR 91-40 (Per Curiam), Pro Se Motion for Permission to File a Handwritten Brief and for Appointment of Counsel Denied and Appeal dismissed May 28, 1991.
- Love v. State, RC 91-16 (Per Curiam), Pro Se Motion for Belated Appeal denied June 3, 1991.
- Marshall v. State, CR 86-9 (Per Curiam), Petition for Permission to Proceed in the Circuit Court of Pulaski County Pursuant to Rule 37 denied May 13, 1991.
- Maxie v. State, RC 90-71 (Per Curiam), Pro Se Motion for Rule on Clerk denied April 22, 1991.
- Murphy v. State, CR 91-26 (Per Curiam), Pro Se Motion for Transcript denied March 18, 1991.
- Nathaniel v. State, CR 91-14 (Per Curiam), Pro Se Motion for Appointment of Counsel denied and appeal dismissed May 6, 1991.
- Richardson v. State, CR 90-266 (Per Curiam), affirmed March 18, 1991.
- Richmond v. State, CR 90-3 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Polk County Pursuant to

- Criminal Procedure Rule 37 denied April 29, 1991.
- Rodriquez v. State, CR 88-142 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Mississippi County Pursuant to Criminal Procedure Rule 37 denied May 13, 1991.
- Sales v. State, CR 90-224 (Per Curiam), affirmed March 18, 1991.
- Santana v. State, CR 90-244 (Per Curiam), affirmed March 18, 1991.
- Shadrick v. State, RC 90-73 (Per Curiam), Pro Se Motion for Belated Appeal remanded March 18, 1991.
- Smallwood v. State, CR 91-68 (Per Curiam), Pro Se Motion to File a Handwritten Brief denied and appeal dismissed June 3, 1991.
- Smith v. State, RC 91-25 (Per Curiam), Appellant's Motion for Rule on the Clerk to Lodge Transcript granted May 28, 1991.
- Spivey v. State, CR 89-64 (Per Curiam), affirmed April 1, 1991.
- Soest v. State, CR 91-72 (Per Curiam), Pro Se Petition for Writ of Habeas Corpus denied May 20, 1991.
- Stewart v. State, CR 91-91 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Pulaski County Pursuant to Criminal Procedure Rule 37 denied May 20, 1991.
- Suggs v. State, CR 91-37 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Pulaski County Pursuant to Criminal Procedure Rule 37 denied April 1, 1991.
- Taylor v. State, CR 90-254 (Per Curiam), affirmed March 25, 1991.
- Tippitt v. State, CR 90-273 (Per Curiam), Pro Se Motion for Appointment of Counsel denied and appeal dismissed May 6, 1991.
- Van Pelt v. State, CR 90-275 (Per Curiam), Pro Se Motion to Proceed Pro Se on Appeal and Pro Se Motion for Permission to File a Handwritten Brief on appeal denied May 13, 1991.
- Varnedore v. State, RC 90-10 (Per Curiam), Motion for Reconsideration denied March 11, 1991.
- Vincer v. State, CR 90-267 (Per Curiam), affirmed March 25, 1991.
- Waddle v. State, RC 90-62 (Per Curiam), Pro Se Motion for Rule on the Clerk denied March 18, 1991.
- Wade v. State, RC 91-17 (Per Curiam), Pro Se Motion for Rule on Clerk denied May 28, 1991.
- Watts v. State, RC 91-7 (Per Curiam), Pro Se Motion for Rule on the Clerk and Motion to Supplement Motion for Rule on the Clerk denied May 20, 1991.
- Wedgeworth v. State, CR 91-64 (Per Curiam), Pro Se Motion to Dismiss Appeal granted with prejudice May 28, 1991.
- Whitfield v. State, CR 91-18 (Per Curiam), affirmed May 20,

1991.

Williams v. State, CR 88-164 (Per Curiam), Pro Se Petition to Proceed in the Circuit Court of Pope County Pursuant to Criminal Procedure Rule 37 denied May 13, 1991.

Williford v. State, CR 91-9 (Per Curiam), Pro Se Motion to Dismiss Appeal Without Prejudice denied and appeal dismissed May 6, 1991.

Wilson v. State, CR 91-65 (Per Curiam), Pro Se Motion to Supplement the Record denied June 3, 1991.



APPENDIX
Rules Adopted
or Amended by
Per Curiam Orders

IN RE: ARKANSAS BAR ASSOCIATION RULES AND
REGULATIONS FOR MANDATORY CONTINUING
LEGAL EDUCATION

Supreme Court of Arkansas
Delivered April 1, 1990

PER CURIAM. By *per curiam* order of July 9, 1990, the Rules and Regulations for Mandatory Continuing Legal Education were approved. The following subsection is added to Regulation 4.04:

(9) ADVANCE SHEET REVIEW GROUPS

Programs consisting of review of advance sheet court opinions shall be approved, provided written materials consisting of analysis in addition to the advance opinions themselves, are provided by the persons responsible for the discussion of a case or cases, and regular and special group meeting times and places are published to the Board at least two weeks in advance to assure compliance with the evaluation requirement of Rule 4(C)(8).

IN RE: ARKANSAS STATE BOARD OF LAW
EXAMINERS

Supreme Court of Arkansas
Delivered May 6, 1991

PER CURIAM. The State Board of Bar Examiners is hereby authorized to extend the time for conducting the four (4) pending hearings, under Rule 13 of the Rules of the Board of Bar Examiners, so that a hearing officer may be appointed and he or she may conduct a full investigation of the four (4) pending cases.

IN THE MATTER OF ADMINISTRATIVE ORDER
NUMBER 4

Supreme Court of Arkansas
Delivered May 6, 1991

PER CURIAM. The Arkansas Supreme Court Committee on Civil Practice has recommended, and the Court adopts, effective July 1, 1991, the following as Administrative Order Number 4.

Unless waived on the record by the parties, it shall be the duty of any circuit, chancery, or probate court to require that a verbatim record be made of all proceedings pertaining to any contested matter before it.

IN RE: GUIDELINES FOR CHILD SUPPORT
ENFORCEMENT

Supreme Court of Arkansas
Delivered May 13, 1991

PER CURIAM. The Arkansas General Assembly enacted Act 948 of 1989, amending Ark. Code Ann. Sec. 9-12-312(a) (Repl. 1987), and providing in part for guidelines for child support enforcement.

"9-12-312(a)(1) When a decree is entered, the court shall make such orders concerning the alimony of the wife or the husband and care of the children, if there are any, as are reasonable from the circumstances of the parties and the nature of the case.

(2) In determining a reasonable amount of support initially or upon review to be paid by the non-custodial parent, the court shall refer to the most recent revision of the family support chart. It shall be a rebuttable presumption for the award of child support, that the amount contained in the family support chart is the correct amount of child support to be awarded. Only upon a written finding or specific finding on the record that the application of the support chart would be unjust or inappropriate as deter-

mined under established criteria set forth in the support chart, shall the presumption be rebutted.

(3) The family support chart shall be revised at least once every four (4) years by a committee to be appointed by the Chief Justice of the Arkansas Supreme Court to ensure that the support amounts are appropriate for child support awards. The committee shall also establish the criteria for deviation from use of the chart amount.

(4) The Arkansas Supreme Court shall approve the family support chart and criteria upon revision by the committee for use in this state and shall publish same through per curiam order of the court.”

Subsequent to the enactment of this legislation the Chief Justice appointed a committee to examine and revise the family support chart previously utilized by the trial court as prescribed by section 9-12-312(a)(2). In addition, the committee was charged with the responsibility to establish the criteria for deviation from the use of the chart.

The following persons were appointed to the committee: Hon. Ellen Brantley, Larry Carpenter, Esq.; Hon. Fred D. Davis; Hon. Jim Gunter; Don Hollingsworth, Esq.; Hon. Warren Kimbrough; Rep. Jodie Mahony; Harry Truman Moore, Esq.; Hon. Andre McNeil; Jeff Pence, Esq.; Hon. Judith Rogers; and Ben Rowland, Esq.

The Committee members met and filed a formal report establishing child support guidelines and deviation criteria.

In accordance with this Court's rule making authority, Act 948 of 1989 and Family Support Act of 1988, Pub. L. No. 100-485 (1988), this Court adopted the formal report of the Committee and as a result, provisionally adopted the Family Support Chart, which was established by a Family Law section committee of the Arkansas Bar Association effective July 1, 1987, pursuant to section 9-12-312(a)(2). A copy of this chart is attached to this per curiam and made a part thereof. The court now also provisionally adopts the attached extended child support chart which should be used when the payor's income exceeds the original chart. When the payor's income exceeds that shown on the extended chart, the court should disregard the chart and use these percentages of the payor's weekly or monthly income as

defined hereinafter to set and establish the dollar amount of support:

One dependent:	13%
Two dependents:	22%
Three dependents:	32%
Four dependents:	42%
Five dependents:	52%

Income refers to the definition in the federal income tax laws, less proper deductions for:

1. Federal and state income tax;
2. Social security (FICA) or railroad retirement equivalent;
3. Medical insurance paid for dependent children; and
4. Presently paid support for other dependents by Court order.

For Social Security Disability recipients, the court should consider the amount of any separate awards made to the disability recipient's spouse and/or children.

For injured workers, use Workers' Compensation payments.

For unemployed workers, use unemployment compensation payments.

For military personnel, see latest military pay allocation chart and other benefits. Add BAQ with other income to reach a total income and calculate support using the combined figure, unless the payor is unable to draw BAQ.

For commission workers, use minimum draw plus additional commissions.

For self-employed payors use last year's federal and state income tax returns and the quarterly estimates for the current year. Also consider the amount the payor is capable of earning or a net-worth approach based on property, life-style, etc.

Use the lower figure on the chart for take-home pay to determine support. Do not interpolate (i.e., use the \$200.00 amount for all take home pay between \$200.00 and \$210.00 per week.)

The amount paid to the clerk for administrative costs pursuant to A.C.A. Section 9-12-312(e)(3) is not to be included

as support.

In adopting this per curiam, the Court creates a rebuttable presumption that the amount of child support calculated pursuant to the most recent revision of the Family Support Chart is the amount of child support to be awarded in any judicial proceeding for divorce, separation, paternity, or child support.

It shall be sufficient in a particular case to rebut the presumption that the amount of child support calculated pursuant to the Family Support Chart is correct, if the court enters in the case a written finding or specific finding on the record that the amount so calculated, after consideration of all relevant factors, is unjust or inappropriate. The court may grant less or more support if the evidence shows that the needs of the dependents require a different level of support.

The chart assumes that the custodian of dependent children is employed and is not a dependent. For the purposes of calculating temporary support, a dependent custodian should be counted as two dependents as a guide in determining support. For final hearings, the court should consider all relevant factors, including the chart, in determining the amount of any spousal support to be paid.

Relevant factors to be considered by the court in determining appropriate amounts of child support shall include:

1. Food;
2. Shelter and utilities;
3. Clothing;
4. Medical expenses;
5. Educational expenses;
6. Dental expenses;
7. Child care;
8. Accustomed standard of living;
9. Recreation;
10. Insurance;
11. Transportation expenses; and
12. Other income or assets available to support the child from whatever source.

Additional factors may warrant adjustments to the child support obligations and shall include:

1. The procurement and/or maintenance of life insur-

- ance, health insurance, dental insurance for the children's benefit;
2. The provision or payment of necessary medical, dental, optical, psychological or counseling expenses of the children (e.g. orthopedic shoes, glasses, braces, etc.);
 3. The creation or maintenance of a trust fund for the children;
 4. The provision or payment of special education needs or expenses of the child;
 5. The provision or payment of day care for a child; and
 6. The extraordinary time spent with the non-custodial parent, or shared or joint custody arrangements.

The child support chart assumes that the non-custodial parent will have visitation every other weekend and for several weeks during the summer. Excluding weekend visitation with the custodial parent, in those situations where a child spends in excess of 14 consecutive days with the non-custodial parent, the court should consider whether an adjustment in child support is appropriate, giving consideration to the fixed obligations of the custodial parent which are attributable to the child, to the increased costs of the non-custodial parent associated with the child's visit, and to the relative incomes of both parents. Any partial abatement or reduction of child support should not exceed 50% of the child support obligation during the extended visitation period of more than 14 consecutive days.

In situations in which the non-custodial parent has been granted annual visitation in excess of 14 consecutive days, the court may prorate annually the reduction in order to maintain the same amount of monthly child support payments. However, if the non-custodial parent does not exercise said extended visitations during a particular year, the non-custodial parent shall be required to pay the abated amount of child support to the custodial parent.

In addition to the award of child support, the court order shall provide for the child's health care needs, which would normally include health insurance if available to either parent at a reasonable cost.

Allocation of dependents for tax purposes belongs to the custodial parent unless the parties otherwise agree. See Sec.

152(e) of the Internal Revenue Code.

All orders of child support should fix the dates on which payments should be made and the method of such payment, such as through the Clerk of the Court or by wage assignment. Times for payment should ordinarily coincide with the payor's receipt of salary, wages, or other income.

For purposes of computing child support payments, a month consists of 4.334 weeks. Bi-weekly means a wage earner is paid once every two weeks or 26 times during a calendar year. Bi-monthly means a wage earner is paid twice a month or 24 times during a calendar year.

The Court hereby approves and adopts the attached Affidavit of Financial Means for use in all family support matters. The trial court shall require each party to complete and exchange the attached Affidavit of Financial Means prior to a hearing.

In publishing its per curiam, this Court recognizes that the trial court has continuing jurisdiction to modify child support orders to advance the welfare of the child when there is a material change in circumstances. See *Hilt v. Maynard*, 256 Ark. 31, 576 S.W.2d 211 (1979); *Lively v. Lively*, 222 Ark. 501, 261 S.W.2d 409 (1953). Approval of the Family Support Chart by this Court does not per se create a material change in circumstances. In determining requested modifications of child support orders entered prior to the effective date hereof, the trial court should consider the totality of the present circumstances of the parties and avoid modifications that would work undue hardship on the parties or any persons presently dependent thereon.

Inasmuch as this is a provisional order of the Court, the Court directs the Chief Justice and the Committee on Child Support to continue its charge to study, and revise where necessary, the guidelines for child support to ensure the proper enforcement of child support awards in this state.

NEWBERN, J. and CORBIN, J. dissent; see *In re: Guidelines for Child Support Enforcement*, 301 Ark. 627, 784 S.W.2d 589 (1990) (Hickman, J., dissenting).

WEEKLY FAMILY SUPPORT CHART (Effective July 1, 1987)

WEEKLY TAKE- HOME PAY	DEPENDENTS				
	ONE	TWO	THREE	FOUR	FIVE
\$100.00	25.00	30.00	40.00	50.00	60.00
\$110.00	27.50	33.00	44.00	55.00	66.00
\$120.00	30.00	36.00	48.00	60.00	72.00
\$130.00	32.50	39.00	52.00	65.00	78.00
\$140.00	35.00	42.00	56.00	70.00	84.00
\$150.00	37.50	45.00	60.00	75.00	90.00
\$160.00	40.00	48.00	64.00	80.00	96.00
\$170.00	42.50	51.00	68.00	85.00	102.00
\$180.00	45.00	54.00	72.00	90.00	108.00
\$190.00	47.50	57.00	76.00	95.00	114.00
\$200.00	50.00	60.00	80.00	100.00	120.00
\$210.00	51.00	62.00	83.00	104.00	125.00
\$220.00	52.00	64.00	86.00	108.00	130.00
\$230.00	53.00	66.00	89.00	112.00	135.00
\$240.00	54.00	68.00	92.00	116.00	140.00
\$250.00	55.00	70.00	95.00	120.00	145.00
\$260.00	56.00	72.00	98.00	124.00	150.00
\$270.00	57.00	74.00	101.00	128.00	155.00
\$280.00	58.00	76.00	104.00	132.00	160.00
\$290.00	59.00	78.00	107.00	136.00	165.00
\$300.00	60.00	80.00	110.00	140.00	170.00
\$310.00	61.00	82.00	113.00	144.00	175.00
\$320.00	62.00	84.00	116.00	148.00	180.00
\$330.00	63.00	86.00	119.00	152.00	185.00
\$340.00	64.00	88.00	122.00	156.00	190.00
\$350.00	65.00	90.00	125.00	160.00	195.00
\$360.00	66.00	92.00	128.00	164.00	200.00
\$370.00	67.00	94.00	131.00	168.00	205.00
\$380.00	68.00	96.00	134.00	172.00	210.00
\$390.00	69.00	98.00	137.00	176.00	215.00
\$400.00	70.00	100.00	140.00	180.00	220.00
\$410.00	71.00	102.00	143.00	184.00	225.00
\$420.00	72.00	104.00	146.00	188.00	230.00
\$430.00	73.00	106.00	149.00	192.00	235.00
\$440.00	74.00	108.00	152.00	196.00	240.00
\$450.00	75.00	110.00	155.00	200.00	245.00
\$460.00	76.00	112.00	158.00	204.00	250.00
\$470.00	77.00	114.00	161.00	208.00	255.00
\$480.00	78.00	116.00	164.00	212.00	260.00
\$490.00	79.00	118.00	167.00	216.00	265.00
\$500.00	80.00	120.00	170.00	220.00	270.00
\$510.00	81.00	122.00	173.00	224.00	275.00
\$520.00	82.00	124.00	176.00	228.00	280.00
\$530.00	83.00	126.00	179.00	232.00	285.00
\$540.00	84.00	128.00	182.00	236.00	290.00
\$550.00	85.00	130.00	185.00	240.00	295.00
\$560.00	86.00	132.00	188.00	244.00	300.00
\$570.00	87.00	134.00	191.00	248.00	305.00
\$580.00	88.00	136.00	194.00	252.00	310.00
\$590.00	89.00	138.00	197.00	256.00	315.00
\$600.00	90.00	140.00	200.00	260.00	320.00

Source: Arkansas Bar Association, Family Law Section

MONTHLY FAMILY SUPPORT CHART (Effective July 1, 1987)

MONTHLY TAKE- HOME PAY	DEPENDENTS				
	ONE	TWO	THREE	FOUR	FIVE
\$ 500.00	125.00	150.00	200.00	250.00	300.00
\$ 550.00	137.50	165.00	220.00	275.00	330.00
\$ 600.00	150.00	180.00	240.00	300.00	360.00
\$ 650.00	162.50	195.00	260.00	325.00	390.00
\$ 700.00	175.00	210.00	280.00	350.00	420.00
\$ 750.00	187.50	225.00	300.00	375.00	450.00
\$ 800.00	200.00	240.00	320.00	400.00	480.00
\$ 850.00	210.00	255.00	340.00	425.00	510.00
\$ 900.00	220.00	265.00	355.00	445.00	535.00
\$ 950.00	225.00	275.00	370.00	465.00	560.00
\$1000.00	230.00	285.00	385.00	485.00	585.00
\$1050.00	235.00	295.00	400.00	505.00	610.00
\$1100.00	240.00	305.00	415.00	525.00	635.00
\$1150.00	245.00	315.00	430.00	545.00	660.00
\$1200.00	250.00	325.00	445.00	565.00	685.00
\$1250.00	255.00	335.00	460.00	585.00	710.00
\$1300.00	260.00	345.00	475.00	605.00	735.00
\$1350.00	265.00	355.00	490.00	625.00	760.00
\$1400.00	270.00	365.00	505.00	645.00	785.00
\$1450.00	275.00	375.00	520.00	665.00	810.00
\$1500.00	280.00	385.00	535.00	685.00	835.00
\$1550.00	285.00	395.00	550.00	705.00	860.00
\$1600.00	290.00	405.00	565.00	725.00	885.00
\$1650.00	295.00	415.00	580.00	745.00	910.00
\$1700.00	300.00	425.00	595.00	765.00	935.00
\$1750.00	305.00	435.00	610.00	785.00	960.00
\$1800.00	310.00	445.00	625.00	805.00	985.00
\$1850.00	315.00	455.00	640.00	825.00	1010.00
\$1900.00	320.00	465.00	655.00	845.00	1035.00
\$1950.00	325.00	475.00	670.00	865.00	1060.00
\$2000.00	330.00	485.00	685.00	885.00	1085.00
\$2050.00	335.00	495.00	700.00	905.00	1110.00
\$2100.00	340.00	505.00	715.00	925.00	1135.00
\$2150.00	345.00	515.00	730.00	945.00	1160.00
\$2200.00	350.00	525.00	745.00	965.00	1185.00
\$2250.00	355.00	535.00	760.00	985.00	1210.00
\$2300.00	360.00	545.00	775.00	1005.00	1235.00
\$2350.00	365.00	555.00	790.00	1025.00	1260.00
\$2400.00	370.00	565.00	805.00	1045.00	1285.00
\$2450.00	375.00	575.00	820.00	1065.00	1310.00
\$2500.00	380.00	585.00	835.00	1085.00	1335.00
\$2550.00	385.00	595.00	850.00	1105.00	1360.00
\$2600.00	390.00	605.00	865.00	1125.00	1385.00
\$2650.00	395.00	615.00	880.00	1145.00	1410.00
\$2700.00	400.00	625.00	895.00	1165.00	1435.00
\$2750.00	405.00	635.00	910.00	1185.00	1460.00
\$2800.00	410.00	645.00	925.00	1205.00	1485.00
\$2850.00	415.00	655.00	940.00	1225.00	1510.00
\$2900.00	420.00	665.00	955.00	1245.00	1535.00
\$2950.00	425.00	675.00	970.00	1265.00	1560.00
\$3000.00	430.00	685.00	985.00	1285.00	1585.00

Source: Arkansas Bar Association, Family Law Section

WEEKLY FAMILY SUPPORT CHART (cont'd)

WEEKLY TAKE- HOME PAY	DEPENDENTS				
	ONE	TWO	THREE	FOUR	FIVE
\$610.00	91.00	142.00	203.00	264.00	325.00
\$620.00	92.00	144.00	206.00	268.00	330.00
\$630.00	93.00	146.00	209.00	272.00	335.00
\$640.00	94.00	148.00	212.00	276.00	340.00
\$650.00	95.00	150.00	215.00	280.00	345.00
\$660.00	96.00	152.00	218.00	284.00	350.00
\$670.00	97.00	154.00	221.00	288.00	355.00
\$680.00	98.00	156.00	224.00	292.00	360.00
\$690.00	99.00	158.00	227.00	296.00	365.00
\$700.00	100.00	160.00	230.00	300.00	370.00
\$710.00	101.00	162.00	233.00	304.00	375.00
\$720.00	102.00	164.00	236.00	308.00	380.00
\$730.00	103.00	166.00	239.00	312.00	385.00
\$740.00	104.00	168.00	242.00	316.00	390.00
\$750.00	105.00	170.00	245.00	320.00	395.00
\$760.00	106.00	172.00	248.00	324.00	400.00
\$770.00	107.00	174.00	251.00	328.00	405.00
\$780.00	108.00	176.00	254.00	332.00	410.00
\$790.00	109.00	178.00	257.00	336.00	415.00
\$800.00	110.00	180.00	260.00	340.00	420.00
\$810.00	111.00	182.00	263.00	344.00	425.00
\$820.00	112.00	184.00	266.00	348.00	430.00
\$830.00	113.00	186.00	269.00	352.00	435.00
\$840.00	114.00	188.00	272.00	356.00	440.00
\$850.00	115.00	190.00	275.00	360.00	445.00
\$860.00	116.00	192.00	278.00	364.00	450.00
\$870.00	117.00	194.00	281.00	368.00	455.00
\$880.00	118.00	196.00	284.00	372.00	460.00
\$890.00	119.00	198.00	287.00	376.00	465.00
\$900.00	120.00	200.00	300.00	380.00	470.00
\$910.00	121.00	202.00	303.00	384.00	475.00
\$920.00	122.00	204.00	306.00	388.00	480.00
\$930.00	123.00	206.00	309.00	392.00	485.00
\$940.00	124.00	208.00	312.00	396.00	490.00
\$950.00	125.00	210.00	315.00	400.00	495.00
\$960.00	126.00	212.00	318.00	404.00	500.00
\$970.00	127.00	214.00	321.00	408.00	505.00
\$980.00	128.00	216.00	324.00	412.00	510.00
\$990.00	129.00	218.00	327.00	416.00	515.00
\$1,000.00	130.00	220.00	330.00	420.00	520.00

MONTHLY FAMILY SUPPORT CHART (cont'd)

MONTHLY TAKE- HOME PAY	DEPENDENTS				
	ONE	TWO	THREE	FOUR	FIVE
\$3,050.00	435.00	695.00	1,000.00	1,305.00	1,610.00
\$3,100.00	440.00	705.00	1,015.00	1,325.00	1,635.00
\$3,150.00	445.00	715.00	1,030.00	1,345.00	1,660.00
\$3,200.00	450.00	725.00	1,045.00	1,365.00	1,685.00
\$3,250.00	455.00	735.00	1,060.00	1,385.00	1,710.00
\$3,300.00	460.00	745.00	1,075.00	1,405.00	1,735.00
\$3,350.00	465.00	755.00	1,090.00	1,425.00	1,760.00
\$3,400.00	470.00	765.00	1,105.00	1,445.00	1,785.00
\$3,450.00	475.00	775.00	1,120.00	1,465.00	1,810.00
\$3,500.00	480.00	785.00	1,135.00	1,485.00	1,835.00
\$3,550.00	485.00	795.00	1,150.00	1,505.00	1,860.00
\$3,600.00	490.00	805.00	1,165.00	1,525.00	1,885.00
\$3,650.00	495.00	815.00	1,180.00	1,545.00	1,910.00
\$3,700.00	500.00	825.00	1,195.00	1,565.00	1,935.00
\$3,750.00	505.00	835.00	1,210.00	1,585.00	1,960.00
\$3,800.00	510.00	845.00	1,225.00	1,605.00	1,985.00
\$3,850.00	515.00	855.00	1,240.00	1,625.00	2,010.00
\$3,900.00	520.00	865.00	1,255.00	1,645.00	2,035.00
\$3,950.00	525.00	875.00	1,270.00	1,665.00	2,060.00
\$4,000.00	530.00	885.00	1,285.00	1,685.00	2,085.00
\$4,050.00	535.00	895.00	1,300.00	1,705.00	2,110.00
\$4,100.00	540.00	905.00	1,315.00	1,725.00	2,135.00
\$4,150.00	545.00	915.00	1,330.00	1,745.00	2,160.00
\$4,200.00	550.00	925.00	1,345.00	1,765.00	2,185.00
\$4,250.00	555.00	935.00	1,360.00	1,785.00	2,210.00
\$4,300.00	560.00	945.00	1,375.00	1,805.00	2,235.00
\$4,350.00	565.00	955.00	1,390.00	1,825.00	2,260.00
\$4,400.00	570.00	965.00	1,405.00	1,845.00	2,285.00
\$4,450.00	575.00	975.00	1,420.00	1,865.00	2,310.00
\$4,500.00	580.00	985.00	1,435.00	1,885.00	2,335.00
\$4,550.00	585.00	995.00	1,450.00	1,905.00	2,360.00
\$4,600.00	590.00	1,005.00	1,465.00	1,925.00	2,385.00
\$4,650.00	595.00	1,015.00	1,480.00	1,945.00	2,410.00
\$4,700.00	600.00	1,025.00	1,495.00	1,965.00	2,435.00
\$4,750.00	605.00	1,035.00	1,510.00	1,985.00	2,460.00
\$4,800.00	610.00	1,045.00	1,525.00	2,005.00	2,485.00
\$4,850.00	615.00	1,055.00	1,540.00	2,025.00	2,510.00
\$4,900.00	620.00	1,065.00	1,555.00	2,045.00	2,535.00
\$4,950.00	625.00	1,075.00	1,570.00	2,065.00	2,560.00
\$5,000.00	630.00	1,085.00	1,585.00	2,085.00	2,585.00

IN THE CHANCERY COURT OF _____ COUNTY, ARKANSAS

Division

STATE OF ARKANSAS)
) SS
COUNTY OF _____)

AFFIDAVIT OF FINANCIAL MEANS
REVISED 2/15/90 - 5TH REVISION

Plaintiff

vs.

Case No. _____

Defendant

The affiant, being duly sworn, says under penalty of perjury that affiant is the plaintiff() defendant() (check one) herein, has prepared this financial statement, knows the contents thereof, and that it is true and correct.

INCOME

Complete item 29 on the page 3

- 1. My Weekly take-home pay (from line 29(i) on page 3)
2. I claim dependents for the purpose of determining my State of Arkansas withholding. I claim dependents for the purpose of determining my federal withholding. I did () or did not () (check one) claim myself as dependent. I do () or do not () (check one) have an additional amount withheld from my payroll checks for tax purposes and, if so, that amount is _____ per week of _____ per pay period and itemized on reverse side.
3. I have income from the following other sources:
4. I have cash on hand in the amount of _____ from the following source(s):
5. I have on deposit in banks and savings institutions _____ and its source was
6. I have stocks and bonds in the amount of _____ and their source was

(Attach additional schedules as needed)

CREDITORS

Complete items 30, 31 and 32 on page 4

- 7. Debts in the name of plaintiff only: ALL CREDITORS LISTED ON PAGE 4
TOTAL UNPAID BALANCE \$ (a)
TOTAL MONTHLY PAYMENTS \$ (b)
8. Debts in the name of defendant only: ALL CREDITORS LISTED ON PAGE 4
TOTAL UNPAID BALANCE \$ (a)
TOTAL MONTHLY PAYMENTS \$ (b)
9. Debts in our JOINT NAMES are: ALL CREDITORS LISTED ON PAGE 4
TOTAL UNPAID BALANCE \$ (a)
TOTAL MONTHLY PAYMENTS \$ (b)

MONTHLY EXPENSES

- 10. My present necessary monthly expenses to support myself and _____ child, _____ are:
(a) Rent or housepayment
(b) Gas and electricity
(c) Water
(d) Telephone
(e) Food
(f) Clothing
(g) Laundry & Cleaning
(h) Child care
(i) Medical
(j) Drugs
(k) Life Insurance
(l) Auto Insurance
(m) Fire Insurance
(n) Transportation
(o) Other Expenses
TOTAL

A check mark has been placed by all expenses which are not being paid currently.

GENERAL INFORMATION

- 11. My full name is _____
- 12. My social security number is _____ Military I.D. No. (if applicable) _____
- 13. My Arkansas Driver's License Number is _____
- 14. My date of birth is _____ My place of birth is _____
- 15. My father's full name is _____
 My mother's full name is _____
 (They) (He) (She) reside at _____ Zip Code _____
- 16. My present resident address is _____ Zip Code _____
- 17. The full name of children born (or legally adopted) of this marriage are:
 (1) _____ Date of Birth: _____ SS No. _____
 (2) _____ Date of Birth: _____ SS No. _____
 (3) _____ Date of Birth: _____ SS No. _____
 (4) _____ Date of Birth: _____ SS No. _____
 (5) _____ Date of Birth: _____ SS No. _____
 (6) _____ Date of Birth: _____ SS No. _____
 (Attach additional schedule for additional children)
- 18. My employer is _____
- 19. My employer's full address is _____ Zip Code _____
- 20. My home telephone number is _____ My work telephone number is _____

INFORMATION ABOUT SPOUSE, IF KNOWN (DO NOT GUESS)

- 21. My spouse's full name is _____
- 22. My spouse's social security number is _____ Military ID No. (if applicable) _____
- 23. My spouse's Arkansas Driver's License Number is _____
- 24. (a) My spouse's father's full name is _____
 (b) My spouse's mother's full name is _____
 (c) (They) (He) (She) reside at _____ Zip Code _____
 (F) (M) deceased (check if applicable)
- 25. My spouse's present resident address is _____ Zip Code _____
- 26. My spouse's employer is _____
- 27. My spouse's employer's address is _____ Zip Code _____
- 28. My spouse's home telephone number is _____ work telephone number _____

INCOME

29. How often are you paid, and what are your gross wages, salary or commissions due each time?

- WEEKLY
52 times a year
- BIWEEKLY
26 times a year
- SEMI-MONTHLY
24 times a year
- MONTHLY
12 times a year
- OTHER
explain

PAYROLL DEDUCTIONS

(a) GROSS WAGES (a) \$ _____

(b) Federal Income Tax Withheld (b) _____

(c) Arkansas Income Tax Withheld (c) _____

(d) F.I.C.A. (Soc. Sec.) or railroad retirement equivalent (d) _____

(e) Health Insurance (children only) (e) _____

(f) Court ordered child support for dependents of previous marriage or previously legally determined adopted or illegitimate children (f) _____

(g) TOTAL WITHHELD (b) thru (f) above (g) \$ _____

(h) NET TAKE HOME PAY PER PAY PERIOD
(Subtract (g) from (a) above) (h) \$ _____

(i) CONVERT TO WEEKLY TAKE HOME PAY &
CARRY TO LINE 1 on front 29(i) \$ _____
Example (h) above \$300 & is received bi-weekly.
26 x \$300 = \$7,800 divided by 52 = \$150 per week
Carry \$150 on line 1 on front

(k) OTHER ITEMS WITHHELD FROM MY CHECK ARE:

(1) Union Dues	(1) _____
(2) Credit Union, thrift plans	(2) _____
(3) Pension Benefits, stock purchase plans	(3) _____
(4) Charitable contributions	(4) _____
(5) Debt Payments, garnishments	(5) _____
(6) Life Insurance payments	(6) _____
(7) Other (identify)	(7) _____

Items (1) thru (7) above are not allowed in computing take home pay.

(8) TOTAL WITHHELD (total (1) through (7) above) (k8) _____

CREDITORS & DEBTS

30. Debts in the name of PLAINTIFF only are:

Creditors	(Total Unpaid Balance)	(Monthly Payments)
1. _____	1. \$ _____	1. \$ _____
2. _____	2. \$ _____	2. \$ _____
3. _____	3. \$ _____	3. \$ _____
4. _____	4. \$ _____	4. \$ _____
5. _____	5. \$ _____	5. \$ _____
Attach additional schedules as needed, then TOTAL:	6. \$ _____	6. \$ _____

* Carry to line 7a on page 1

* Carry to line 7b on page 1

31. Debts in the name of DEFENDANT only are:

Creditors	(Total Unpaid Balance)	(Monthly Payments)
1. _____	1. \$ _____	1. \$ _____
2. _____	2. \$ _____	2. \$ _____
3. _____	3. \$ _____	3. \$ _____
4. _____	4. \$ _____	4. \$ _____
5. _____	5. \$ _____	5. \$ _____
Attach additional schedules as needed, then TOTAL:	6. \$ _____	6. \$ _____

* Carry to line 8a on page 1

* Carry to line 8b on page 1

32. Debts in our JOINT NAMES are:

Creditors	(Total Unpaid Balance)	(Monthly Payments)
1. _____	1. \$ _____	1. \$ _____
2. _____	2. \$ _____	2. \$ _____
3. _____	3. \$ _____	3. \$ _____
4. _____	4. \$ _____	4. \$ _____
5. _____	5. \$ _____	5. \$ _____
Attach additional schedules as needed, then TOTAL:	6. \$ _____	6. \$ _____

* Carry to line 9a on page 1

* Carry to line 9b on page 1

38. The weekly take-home pay of my spouse is..... \$ _____

39. All other income of my spouse is..... \$ _____

Signature of Affiant

Subscribed and sworn to before me on this _____ day of _____, 199_____

My commission expires:

NOTARY PUBLIC

NOTICE

BOTH PARTIES MUST COMPLETE AND EXCHANGE THIS FOUR PAGE AFFIDAVIT PRIOR TO THE TEMPORARY HEARING. BOTH PARTIES MUST SUPPLY THE ORIGINAL NOTARIZED AFFIDAVIT TO THE COURT. THE COURT WILL PUNISH PERJURY BY APPROPRIATE ACTION.

IN THE MATTER OF ARKANSAS RULES OF CIVIL
PROCEDURE 35 AND ARKANSAS RULES OF
EVIDENCE 503

Supreme Court of Arkansas
Delivered May 13, 1991

PER CURIAM. The Arkansas Supreme Court Committee on Civil Practice recommended changes in Arkansas Rules of Civil Procedure 35 and Arkansas Rules of Evidence 503. By *per curiam* order of December 10, 1990, we requested the comments of the bench and bar with respect to the proposals. Many letters were received by the Court and by the Committee. The Committee was asked to reconsider the proposals in light of the comments received. It has done so and has again recommended the changes to which we now agree.

Effective July 1, 1991, Arkansas Rules of Civil Procedure 35 and Arkansas Rules of Evidence 503 are amended as follows:

Rule 35, Ark. R. Civ. P.

Rule 35, Arkansas Rules of Civil Procedure, is amended by adding the following as new subdivision (c):

(c) *Medical Records.* Where a party relies upon his physical, mental or emotional condition as an element of his claim or defense, he shall, upon the request of any other party, execute an authorization to allow such other party to obtain copies of his medical records; provided, however, a party shall not be required, by order of court or otherwise, to authorize any communication with his physician or psychotherapist other than (1) the furnishing of medical records, and (2) communications in the context of formal discovery procedures. The term "medical records" means any writing, document or electronically stored information pertaining to or created as a result of treatment, diagnosis or examination of a patient.

The following amendment to the Reporter's Note accompanying Rule 35 is adopted:

Addition to Reporter's Note, 1990 Amendment: New subdivision (c) of this rule sets out the circumstances under which a party must authorize release of his medical records to another party. It also makes plain that a party may not

be required to allow an adversary to communicate with the party's physician or psychotherapist outside the formal discovery process. This safeguard is deemed necessary to protect the confidential relationship between a party and his physician or psychotherapist.

Rule 503, Ark. R. Evid.

Rule 503, Arkansas Rules of Evidence, is amended as follows:

1. By adding the following as new paragraph (5) to subdivision (a) of the rule:

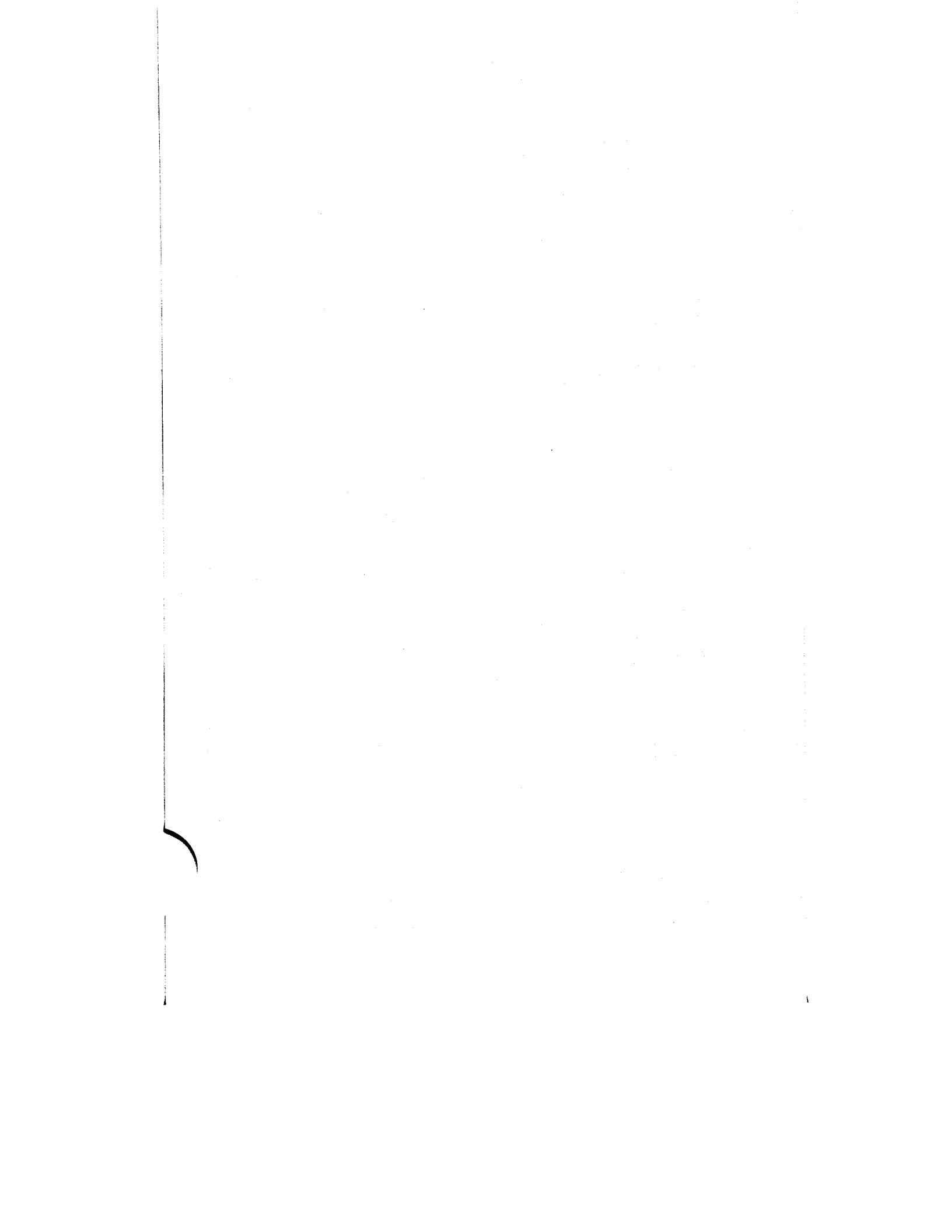
(5) A "medical record" is any writing, document or electronically stored information pertaining to or created as a result of treatment, diagnosis or examination of a patient.

2. By amending subdivision (b) of the rule by adding the phrase "his medical records or" after the word "disclosing" and before the word "confidential."

3. By deleting paragraph (3) of subdivision (d) of the rule and replacing it with the following:

(3) Condition an element of claim or defense. There is no privilege under this rule as to medical records or communications relevant to an issue of the physical, mental or emotional condition of the patient in any proceeding in which he relies upon the condition as an element of his claim or defense, or, after the patient's death, in any proceeding in which any party relies upon the condition as an element of his claim or defense; provided, however, a patient shall not be required, by order of court or otherwise, to authorize any communication with any physician or psychotherapist other than (A) the furnishing of medical records, and (B) communications in the context of formal discovery procedures.

**Appointments to
Committees**



IN RE: THE SUPREME COURT COMMITTEE ON
PROFESSIONAL CONDUCT

Supreme Court of Arkansas
Delivered March 11, 1991

PER CURIAM. Bart Virden, Esq. of Morrilton, Arkansas, is appointed to the Supreme Court Committee on Professional Conduct, Second District, for a term of seven years, expiring March 1, 1998. Mr. Virden is replacing Sam Ed Gibson, Benton, Arkansas.

The Court expresses its gratitude to Mr. Gibson for his dedicated and faithful service to the Committee.

IN RE: SUPREME COURT COMMITTEE ON MODEL
JURY INSTRUCTIONS, CRIMINAL

Supreme Court of Arkansas
Delivered March 11, 1991

PER CURIAM. The Court accepts the resignation of Stephen Engstrom, Esq. from the Supreme Court Committee on Model Jury Instructions, Criminal.

The Court expresses its gratitude to Mr. Engstrom for his faithful service as a member of this Committee.

IN RE: ARKANSAS JUDICIAL DISCIPLINE AND
DISABILITY COMMISSION

Supreme Court of Arkansas
Delivered March 18, 1990

PER CURIAM. In accordance with Ark. Const. amend 66 and Act 637 of 1989, the Court appoints the Honorable William C. Gilliam, Municipal Judge, Malvern of Malvern, Arkansas, to the Arkansas Judicial Discipline and Disability Commission to fill

the unexpired term of the Honorable Edwin Alderson, Municipal Judge of El Dorado, Arkansas, who has resigned.

The Court expresses its gratitude to Judge Alderson for his dedicated and faithful service to this Commission.

IN THE MATTER OF THE SUPREME COURT
COMMITTEE ON CIVIL PRACTICE

Supreme Court of Arkansas
Delivered March 18, 1990

PER CURIAM. Bill Bristow, Esq. of Jonesboro, Arkansas, is hereby appointed to the Supreme Court Committee on Civil Practice, replacing United States Magistrate Jerry Cavaneau of Searcy, Arkansas. This appointment is for a period ending July 30, 1994.

The Court expresses its gratitude to Judge Cavaneau for his faithful and exemplary services as a member of this Committee.

IN THE MATTER OF THE SUPREME COURT
COMMITTEE ON RULES AND PLEADINGS,
PRACTICE AND PROCEDURE IN CRIMINAL CASES

Supreme Court of Arkansas
Delivered March 18, 1990

PER CURIAM. Associate Justice Robert L. Brown, is hereby appointed liaison to the Supreme Court Committee on Rules of Pleadings, Practice and Procedure in Criminal Cases, replacing Associate Justice Steele Hays. Judge Brown will serve at the pleasure of the Court.

The Court expresses its gratitude to Judge Hays for his

faithful service to the Committee.

**IN THE MATTER OF THE SUPREME COURT
COMMITTEE ON RULES OF PLEADINGS,
PRACTICE AND PROCEDURE IN CRIMINAL CASES**

Supreme Court of Arkansas
Delivered April 1, 1990

PER CURIAM. The Honorable Robert L. Brown, Little Rock, Arkansas, is hereby appointed to the Supreme Court Committee on Rules of Pleadings, Practice and Procedure in Criminal Cases. Judge Brown will serve at the pleasure of the Court.

**IN THE MATTER OF THE ARKANSAS
CONTINUING LEGAL EDUCATION BOARD**

Supreme Court of Arkansas
Delivered May 13, 1991

PER CURIAM. Circuit Judge H. A. Taylor, Pine Bluff, Arkansas, and Jerry Malone, Little Rock, Arkansas, are reappointed to the Arkansas Continuing Legal Education Board.

Ronald D. Harrison, Fort Smith, Arkansas, is appointed to this Board replacing Robert Cloar, Fort Smith, Arkansas.

The Court expresses its gratitude to Robert Cloar for his faithful and exemplary service as a member of this Board.

IN THE MATTER OF THE SUPREME COURT
COMMITTEE ON PROFESSIONAL CONDUCT

Supreme Court of Arkansas
Delivered May 28, 1991.

PER CURIAM. Alan R. Humphries, Esq., Pine Bluff, Arkansas, is appointed to the Supreme Court Committee on Professional Conduct, Fourth Congressional District, for a term of seven years, expiring June 1, 1998. Mr. Humphries replaces Jim McKenzie, Esq., Prescott, Arkansas.

The Court expresses its gratitude to Mr. McKenzie for his dedicated and faithful service to the Committee.

IN THE MATTER OF THE COMMITTEE ON THE
UNAUTHORIZED PRACTICE OF LAW

Supreme Court of Arkansas
Delivered June 3, 1991

PER CURIAM. Van A. Gearhart, Esq., Mountain Home, is hereby appointed to our Committee on the Unauthorized Practice of Law, replacing Jerry Pinson, Esq., Harrison.

The Court expresses its gratitude to Mr. Pinson for his faithful services as a member and Chair of this Committee.