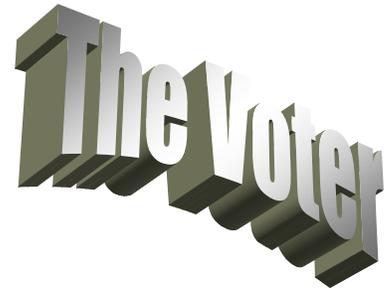




**LEAGUE OF WOMEN VOTERS  
WASHINGTON COUNTY**

**NOVEMBER 2005, VOL. 52, ISSUE 2**



**CALENDAR**

**November 7, Monday Board Meeting,** Joyce Hale’s home, 285 W. Cleburn, 6:30 p.m.

**November 16, Wednesday, Monthly Member Meeting.** “What Went Right, What Went Wrong: An Update on the 2004 Presidential Election” with University of Arkansas Political Science Professor Todd Shields. Meeting Room, Sierra Club Office, 110 W. Meadow St. Fayetteville, 7:00-8:30 p.m. (The Sierra Club Meeting room will still be open Nov.16) (See Voter story, page 2 for details)

**December 14, Wednesday, Monthly Member Meeting.** “The Tax Situation in Arkansas” with **Senator Sue Madison.** Luncheon meeting, 11:30 a.m. – 1:00 p.m. at the Powerhouse Restaurant.

**FROM LIBBY’S DESK**

Since this is not an election year, League members have had time to enjoy hiking on and learning about Fayetteville’s Trails. Ten Leaguers hiked around Lake Wilson earlier this month ably led by Ron Foldvary, the designer of the trail. They marveled at the rock formations and learned the history of how this recreational trail came into being.

But trails can do more than provide recreation in a community if they are incorporated into the overall transportation plan of a city. This was the theme of Steve Hatfield’s talk at the October monthly member meeting. Steve is the Trails and Greenways Coordinator for the City of Fayetteville. He reviewed the existing and proposed trails in the city’s twenty year plan and stressed that trails need to be a part of highway projects. On-street linkages that allow trails to go to meaningful places are a priority, and new highways should automatically include a wide curb lane or bike lanes and appropriate signage. Fayetteville has an in-house trail construction crew, and five new miles of trails are projected to be built every year. Check the link from our LWVWC website ([www.lwvarwc.org](http://www.lwvarwc.org)) to Fayetteville’s website for maps and trail information, or go directly to [www.accessfayetteville.org](http://www.accessfayetteville.org).

Asked how the League could help promote trails in the community, Steve suggested contacting City Council members, attending Sidewalk and Trail Committee Meetings as well as Street Committee meetings to make sure that trails are considered a part of the infrastructure. After the meeting, several Leaguers walked the Frisco Trail between Center and Sixth Streets. This trail is the jewel in our downtown.

**ELAINE McNEIL BEQUEST**

We are pleased to report that longtime LWVWC member, Dr. Elaine McNeil, left \$1000 in her will to our League. Elaine was an active board member and past president, 1959-1961. She was a longtime professor of sociology at the University of Arkansas.

**2005-2006 DUES ARE BEING ACCEPTED**

Lois Alward, Membership Chair, reminds all members that the new League year started in September and 2005-2006 dues are being accepted. Please send your check to LWVWC, P.O. Box 4, Fayetteville, AR 72702. Dues are \$35.00 for individuals and \$52 for family memberships.

### NOVEMBER MEMBER MEETING , November 16

Todd Shields, Chairman of the Political Science Department, University of Arkansas, will be our guest speaker November 16 , 7:00 p.m. at the Sierra Club Office, 119 W. Meadow. Does the current political situation have your head spinning? Come hear Todd's assessment of our political future.

### MEMBERSHIP REPORT

Welcome to our new member, Tura Graves. Several of us got to meet her when she attended the trails meeting at the library. Also, a big welcome to Pete and Margo Heinzelmann. They have been active in the Fayetteville Natural Heritage Association (FNHA).

And thanks so much to the following members who have paid their membership dues for the 2005-6 League year: Lois and Harry Alward, Wanda Belzung, Jo Bennett, Dick Bennett, Jana Britton, Karla Bradley, Anita Bukey, Mary Burton, Margaret Clark, Karen Rollet-Crocker, Mary Dillard, Genie Donovan, Sharon Echols, Patsy Ferritor, Joyce and James Hale, Emily Hart, Patricia Hensman, Sharon Hoover, Laura Hughes, Harriet Jansma, Calysta Johnson, Sami Kopelman, Louise Russet-Kraemer, Georgia Kunze, Sally Kelley, Bettie Lu Lancaster, Anne Larew, Robert and Sarah Leflar, Bonnie Malbin, Karen Minkle, Mary Bess Mulhollan, Nancy McCartney, Valerie and Richard McMullen, Izola Morgan, Steve and Jeanine Neuse, Linda Nicometo, Marion Orton, Anne Prichard, Dottie Reddig, Tim Penhallagon, Leanne Reed, Ann Rosso, Cynthia Sagers, Tom and Trudy Scott, Jim and Jane Scroggs, Mary Alice and Phil Serafini Wanda Stephens, Barbara Taylor and James Jackson, Virginia Ulick, Martha and Mike Ward, Elizabeth Wheeler, Marge and Otto Zinke.

Again, if your name is not on this list, we need your renewal now, Please send a check to LWVWC, P. O. Box 4, Fayetteville, AR, 72702. \$35, individual, \$52 familiy. Thanks so much .

**Lois Alward, Membership Chair**

### USING OUR NATIONAL LWVUS WEBSITE

Members will find much of interest, including League news and publications on <http://www.lwv.org>, the National League of Women Voters website. The site can also be accessed by going to our League of Women Voters of Washington County website, <http://www.lwvarwc.org>, clicking on Links, and clicking on the first link on that page. From [lwv.org](http://www.lwv.org), you can register for the League E-Voice, a monthly e-mail newsletter, by entering your email address in the green box labeled Stay Informed. With this newsletter, you can keep up with recent activities, events, issues, and actions that you can take. It has links to letters from LWVUS to officials opposing or supporting congressional legislation. It also provides a link to a form which you can use to e-mail your Congressman, if you wish. You may also access current and past issues of this newsletter by clicking on Library, then Publications.

You should also check out the Members-Only section. There you will find information for new members such as the League history and FAQ (frequently asked questions). Presidents' news and tools for League leaders are among the other resources for members. Of great interest to members is "Impact on Issues," the guide to the League's public policy positions, also known as its national program. All League members will want to be familiar with this eighty-one page document.

How does one register for the Members-Only section? At [www.lwv.org](http://www.lwv.org), click on Login. If you are logging in for the first time, you will be instructed to click on LWV Online System to register. On that page you will be asked for your first name, last name, and e-mail address. If your e-mail is not on file, you will also need to enter your address, zip code, and member number. Read carefully the instructions on how to get your member number from your National Voter magazine label. The diagram shows that you leave out the first and last digits from the numbers on the magazine label. I

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## BACKGROUND INFORMATION FOR THE JUDICIARY STUDY

**Karen Minkle, Chair of National Programs**  
( You might want to keep this for the Forum in February 2006)

The National League of Women Voters has chosen the federal, state and local judiciary system as a focus and will provide grants to local leagues for addressing this topic. The passage of Amendment 80 in 2000, which substantially altered the structure of the Arkansas courts, makes the state judiciary a timely topic for the Washington County League. We will partner with the Benton County League to host a forum in February that discusses and analyses the effects of this reform on delivering justice in the state courts. Drs. William Schreckhise and Janine Parry wrote the following overview of Amendment 80 and the legislations's effects on the Arkansas judicial system, which will provide helpful background information.

### The Arkansas Judiciary and Amendment 80

#### Introduction

In 2000, the voters of Arkansas passed Amendment 80 to the Arkansas state constitution. The measure dramatically overhauled the structure of the Arkansas judiciary and changed the method of selecting the state's judges from partisan to nonpartisan elections. The measure significantly transformed the Arkansas judiciary by consolidating the numerous courts of limited jurisdiction, merging the courts of law and equity, and generally bringing the previously patchwork quilt of the Arkansas judiciary into line with the modern court systems of other U.S. states. The Washington and Benton County Leagues of Women Voters propose conducting a joint community forum that examines the effectiveness of these reforms. What follows is a brief sketch of the current operation and structure of the Arkansas judiciary and a discussion outlining the need, potential accomplishments, format, and plan of our proposed program.

### The Arkansas Judiciary

Arkansas's modern current judicial system, like most others in the American states, is four-tiered consisting of district/city courts, circuit courts, the Arkansas Court of Appeals, and the Arkansas Supreme Court. At the bottom of the hierarchy are district courts and city courts. They are the courts of limited jurisdiction, thus they serve as the forum for minor civil cases (traditionally defined in Arkansas as disputes regarding sums of less than \$5,000) and misdemeanor criminal cases (including cases involving potential penalties of less than one year confinement). There are currently 113 judges serving on 130 district courts and 97 judges serving on 118 city courts. Circuit courts are the courts of original jurisdiction in the state, serving as the original court for nearly all other criminal and civil cases requiring a trial, along with hearing cases appealed de novo from city and district courts. Currently 115 circuit judges serve on 28 judicial districts.

On the appellate end of the Arkansas legal system lie the Court of Appeals and the Supreme Court. The intermediate appellate court was adopted in 1978 (via Amendment 58) in response to the fact that the Arkansas Supreme Court had the highest workload of any court of last resort in the country. The six judges originally assigned to help reduce the Supreme Court's caseload eventually became overwhelmed themselves, prompting state legislators to double the appellate court's size in the 1990s. Since 1983, the 12 judges generally have heard cases in panels of three, sitting in banc only if a panel decision is not unanimous.

Finally, at the top of Arkansas's judicial pyramid is the Arkansas Supreme Court. Endowed early on with just three justices, today it is composed of six associate justices and one chief justice. Despite the adoption of an intermediate appellate, it has continued to maintain an unusually large number of original jurisdiction cases, though recent constitutional amendment and administrative maneuvering have streamlined its docket somewhat. Among the more significant issues over which it yet retains original jurisdiction are a limited number of items including questions pertaining to state initiative and referendum petitions. The Supreme Court hears cases involving interpretation of the state constitution, cases in which the death penalty or life imprisonment has been imposed, appeals pertaining to elections and election procedures, the discipline and disability of judges, and appeals following an appeal that has been decided in the Supreme Court. The high court also is charged with prescribing rules of pleading, practice, and procedure for the lower courts and possesses superintending control over them.

Arkansas has selected its judges by a variety of methods over the years including legislative election, gubernatorial appointment, and partisan public contests. Today, all of the state's judges and Supreme Court justices are selected in nonpartisan elections, a product of the sweeping reforms adopted in 2000. Amendment 80 also conferred upon the General Assembly the option of referring to the voters an initiative which would, if passed, provide for the merit selection of all appellate courts judges and justices. The governor fills all midterm judicial vacancies. However, judges may not stand for election for a position to which they have been appointed.

The judges lengths of terms in office vary, as do the qualifications required to fill each post. Specifically, members of both the Supreme Court and the Court Appeals must be licensed attorneys in the state for eight years before they can take office; once they do, they serve eight-year terms. Circuit court judges must be licensed attorneys in the state for a somewhat shorter period of time, six years, a period equal to the term of office. District and city court judges must be licensed attorneys for four years and serve four-year terms. Amendment 80 also provided for the appointment of referees, masters, and magistrates to assist with the caseload in the Arkansas judicial system. Such persons may be appointed by either a circuit court judge, or a district court judge (with the consent of a majority of circuit court judges in that circuit) and are limited to the duties prescribed by the Supreme Court.

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found that I had to leave out the first and last **\*\*two\*\*** digits and use the remaining six-digit number. If you have last year's membership roster, last year's members can obtain their ID. # from it. You may also contact our local Membership Chair, Lois Alward (582-5226) for your membership number.

**Sally Kelley, Media Chair**

Local meetings:

Several interesting meetings occurred last week, and your input for future planning is requested.

**The Fayetteville Natural Heritage Association (FNHA)** met November 1<sup>st</sup> to discuss criteria for selecting land for preservation in and around Fayetteville. As our area continues to grow, preserving natural places to protect plants, animals, water quality and to provide recreational use becomes increasingly important. In partnership with the Nature Conservancy Ozark Highlands Office and the Landscape Architecture Department at the University of Arkansas, FNHA will use Geographic Information Systems analysis to select areas based on criteria identified as most desirable by citizens.

FNHA has developed a survey which is available on the [city's website](#) or from Karen Rollet-Crocker, 442-9306. Please let them know what characteristics you value most in selecting land for future preservation by completing this survey.

**The City of Fayetteville** hosted a Public Information Meeting on November 2<sup>nd</sup> on implementing the proposed downtown form based zoning code, which will change the land use zoning code that presently exists. Only 1% of Fayetteville is included in this rezoning, but it is the heart of the city. The goal is to identify a pattern of development, protect a "sense of place" and manage downtown development. Five areas have been identified in the draft proposal: Regional Core, Main Street, Downtown General, Neighborhood Conservation and Cultural and Entertainment Overlay District. Each will have different requirements such as building height and setback specifications. Architectural standards were also proposed.

A special Planning Committee Meeting to continue this discussion will be held on November 10<sup>th</sup> in Room 219 of the City Administration Building, 113 W. Mountain Street. Digital copies of the proposed downtown zoning code and map are available from the City Planning Department, 125 W. Mountain Street, 575-8267. Public input is requested.

**Elizabeth Wheeler, President**