

AR Code § 14-42-112 (2024)

Municipal attorneys for cities of the second class or incorporated towns

(a)

(1) All cities of the second class and incorporated towns within the State of Arkansas may elect a municipal attorney at the time of the election of other officers of these cities of the second class and incorporated towns, if it is not established by ordinance that the office of the city attorney will be appointed.

(2)

(A) All municipal attorneys elected under the provisions of this section shall be regularly licensed attorneys of this state.

(B) When no attorney resides within the limits of the city or town or when no resident attorney has been elected as municipal attorney, the mayor and city or town council may appoint any regularly licensed attorney of this state to serve as the municipal attorney.

(b) Any municipal attorney elected or appointed under the provisions of this section shall subscribe to the oath of office as all other officers of these cities or towns.

(c) All municipal attorneys are authorized to file information for the arrest of any person for the violation of any ordinance of the city or town or of the laws of this state which are violated within the limits of the city or town.

(d)

(1) The duties of the municipal attorney shall be to represent the city or town in all actions, both civil and criminal.

(2)

(A) It shall be the duty of the municipal attorney to:

(i) Advise with all city or town officials at any time needed;

(ii) Prepare all legal papers, blank forms, etc.;

(iii) File a complete report of his or her work with the city or town council at the end of each year; and

(iv) If requested to do so, furnish all information in his or her possession to the state courts for the prosecution of cases in the state courts.

(B) Nothing in this section shall prohibit the city or town council from prescribing other duties, and they are authorized to prescribe such other duties as they desire which shall be done by proper ordinance by the council.

(e) The term of office for an elected municipal attorney shall be four (4) years.

Acts 1923, No. 153, §§ 1-5; Pope's Dig., §§ 9752-9756; Acts 1975, No. 161, §§ 1, 2; A.S.A. 1947, §§ 19-911 -- 19-915; Acts 1993, No. 1306, § 8; 1995, No. 1256, § 20; 1995 (1st Ex. Sess.), No. 13, § 4; 1997, No. 645, § 1; 2005, No. 133, § 1.