

# Structure and Responsibilities of County Government in Arkansas

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County governments in Arkansas provide services that are a fundamental part of our daily lives. Tax dollars and other revenues county governments receive fund services such as road maintenance, law enforcement, jails and public libraries. As these services are critical to residents' quality of life, it is important to understand the structure of county government and the role they play in shaping communities.

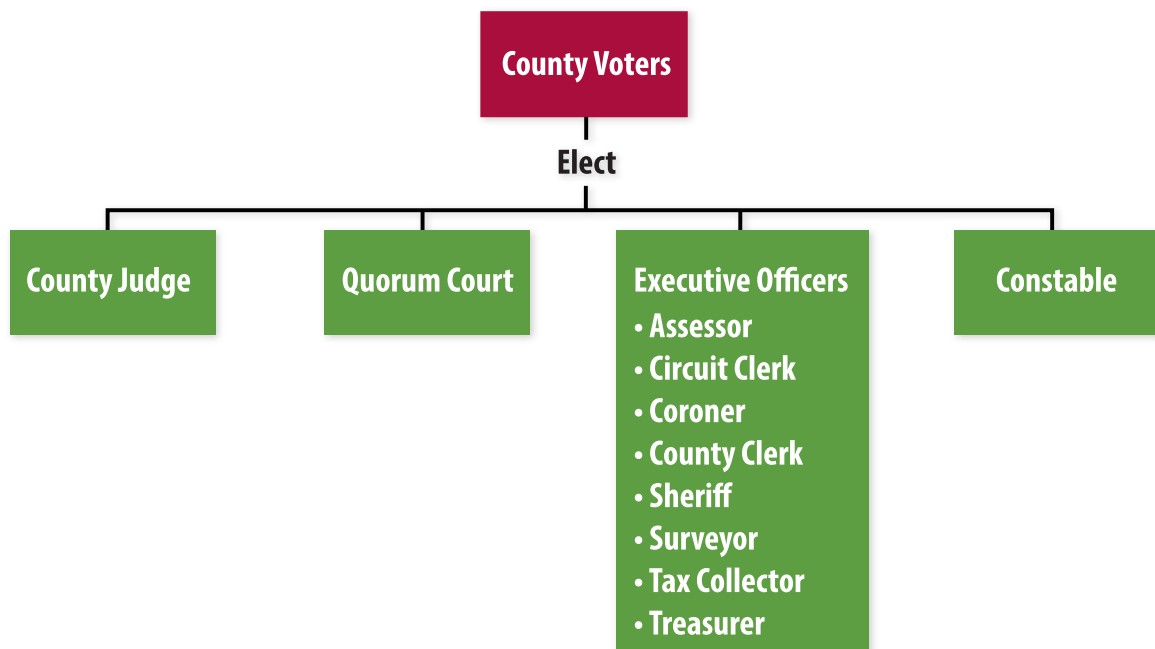
## Structure of County Government

In Arkansas, the County Judge serves as the chief administrator of county government. The County Judge works eight other elected county executive officers and Quorum Court members to make decisions about what county services to provide the public and how to best meet local needs.

No single person is responsible for administering all county functions. Each elected position has a specific role and responsibility to fulfill in county government.

**County Judge:** As the chief executive officer of the county, the County Judge presides over Quorum Court meetings. The County Judge does not vote in these meetings but does have veto power. Other responsibilities include administering ordinances enacted by the Quorum Court, authorizing and approving disbursement of county funds, operating a system of county roads, maintaining custody of county property and hiring employees except those employed by other elected officials. The County Judge is responsible for coordinating an annual meeting of mayors within the county.

## County Government Structure in Arkansas



The County Judge also serves in a judicial role as the County Court, which is responsible for hearing property tax appeals. The County Court also has jurisdiction in matters relating to human and community services, general public utilities, trade and commerce, transportation and natural resources. The County Judge serves a four-year term.

**Quorum Court:** Depending on a county's population, between nine and 15 justices of the peace (JPs) sit on a county's Quorum Court. They each represent a geographic section of the county, serving as the voice of county residents on the legislative body of county government. They are required to meet at least once a month.

The Quorum Court has legislative authority to adopt county ordinances, appropriate funds, contract or join with other governments, and set the number and compensation of county employees and county officers within ranges determined by the state. With three-fifths of membership, the Quorum Court can override the veto of a County Judge.

Each year, the Quorum Court sets the property tax millage rate for county government general and road expenses, up to a maximum of 5 mills and 3 mills respectively. Any change in property tax or sales tax rates require voter approval. The Quorum Court is authorized to fill vacancies in elected county offices, but the governor is responsible for filling any vacancies on the Quorum Court.

Justices of the peace are elected to two-year terms. Counties with populations under 19,999 residents have nine elected JPs. In counties with a population of 20,000 to 49,999 people, there are 11 elected JPs. Counties with a population with 50,000 to 199,999 people have 13 JPs. Arkansas counties with more than 199,999 residents have 15 elected JPs.

**Executive Officers:** Counties may have as many as nine elected executive officials, including the county judge. These executive officers, who serve four-year terms, oversee their department in county government. Their duties are described below:

- **Assessor** - Appraises and assesses real estate and personal property in the county.
- **Circuit Clerk** - Maintains the flow of paperwork through the various divisions of the circuit court.
- **Coroner** - Determines cause of death for individuals in the county.

- **County Clerk** - Official bookkeeper of county government; serves as clerk for the county, quorum and probate courts, and maintains voter registration lists.
- **Sheriff** - Maintains public peace and has custody of county jail.
- **Surveyor** - Locates boundaries of property at the request of the assessor. Not all counties have an elected surveyor.
- **Tax Collector** - Collects property taxes for the county, cities, school districts and improvement districts in the county.
- **Treasurer** - Responsible for the custody and disbursement of all county funds and certain school district funds.

The Arkansas Constitution and state law also give counties the authority to adopt alternative organizational structures that best meet local needs, such as combining, separating or abandoning executive offices, subject to voter approval. This has resulted in some counties hiring coroners while others separated sheriff/tax collector into separate elected positions.

Although not considered an executive officer of the county, the Arkansas Constitution and state law have provisions for an elected role of Constable to serve the peace. Similar to JPs, these elected law enforcement positions serve a township or smaller geographic area of the county and are elected to two-year terms.

In Arkansas, these elected county and township positions are affiliated with a political party. Candidates for office are listed on the ballot with their party affiliation.

## Responsibilities of County Government

The Arkansas Constitution mandates county governments to provide the public with specific services. County officials may also choose to offer nonmandated services. Here are summaries of those services.

### Constitutionally-mandated responsibilities:

- Administer justice through the courts.
- Provide law enforcement protection and custody of people accused of or convicted of crimes.
- Administer real and personal property taxes.
- Manage court and public records.

- Non-mandated services offered by counties often include:**

- ## More Opportunities to Learn About County Government

You can also learn more about the responsibilities of county government by viewing the following online resources.

- Procedural Manuals for each of the county executive officer positions and justices of the peace are available on the Association of Arkansas Counties website at: <https://www.arcounties.org/publication-library/>
- Search Arkansas Code for laws and statutes: <https://portal.arkansas.gov/service/arkansas-code-search-laws-and-statutes/>
- Find additional Cooperative Extension Service materials about county government at [www.uaex.uada.edu/localgov](http://www.uaex.uada.edu/localgov)

**15 JPs**

**13 JPs**

**11 JPs**

**9 JPs**

## Key Terms to Know

|                             |                                                                                                                                                                                                                                                                                                   |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>County Judge</b>         | Chief executive of the county. The County Judge is responsible for administering quorum court ordinances, authorizing the disbursement of county funds, operating the county-road system, maintaining county property, and performing certain judicial responsibilities through the county court. |
| <b>Quorum Court</b>         | The legislative body of the county. Depending on the county's population, it consists of 9 to 15 justices of the peace.                                                                                                                                                                           |
| <b>Justice of the Peace</b> | An elected member of the Quorum Court who represents a geographic district within the county. In this role, a justice of the peace primarily acts as a county legislator.                                                                                                                         |
| <b>Ordinance</b>            | A piece of legislation (law) or regulation adopted by a county's legislative body (such as the Quorum Court) in order to govern matters within the county.                                                                                                                                        |
| <b>Millage Rate</b>         | A property-tax rate that is expressed in mills (one "mill" represents \$1 of tax for every \$1,000 of assessed property value). The quorum court annually sets the county general and road millage rates within constitutional limits.                                                            |
| <b>Mandated Services</b>    | A responsibility that the Arkansas Constitution or state law requires county government to perform.                                                                                                                                                                                               |
| <b>Nonmandated Services</b> | Services that counties may choose to offer based on their local needs and available resources.                                                                                                                                                                                                    |

The University of Arkansas Division of Agriculture's Public Policy Center provides timely, credible, unbiased research, analyses and education on current and emerging public issues. This fact sheet was written by Kristin Higgins, program associate, University of Arkansas, Division of Agriculture's Public Policy Center. Axton Tackett, intern, contributed to this fact sheet.

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