



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201

STEVE CLARK
ATTORNEY GENERAL

(501) 371-2007

OPINION NO. 85-88

March 20, 1985

Honorable John H. Dawson
State Representative
House of Representatives
State Capitol
Little Rock, Arkansas 72201

Dear Representative Dawson:

This is in response to your inquiry whereby you submitted the following:

Can a County Quorum Court initiate and pass an ordinance which would increase the \$75 fee mentioned in paragraph 2 of section 1 by an amount of \$5, the proceeds of which would be directed toward an indigent care fund for the county?

Act 659 authorizes the Quorum Court to provide by ordinance for the payment of a fee not to exceed the sum of \$5 on various cases in Circuit, Chancery, Probate or Municipal Courts for the defense of indigent persons accused of criminal offenses or commitment procedures. Act 898 of 1983 imposed advance fees to be charged by the clerks of Probate Courts in the amount of \$75 and provides further that the uniform advance fees described herein shall include all extra fees now authorized by law.

Section 4 of Act 898 states that the State provision provided for in this Act shall be in lieu of any fees now established by law.

Therefore, it appears that while a Quorum Court could impose a fee of \$5 it could not increase the \$75 maximum.

The foregoing opinion, which I hereby approve, was prepared by Chief Deputy Attorney General Rodney Parham.

Yours truly,

STEVE CLARK
Attorney General

SC:RP:lm