



TIM GRIFFIN
ATTORNEY GENERAL

Opinion No. 2026-030

April 2, 2026

David E. Dinwiddie
8608 Princeton Pike
Pine Bluff, Arkansas 71602

Dear Mr. Dinwiddie:

I am writing in response to your request, made under A.C.A. § 7-9-107, that I certify the popular name and ballot title for a proposed constitutional amendment. In Opinion No. 2026-022, I rejected a prior version of your proposed initiated amendment to the Arkansas Constitution. You have now revised the language of your proposal and submitted it for certification.

My decision to certify or reject a popular name and ballot title is unrelated to my view of the proposed measure's merits. I am not authorized to consider the measure's merits when considering certification.

1. Request. Under A.C.A. § 7-9-107, you have asked me to certify the following popular name and ballot title for a proposed initiated amendment to the Arkansas Constitution:

Popular Name

A PROPOSED CONSTITUTIONAL AMENDMENT CHANGING THE TERM
OF OFFICE FOR JUSTICE OF THE PEACE FROM TWO (2) YEARS TO
FOUR (4) YEARS.

Ballot Title

A PROPOSED CONSTITUTIONAL AMENDMENT CHANGING THE TERM
OF OFFICE FOR JUSTICE OF THE PEACE FROM TWO (2) YEARS TO
FOUR (4) YEARS.

2. Rules governing my review. In Opinion No. 2026-022, issued in response to your first submission for review and certification, I explained the rules and legal standards that govern my review of popular names and ballot titles. I rely on those same rules and legal standards here and incorporate them by reference.

BOB R. BROOKS JR. JUSTICE BUILDING
101 WEST CAPITOL AVENUE
LITTLE ROCK, ARKANSAS 72201

3. Application to your popular name. Your popular name contains the same language as the ballot title. Because a popular name “is an identification tool,”¹ it “need not have the same detailed information as is required for the ballot title, else there would be no difference between the two.”² Thus, I am substituting and certifying a “more suitable” popular name.³ The popular name provided below is substituted and certified for your proposed constitutional amendment.

4. Application to your ballot title. In Opinion No. 2026-022, I noted that Act 602 prohibits me from certifying ballot titles that are above an eighth-grade reading level under the Flesch-Kincaid Level formula, and the ballot title you had originally submitted ranked at grade 18.6. In this current submission, the ballot title ranks at grade 10.1. Therefore, I have substituted and certified a revised ballot title that complies with Act 602.

5. Substitution and certification. With the above changes incorporated, the following popular name and ballot title are substituted and certified:

Popular Name

The Justice of the Peace Terms of Office Amendment of 2026

Ballot Title

A constitutional amendment to change the term of office for justice of the peace
from two years to four years

In Opinion No. 2026-022, I cautioned you concerning a potential ambiguity arising from the proposed amendment’s recitation of the phrase, “qualified electors of each township.” Because such language remains in your current submission, I rely on the same warnings and legal standards contained in Opinion No. 2026-022 and incorporate them by reference. A court could find that your “township” language in the proposed measure is misleading.

Under A.C.A. § 7-9-108, instructions to canvassers and signers must precede every petition, informing them of the privileges granted by the Arkansas Constitution and the associated penalties for violations. I have included a copy of the instructions that should be incorporated into your petition before circulation.

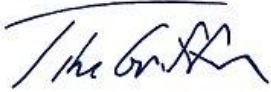
¹ *Stiritz v. Martin*, 2018 Ark. 281, 3–4, 556 S.W.3d 523, 527.

² *Pafford v. Hall*, 217 Ark. 734, 739, 233 S.W.2d 72, 74–75 (1950).

³ See A.C.A. § 7-9-107(d)(1) (authorizing the Attorney General to “substitute and certify a more suitable and correct ballot title and popular name for each amendment or act”).

Assistant Attorney General William R. Olson prepared this opinion, which I hereby approve.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Griffin", with a horizontal line above it.

TIM GRIFFIN
Attorney General

POPULAR NAME

A PROPOSED CONSTITUTIONAL AMENDMENT CHANGING THE TERM OF OFFICE FOR JUSTICE OF THE PEACE FROM TWO (2) YEARS TO FOUR (4) YEARS.

BALLOT TITLE

A PROPOSED CONSTITUTIONAL AMENDMENT CHANGING THE TERM OF OFFICE FOR JUSTICE OF THE PEACE FROM TWO (2) YEARS TO FOUR (4) YEARS.

TEXT OF PROPOSED BALLOT INITIATIVE

Article 7, Arkansas Constitution, Section 38

Justices of the Peace - Election - Term - Oath

The qualified electors of each township shall elect the Justices of the Peace for the term of ~~two years~~ four years; who shall be commissioned by the Governor, and their official oath shall be indorsed on the commission.

MAR 20 REC'D

ATTORNEY GENERAL
OF
ARKANSAS

