



STATE OF ARKANSAS  
ATTORNEY GENERAL  
LESLIE RUTLEDGE

Opinion No. 2021-078

November 22, 2021

The Honorable Bob Ballinger  
State Senator  
1047 CR 5099  
Ozark, AR 72949

Dear Senator Ballinger:

This is in response to your request for an opinion regarding the following question:

What constitutional provision, code provision, or court precedent establishes the authority of a circuit court judge to declare a law unenforceable outside of his or her judicial district?

I must respectfully decline to issue an opinion on your questions because of pending litigation—your question being a matter before the court, the outcome of which could directly affect the issue you have raised.<sup>1</sup> It is the long-standing policy of the Attorney General's office, as a member of the executive branch, to decline to issue opinions on matters that are pending before the courts for resolution.<sup>2</sup>

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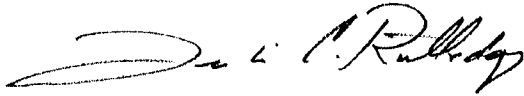
<sup>1</sup> See *McClane, et al. v. State of Ark., et al.* 60CV-21-4692 (Pulaski Circuit, 6th Div., Aug. 2, 2021); *Little Rock Sch. Dist., et al. v. State of Ark., et al.* (Pulaski Circuit, 6th Div., Aug. 5, 2021).

<sup>2</sup> See, e.g., Ops. Att'y Gen. 2016-027, 2015-140 (and opinions cited therein).

The Honorable Bob Ballinger  
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Opinion No. 2021-078  
Page 2

I regret that I cannot be of assistance in this matter. Please do not hesitate to contact me if I may be of future assistance in some other respect.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Rutledge". The signature is fluid and cursive, with a large initial "L" and "R".

LESLIE RUTLEDGE  
Attorney General