

SUPREME COURT OF ARKANSAS

Fort Smith School District v. Deer/Mt. Judea School District

2014 Ark. 486 (2014) · No. CV-14-576 · Decided November 20, 2014

SUMMARY

The Arkansas Supreme Court affirmed the denial of several school districts’ motion to intervene as a matter of right in litigation brought by Deer/Mt. Judea School District challenging Arkansas school-funding practices. The court held that the motion was untimely after a more-than-three-year delay and therefore did not address the other intervention requirements.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Paul E. Danielson
JURISDICTION	Arkansas
DECIDED	November 20, 2014
DOCKET	CV-14-576
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion to intervene as a matter of right in litigation concerning Arkansas school-funding practices.
STANDARD OF REVIEW	The timeliness of a motion to intervene is reviewed for abuse of discretion. Reversal requires a showing that the circuit court's judgment was arbitrary or groundless.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion; precedential.
PARTIES	Fort Smith School District, Greenwood School District, Alma School District, Van Buren School District v. Deer/Mt. Judea School District

TOPICS

- intervention
- appellate procedure
- civil procedure
- standard of review
- res judicata

PRACTICE AREAS

- civil procedure
- education law
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether the circuit court abused its discretion by finding that the school districts' motion to intervene as a matter of right was untimely.

HOLDINGS

1. The circuit court did not abuse its discretion in denying the school districts' motion to intervene as a matter of right because the motion was filed after an unexplained delay of more than three years and was therefore untimely.

KEY QUOTATIONS

“A threshold question in determining whether intervention shall be allowed under either Rule 24(a) is whether application was made in a timely manner.” (at 6)

“Given the facts and circumstances of this case, we cannot say that the circuit court abused its discretion in denying the motion for intervention as untimely.” (at 8)

FACTUAL BACKGROUND

Deer/Mt. Judea brought an individual action challenging state school-funding practices and seeking declaratory and injunctive relief concerning funding for small, remote schools. The action had been pending for more than three years, during which claims were dismissed, summary judgment was entered on another claim, and an appeal was taken. The Fort Smith-area districts, which operated larger schools, moved to intervene after the Supreme Court's prior decision in the case, asserting that their interests in any changes to the school-funding system might otherwise be impaired.

PROCEDURAL HISTORY

Deer/Mt. Judea sued state defendants over alleged inequities in Arkansas's school-funding system. After the circuit court dismissed some adequacy claims and granted summary judgment on a special-legislation claim, the Arkansas Supreme Court reversed in part and remanded in *Deer/Mt. Judea School District v. Kimbrell*. More than three years after the original complaint was filed, the Fort Smith, Greenwood, Alma, and Van Buren school districts moved to intervene as of right. The circuit court denied intervention as untimely, and the school districts appealed.

DISPOSITION

affirmed

CASES CITED

- *Duffield v. Benton Cnty. Stone Co., Inc.*, 369 Ark. 314, 254 S.W.3d 726 (2007)
- *Deer/Mt. Judea School District v. Kimbrell*, 2013 Ark. 393, 430 S.W.3d 29
- *Lake View Sch. Dist. No. 25 v. Huckabee*, 351 Ark. 31, 91 S.W.3d 472 (2002)
- *Lake View Sch. Dist. No. 25 v. Huckabee*, 355 Ark. 617, 142 S.W.3d 643 (2004) (per curiam)
- *Kelly v. Estate of Edwards*, 2009 Ark. 78, 312 S.W.3d 316

- Employers Nat'l Ins. Co. v. Grantors to the Diaz Refinery PRP Comm. Site Trust, 313 Ark. 645, 855 S.W.2d 936 (1993)
- McLane Co., Inc. v. Davis, 342 Ark. 655, 33 S.W.3d 473 (2000)
- Cupples Farm P'ship v. Forrest City Prod. Credit Ass'n, 310 Ark. 597, 839 S.W.2d 187 (1992)
- Deer/Mt. Judea School District v. Beebe, 2012 Ark. 93
- Billabong Prods., Inc. v. Orange City Bank, 278 Ark. 206, 644 S.W.2d 594 (1983)
- UHS of Arkansas, Inc. v. City of Sherwood, 296 Ark. 97, 752 S.W.2d 36 (1988)
- Ballard v. Garrett, 349 Ark. 371, 78 S.W.3d 73 (2002)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/arkansas-supreme-court-of-arkansas/2014/fort-smith-school-district-v-deer-mt-judea-school-district-kaj1jcf1>