

ADMINISTRATIVE PLAN

10TH District

Composed of the Following Counties:

BAXTER AND MARION

- 1. **JUDGES.** The 10th District Court is a State District Court served by one judge, Jodi G. Carney. Exchange agreements with other district judges are not currently utilized. There is not a small claims magistrate in the 10th District.
- 2. **DEPARTMENTS.** The statutory authority for the organization and designation of this district court is found at A.C.A. 16/17/1110(10). There are ten (10) statutory departments including the incorporated cities of Mountain Home, Cotter, Gassville, Norfolk, Briarcliff, Salesville and Lakeview in Baxter County and Yellville, Bull Shoals and Flippin in Marion County.

All towns or cities statutorily designated as departments are still acting as departments however the City of Salesville passed an ordinance that their few cases would be heard on an as needed basis in the Mountain Home Department and waived the requirement on a monthly court setting.

Pursuant to Administrative Order 18.2.(b) as the jurisdiction of all the city departments is only city wide, all civil and small claims actions that arise in those cities in Baxter County have been assigned to the Mountain Home Department. Thus, all civil and small claims actions over which the District Court has jurisdiction are filed and heard in the same location.

Pursuant to Administrative Order 18.2(b) as the jurisdiction of all the city departments is only city wide, all civil and small claims actions that arise in those cities in Marion County have been assigned to the Yellville Department. Thus, all civil and small claims actions over which the District Court has jurisdiction are filed and heard in the same location.

- 3. **OTHER JURISDICTIONAL AREAS.** In Marion County, when officers write citations or obtain warrants in Summit, those cases are filed in the Yellville Division of District Court.
- 4. **COURT SESSIONS AND TYPES OF CASES BY SUBJECT MATTER.**

<u>Department</u>	<u>Day</u>	<u>Time</u>	<u>Type of Case</u>	<u>Location of Court</u>
LAKEVIEW	1 st Wed	1:00 P.M.	Traffic & Criminal	City Hall 14 Skyles Lane Lakeview, AR 72642
NORFORK	3 rd Wed	2:00 P.M.	Traffic & Criminal	City Hall

				49 City Hall Circle Norfolk, AR 72658
BRIARCLIFF	3 rd Wed	1:00 P.M.	Traffic & Criminal	City Hall/ Community Building 945 Scenic Drive Mountain Home, AR 72653
SALESVILLE	as needed		Traffic & Criminal	Baxter County Courts Building 301 East Sixth Street, Ste 130 Mountain Home, AR 72653
GASSVILLE	2 nd Wed	9:00 A.M.	Traffic & Criminal	City Hall 204 S. School Street Gassville, AR 72635
COTTER	2 ND Wed	1:00 P.M.	Traffic & Criminal	City Hall 115 McLean Avenue Cotter, AR 72626
MTN. HOME	Tuesday	9:00 A.M.	Traffic & Criminal Arraignments	Baxter County Court Complex 301 East Sixth Street, Ste 130 Mountain Home, AR 72653
		1:00 P.M.	Traffic & Criminal Bench Trials	
BAXTER CO	Thursday	9:00 A.M.	Traffic & Criminal Arraignments	Baxter County Court Complex 301 East Sixth Street, Ste 130 Mountain Home, AR 72653
		1:00 P.M.	Traffic & Criminal Bench Trials	
BAXTER CO	1 st /3 RD	Wednesday	Small Claims and Civil	Baxter County Courts Building 301 East Sixth Street, STE 130 Mountain Home, AR 72653

YELLVILLE	1 st /3 rd Monday	9:00 A.M. 8.1 Hearings 10:00 A.M. Criminal & Traffic Arraignments 1:00 P.M. Traffic & Criminal Bench Trials	Marion County Court Complex 105 South Berry Street Yellville, AR 72687
MARION CO	1 st /3 rd Monday	9:00 A.M. 8.1 Hearings 10:00 A.M. Criminal & Traffic Arraignments 1:00 P.M. Traffic & Criminal Bench Trials	Marion County Court Annex 105 South Berry Street Yellville, AR 72687
FLIPPIN	4 TH Monday	9:00 A.M. 8.1 Hearings 10:00 A.M. Criminal & Traffic Arraignments	Flippin City Hall 249 East Main Street Flippin, AR 72634
BULL SHOALS	4 th Monday	1:00 P.M. Criminal & Traffic	Bull Shoals City Hall 704 C. S. Woods Blvd. Bull Shoals, AR 72619
MARION CO	Monday/Quarterly	10:00 A.M. Civil & Small Claims	Marion County Court Annex 105 S. Berry Street Yellville, AR 72687
DISTRICT WIDE FRIDAY	9:00 A.M. 10:00 A.M.	Marion County 8.1 Baxter County 8.1	Video (location varies) Video (location varies)

ADDITIONAL NOTES:

Due to Holidays and vacations the schedule has been modified to make sure all courts meet each month but on occasion the times will change, and the order of days in the month may change but the specific day of the week never changes. For example, the Bull Shoals Court will always be on a Monday but on occasion it may be the fourth Monday.

Yellville division and the Marion County Division are scheduled at the same time and same place although each court has a different set of Clerks and different prosecutors.

5. ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT

In order to best utilize State District Courts, pursuant to Administrative Order No. 18(6)(b)(3)-(5) the following specific matters pending in the Circuit Courts have been referred to the State District Courts.

- (1) Consent Jurisdiction. Matters filed in the civil, domestic relations or probate division of Circuit Court upon the consent of all parties;

(2) Criminal Matters. Any of the following duties (the rules referenced below are the Arkansas Rules of Criminal Procedure) with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of the Circuit Court:

- (i) Issue a search warrant pursuant to Rule 13.1
- (ii) Issue an arrest warrant pursuant to Rule 7.1 or Ark. Code Ann. 16-81-104, or issue a summons pursuant to Rule 6.1
- (iii) Make a reasonable cause determination pursuant to Rule 4.1(e)
- (iv) Conduct a first appearance pursuant to Rule 8.1, at which the judge may appoint counsel pursuant to Rule 8.2; inform a defendant pursuant to 8.3; accept a plea of "not guilty" or "not guilty by reason of insanity"; conduct a pretrial release inquiry pursuant to Rules 8.4 and 8.5; or release a defendant from custody pursuant to Rules 9.1, 9.2, and 9.3
- (v) Conduct a preliminary hearing as provided in Ark. Code Ann. 5-4-310(a). If a person is charged with the commission of an offense lying within the exclusive jurisdiction of the Circuit Court, a state district judge may not accept or approve a plea of guilty or nolo contendere to the offense charged or to a lesser included felony offense, but may accept or approve a plea of guilty or nolo contendere to a misdemeanor.

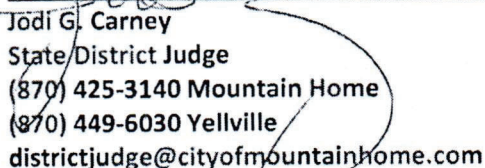
FURTHER, pursuant to Administrative Order 4 and the Administrative Office of the Courts Provisional Guidelines for digital audio records in State District Courts, the State District Courts in this District have and will utilize the equipment, software and operational abilities necessary to comply with the regulations and expectations of Order 4.

FURTHER, for all matters referred pursuant to Administrative Order 18, Section 6(b), the jurisdiction of the State District Court shall be the same as the jurisdiction of the referring Circuit Courts.

6. SPECIALTY COURTS: There are no Specialty Courts in the 10th District Court.

7. OTHER PROGRAMS OR DOCKETS: The District Judge in the 10th District does not preside over any other dockets or programs.

8. EFFECTIVE DATE: This Administrative Plan effective 1 day of June 2023.


Jodi G. Carney
State District Judge
(870) 425-3140 Mountain Home
(870) 449-6030 Yellville
districtjudge@cityofmountainhome.com