

# ADMINISTRATIVE PLAN

## 33rd Judicial District Composed of the Hot Spring and Grant Counties

### 1. JUDGES.

The 33rd District Court is a state district court served by one judge.

<u>Judge</u>	<u>Division Number</u>
Billy Jack Gibson	n/a

Are exchange agreements with other district judges utilized?

Yes

No

Pursuant to Administrative Order No. 18, at the request of the majority of the district judges of a district court, with the concurrence of a majority of the circuit judges of a judicial circuit, the administrative judge of the judicial circuit may designate one or more licensed attorneys to serve as a small claims magistrate to preside over the small claims division of the district court.

A small claims magistrate shall possess the same qualifications as a district court judge. The appointment shall be filed in writing and filed with the District Court Clerk.

Has a small claims magistrate has been designated by the administrative judge of the judicial circuit?

Yes

No

<u>Small Claim Magistrate</u>	<u>County</u>	<u>City Designated as Department</u>
N/A		

### 2. DEPARTMENTS.

The statutory authority for the organization and designation of this district court is found at A.C.A. §16-17-1110(26).

The judge serves in the statutorily designated departments of the court as follows:

<u>Judge</u>	<u>County</u>	<u>City Designated as Department</u>
Billy Jack Gibson	Hot Spring County	Malvern – 305 Locust St., Malvern, AR 72104
Billy Jack Gibson	Hot Spring County	Rockport – 1472 Military Rd., Rockport, AR 72104
Billy Jack Gibson	Grant County	Sheridan – 101 W. Pine St., Sheridan, AR 72150

#### Consolidation of City Courts with District Courts

Pursuant to A.C.A. §16-17-1202, all city courts were consolidated with district courts on January 1, 2012, and former city courts became known as departments of the district court. If a town or city is no longer operating as a department of the district court, a copy of the local ordinance abolishing the city as a department of the court must be provided to the Administrative Office of the Courts.

Are all towns or cities statutorily designated as departments still operating as departments of the district court?

Yes

No

**Town / City Abolished as Department** \_\_\_\_\_ **Effective Date** \_\_\_\_\_  
 Not applicable

A copy of the local ordinance abolishing the department of the district court has been attached.

**3. OTHER JURISDICTIONAL AREAS.**

The following cities and towns have police departments but have not been designated as statutory departments of the district court. Pursuant to A.C.A. §16-17-1203, these cities and towns contribute to the operational expenses of the district court and file cases in the district court.

**City / Town** \_\_\_\_\_ **Department Where Cases are Filed / Heard** \_\_\_\_\_  
 Not applicable

**4. COURT SESSIONS AND TYPES OF CASE BY SUBJECT MATTER (Criminal, Traffic, Civil and Small Claims).**

Pursuant to Administrative Order No. 18, each department of a district court shall hear cases in all of the subject matter divisions.

Sessions of the court are generally scheduled on the following days of the week at the following times:

<u>Judge</u>	<u>Department</u>	<u>Day</u>	<u>Time</u>	<u>Type of Case</u>
Gibson	Malvern	1 <sup>st</sup> & 3 <sup>rd</sup> Mon. & Thurs	8:30 a.m.	Traffic/Criminal
Gibson	Malvern	1 <sup>st</sup> Thursday	1:00 p.m.	Civil/Small Claims
Gibson	Rockport	1 <sup>st</sup> Wed. & 2 <sup>nd</sup> Mon.	9:00 a.m.	Traffic/Criminal
Gibson	Sheridan	Tuesdays	1:30 p.m.	Traffic/Criminal & Civil/Small Claims
Gibson	Malvern	3 <sup>rd</sup> Wednesday	1:00 p.m.	Dom. Order of Prot.
Gibson	Sheridan	2 <sup>nd</sup> Wednesday	9:00 a.m.	Dom. Order of Prot.
Gibson	Malvern	Fridays	9:00 a.m.	Analyze and address any extensive pending motions
Special	Malvern	4 <sup>th</sup> Monday of the month	9:00 a.m.	All conflict cases wherein appointment of special judge by Supreme Court is necessary
Special	Sheridan	5 <sup>th</sup> Tuesday of the month	1:30 p.m.	All conflict cases wherein appointment of special judge by Supreme Court is necessary

**Mandatory Holding of Court in Departments of a District Court**

Pursuant to A.C.A. §16-17-138, sessions of court must be held at least one (1) time per month in each department unless mutually waived by the district court judge and the governing body of the city or town where the department is located.

Is court held in each town or city designated as a department of the district court at least one (1) time per month?

Yes

No

A written agreement waiving the mandatory holding of court for departments of a district court has been entered into and has been adopted by ordinance of the governing body of the city or town in which the department is located.

The ordinance(s) has/have been attached to this plan.

Based upon said written agreement, sessions of court for the Rockport Department are held in the Malvern Department.

Pursuant to Administrative Order No. 18, a warrant docket shall be established within the criminal division. The docket shall be divided into a "search warrant docket," designated by the prefix "SW" and an "arrest warrant docket," designated by the prefix "AW." The warrant docket is used for warrants that have been returned either executed or unexecuted when a case file has not yet been opened. If a criminal case is subsequently opened, the information in the warrant docket related to the criminal case is transferred to it.

Has the warrant docket been established within the criminal division?

Yes

No

**5. ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT.**

Has the circuit court referred matters pursuant to Administrative Order No. 18 to be heard by a state district judge?

Yes

No

**Participating State District Judges ----- Assignment and Allocation of Cases**

The state district judges participating in referrals from the circuit court include:

<u>Name</u>	<u>District Court Judicial District</u>	<u>Assignment and Allocation of Cases</u>
Judge Billy Jack Gibson	33rd Judicial District	100% of Referred Matters

While recognizing that the State District Judge maintains a full-time docket, the following matters may be referred if a Circuit Judge is not available.

**Matters Subject to Reference**

The following matters are referred from circuit court to state district court and have been included in the administrative plan for the circuit court and the administrative plan for the district court:

**Consent Jurisdiction.** Upon the consent of all parties and approval by the circuit judge originally assigned, the following types of cases are referred from circuit court:

Civil

Domestic Relations

Probate

**Protective Orders.**

The state district judge will have the authority to hear all temporary and permanent ex parte orders of protection pursuant to A.C.A. §9-15-201 through §9-15-217.

**Forcible Entry and Detainers / Unlawful Detainer.**

The state district judge will have authority to sign Ex-Parte Orders in Forcible Entry and Detainers and Unlawful Detainers pursuant to A.C.A. §18-60-312 if a circuit judge is not available.

**Other Matters of an Emergency or Uncontested Nature Pending in Civil, Domestic Relations or Probate Division.** *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters \_\_\_\_\_ Location \_\_\_\_\_

The state district judge will have authority to sign Ex-Parte Emergency Involuntary Commitments pursuant to A.C.A. §20-47-209 and §20-47-210 if a circuit judge is not available.

**Other Matters, if Justification for the Reference and Procedures to be Employed are Sufficiently Demonstrated in the Circuit Court Administration Plan Pursuant to Administrative Order No. 14.** *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters \_\_\_\_\_ Location \_\_\_\_\_

**Criminal.** The following duties are referred with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of the circuit court:

The state district judge will have authority to perform the following criminal duties if a circuit judge is not available:

- Issue Search Warrant Pursuant to Rule 13.1
- Issue Arrest Warrant Pursuant to Rule 7.1 or A.C.A. §16-81-104
- Issue Summons Pursuant to Rule 6.1
- Reasonable Cause Determinations Pursuant to Rule 4.1 (e)
- Conduct First Appearance Pursuant to Rule 8.1
- Appoint Counsel Pursuant to Rule 8.2
- Inform Defendant Pursuant to Rule 8.3
- Accept Plea of "Not Guilty" or "Not Guilty by Reason of Insanity"
- Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3
- Conduct Preliminary Hearing Pursuant to A.C.A. §16-93-307

**Digital Audio Recording Equipment**

Is digital audio recording equipment utilized to make a verbatim record of matters referred from the circuit court?

- Yes
- No

**6. SPECIALTY COURTS.**

Does a district court judge preside over a specialty court program?

- Yes
- No

The following specialty courts are conducted: Not Applicable

**7. OTHER PROGRAMS OR DOCKETS.**

Does a district court judge preside over other programs or dockets?

Yes

No

The following programs or dockets are administered: Not Applicable

**8. EFFECTIVE DATE.**

This Administrative Plan is effective January 1, 2024.

*[All judges must sign]*



Hon. Billy Jack Gibson, District Judge

Dated: Oct 5, 2023

This District Court Administrative Plan is in conformity with the Administrative Plan for the 7<sup>th</sup> Judicial District.

\_\_\_\_\_  
Hon. Stephen Shirron, Circuit Judge  
Administrative Judge for 7<sup>th</sup> Judicial District

Dated: \_\_\_\_\_