

**DISTRICT COURT ADMINISTRATIVE PLAN
38TH District Court**

Pursuant to “Administrative Order Number 14” of the Supreme Court of Arkansas, the 38th District Judge adopts the following Administrative Plan.

1. **JUDGE:** The 38th District Court is served by one State District Judge. The judge serves in the designated departments of the court follows:

Hempstead County District Court	Hope, AR
Nevada County District Court	Prescott, AR

2. **COURT:** Sessions of court are generally scheduled on:

Hempstead County	Hope, AR	Monday & Tuesday	9:00 a.m.
Hempstead County	Hope, AR	3 rd Monday of each month	1:30 p.m.
Nevada County	Prescott, AR	Wednesday	1:00 p.m.

3. **TYPES OF CASES:** The following cases are heard at these locations:

Hempstead County	Hope, AR	Criminal, traffic, DWI, Game & Fish, Small Claims and Civil Division cases, Felony first Appearances
Nevada County	Prescott, AR	Criminal, traffic, DWI, Game & Fish, Small Claims and Civil Division cases, Felony first Appearances

4. **SPECIALTY PROGRAMS:** This Court has no Specialty Programs.

5. **ADMINISTRATIVE ORDER NUMBER 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?

X Yes
 No

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

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

Name	District Court Judicial District	Assignment and Allocation of Cases
Judge Kolby Harper	38 th District	100% of Referred Matters

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:

X **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.

- X Civil
- X Domestic Relations
- X Probate

X **Protective Orders.**

The state district judges may hear ex parte petitions for order of protection when the circuit judges are not available.

X **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
Pro Se Uncontested Divorces	Circuit Courtroom/Hempstead County Courthouse Circuit Courtroom/Nevada County Courthouse

The state district judges may hear pro se uncontested divorces when the circuit judges are not available.

X **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:

- X Issue Search Warrant Pursuant to Rule 13.1
- X Issue Arrest Warrant Pursuant to Rule 7.1 or A.C.A. §16-81-104
- X Issue Summons Pursuant to Rule 6.1
- X Reasonable Cause Determinations Pursuant to Rule 4.1E
- X Conduct First Appearance Pursuant to Rule 8.1
- X Appoint Counsel Pursuant to Rule 8.2
- X Inform Defendant Pursuant to Rule 8.3
- X Accept Plea of “Not Guilty” or “Not Guilty by Reason of Insanity”
- X Conduct Pretrial Release Inquiry Rules 9.1, 9.2, and 9.3
- X 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
X No

When the Circuit Court refers a case to the State District Court Judge, the regular Court Reporter for the Circuit Court referring the case will record the proceeding.

Specialty Court Dockets or Programs

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

Yes
X No

6. DIGITAL RECORDING: When the Circuit Court refers a case to the District Court, the regular Court Reporter for the Circuit Court referring the case will record the proceeding.


KOLBY HARPER, State District Judge

DATE 4/10/93