

BENTON COUNTY
DISTRICT COURTS
ADMINISTRATIVE
PLAN

IN THE DISTRICT COURTS OF BENTON COUNTY, ARKANSAS

ADMINISTRATIVE PLAN

WHEREAS, Arkansas Supreme Court Administrative Order Number 18, Section 9, (a) provides that certain state district courts shall prepare an administrative plan, when the court operates a specialty court program or when multiple judges preside in the district or the court has multiple venues in the district; and

WHEREAS, the Arkansas Code allows for the division of cases among the four District Judges in Benton County, Arkansas; and

WHEREAS, the District Judges of Benton County, Arkansas have taken into account geographical considerations, district boundaries, statistical data from the Administrative Office of the Courts and the various Benton County District Courts, the projected case load of each Judge, and the experience and abilities of the individual Judges to promote prompt and efficient resolution of cases; and

WHEREAS, the following Judges have been duly elected and qualified to the designated Divisions of the District Court of Benton County:

Chris Griffin	Division One – Rogers
Ray Bunch	Division Two – Bentonville
Stephen S. Thomas	Division Three – Siloam Springs
Jeff R. Conner	Division Four – Benton County West

IT IS THEREFORE, CONSIDERED, ORDERED AND AGREED by the Benton County District Judges, as follows:

I.

DIVISION AND VENUE

The existence of Divisions shall not be construed to limit or preclude Judges from hearing other cases that may come before them. At times when one or more of the Judges may be absent or unavailable another Judge may be called upon to act upon matters assigned to another District Court. However, cases that originate within the boundaries of a particular Benton County District Court, shall at all times be heard in that District Court as provided by the venue provisions of said Code.

II.

ASSIGNMENT OF CASES

The Benton County District Courts shall be assigned responsibilities as follows:

1. Division 1 – Rogers: All traffic and criminal cases originating by the City of Rogers; and all traffic and criminal cases originating by the County of Benton within the boundaries of Division 1.
2. Division 2- Bentonville: All traffic and criminal cases originating by the City of Bentonville; all civil and small claims cases within the boundaries of Division 2; and all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 2; all traffic and criminal cases originating by the City of Pea Ridge; all traffic and misdemeanor cases originating by the City of Cave Springs; all traffic and criminal cases originating by the City of Bella Vista; and a DWI Specialty Court is provided and operates in Bentonville for Benton County.

3. Division 3 – Siloam Springs: All traffic and criminal cases originating by the City of Siloam Springs; all civil and small claims cases within the boundaries of Division 3; all civil and small claims cases within the boundaries of Division 1; all civil and small claims cases within the boundaries of Division 4; all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 3; all traffic and criminal cases originating by the City of Bethel Heights.
4. Division 4- Benton County West : All traffic and criminal cases originating by the City of Gentry; all traffic and criminal cases originating by the City of Decatur; all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 4; all traffic and criminal cases originating by the City of Centerton; all traffic and criminal cases originating by the City of Gravette; all traffic and criminal cases originating by the City of Sulphur Springs; all traffic and criminal cases originating by the City of Lowell; all traffic and criminal cases originating by the City of Little Flock.
5. Additionally, the four Benton County District Judges consent to the reference of certain duties by the Nineteenth Judicial District- West Administrative Court Judge as provided for in the Administrative Order of the Supreme Court, Number 18. The four Benton County District Judges shall share equally in the following duties:
 - A) Issue a search warrant pursuant to Rule 13.1;
 - B) Issue an arrest warrant pursuant to Rule 7.1 or Ark. Code Ann. Section 16-81-104, or issue a summons pursuant to Rule 6.1;
 - C) Make a reasonable cause determination pursuant to Rule 4.1(e);
 - D) Conduct a first appearance hearing pursuant to Rule 8.1, at which the Judge may appoint counsel pursuant to Rule 8.2; inform a defendant pursuant to Rule 8.3; conduct a pre-trial 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.

E) Conduct extradition proceedings pursuant to A.C.A. 16-94-101 et seq.

6. The Benton County District Judges shall rely on the County of Benton to provide necessary equipment and supplies, and either: video or audio link hook-up; or transportation of prisoners for said Rule 8.1 hearing. The individual Benton County District Judges shall have discretion whether to conduct such hearings at their various locales; or at the Benton County Detention Facility.
7. This Administrative plan shall remain in effect, unless modified by the mutual agreement of the Benton County District Court Judges.

IT IS SO ORDERED AND AGREED THIS 25 DAY OF April, 2019.



Chris Griffin, Division 1 – Rogers



Ray Bunch, Division 2 – Bentonville



Stephen S. Thomas, Division 3- Siloam Springs



Jeff R. Conner, Division 4 – Benton County West

EXHIBIT "A"

Bentonville DWI Court Plan

(A) Overview

- i. Benton County DWI Court is designed for people who have multiple DWI's. Participants plead guilty and are sentenced to DWI Court. It addresses the root cause of impaired driving. Hopefully, by treatment it will be an Accountability Court (changing behaviors of hardcore offenders) and protect public safety.
- ii. The Building Principles:
 1. Determine the Population - Targeting, a process to I.D. a subset of DWI offenders (Repeat Offenders)
 2. Perform Clinical Assessment
 3. Treatment Plan
 4. Supervise the offender
 5. Forge Agency, Organization and Community Partnerships
 6. Take a Judicial Leadership Role
 7. Develop case management strategies
 8. Address transportation issues
 9. Evaluate the Program
 10. Ensure a sustainable program
- iii. Drug Court Team- Judge makes all the decisions regarding participation in program with input from DWI Court Team. Team consists of:
 1. Prosecutor
 2. DWI Court Coordinator
 3. Defense attorney\ Public Defender
 4. Probation Officers
 5. Law Enforcement
 6. Treatment Provider
- iv. Program Rules –
 1. Total abstinence from use of drugs and alcohol
 2. Attend court and treatment sessions as scheduled, submit to random alcohol and drug testing
 3. Not associate with people who use or possess drugs
 4. Keep DWI Court Team informed of current address and phone number at all times
 5. Consent to search when required
 6. Inform Court immediately if have contact with Law Enforcement
 7. Abide by all rules and regulations imposed by DWI Court Team.

Phase I

- Court and supervision appointment every week
- Treatment

- Support group
- Supervised probation requirements
- Contact with Probation Officer once a week
- Drug/alcohol testing at least 2x/week
- Home / job visits
- Pay all associated fees and costs
- Journal
- Curfew
- Sign Zero Tolerance Agreement
- Sign Memorandum of Understanding
- Pay Phase I fees of \$150/ month
Minimum of 3 month

Phase II

- Court and supervision appointment every 2 weeks
- Treatment
- Support group
- Supervised probation requirements
- Contact with Probation Officer 1x every 2 weeks
- Drug/alcohol every 2 weeks
- Home / job visits
- Pay all associated fees and costs
- Continue journal
- Curfew
- Job search or work to obtain GED
- Phase II fee \$150/ month
Minimum of 4 month

Phase III

- Court and supervision appointment once a month
- Treatment as needed
- Support group
- Supervised probation requirements
- Contact with Probation Officer minimum once a week
- Drug/alcohol testing 1x / month
- Relax home / job visits
- Pay all associated fees and costs
- Continue journal
- Relaxed curfew
- Have a job / obtain a GED
- Complete Defensive Driving Class
- Complete a Life Skills Course
- Pay Phase II fee of \$150/ month
Minimum of 5 months

- v. Authority: National Center for DWI Courts, DWI Court Training and Technical Assistance Initiative is a project of the National Highway Traffic and Safety Administration of the U.S. Department of Transportation. The program conforms to Arkansas sentencing laws, including fines, fees, court costs and probation assessments.
- vi. Funding: Payment plan is established with the Court until all fees are paid in full. Participants pay for treatment and second opinion drug tests. Program fees cover program mandated drug tests conducted at courthouse and Initial Assessment through treatment provider.
- vii. Graduation:
 1. Complete each Phase of program (minimum 12 months)
 2. Demonstrated sobriety for at least 120 consecutive days
 3. Team determines you are eligible.