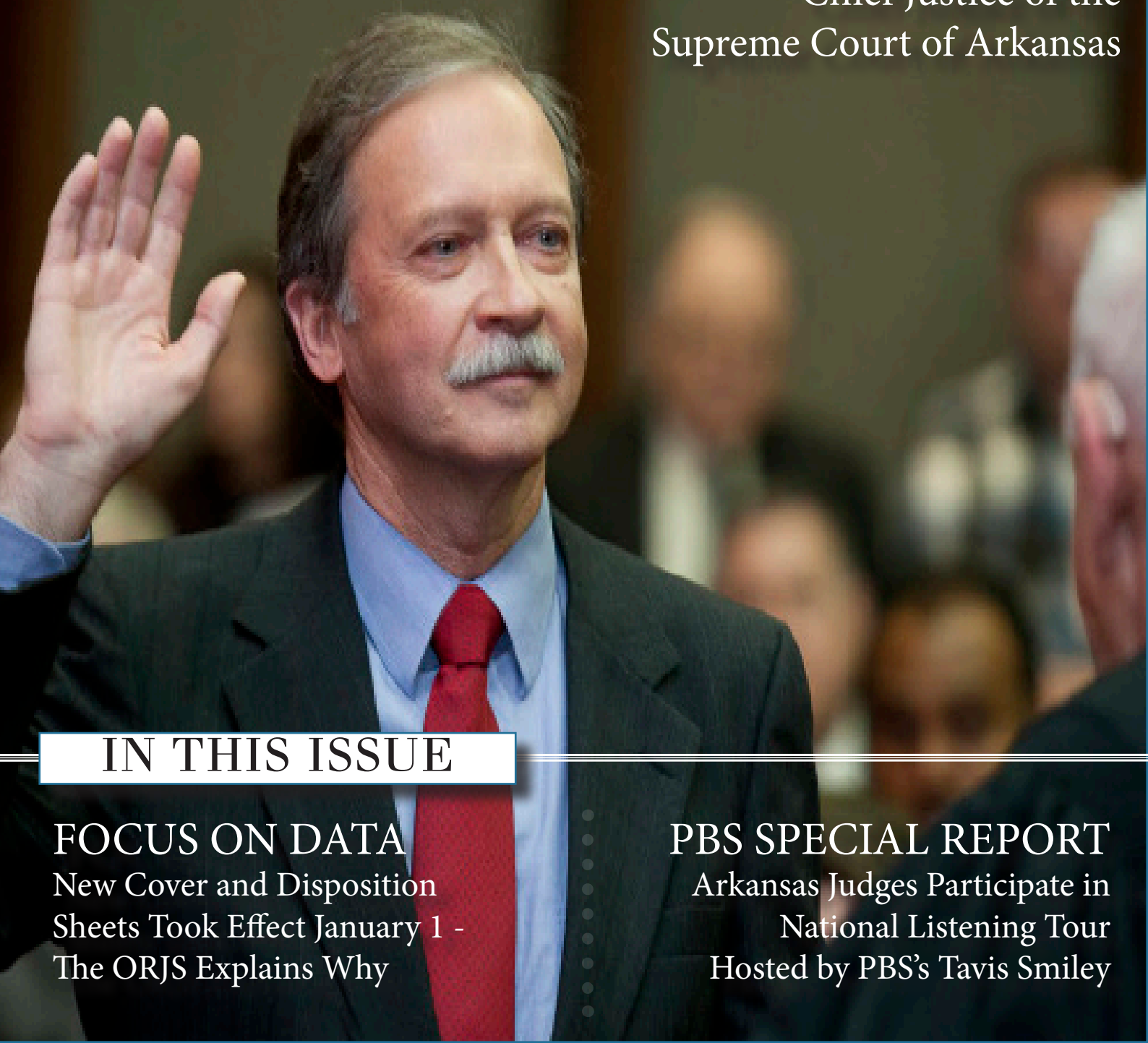


Arkansas COURT NEWS

A publication of the Arkansas Administrative Office of the Courts *"Supporting Courts, Ensuring Justice"*

JOHN DAN KEMP

Sworn In as
Chief Justice of the
Supreme Court of Arkansas



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Chief Justice Hannah inducted into the Warren E. Burger Society.

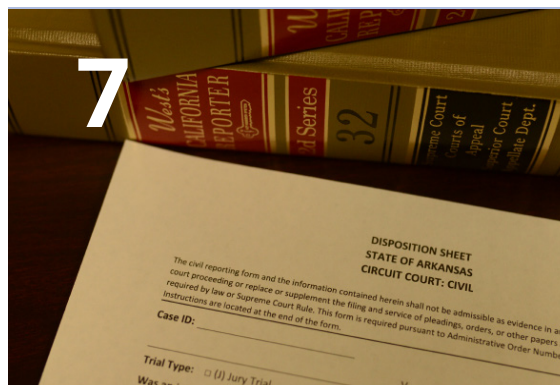
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INVESTITURE 2017

NEW SUPREME COURT JUSTICES SWORN IN

**“I BELIEVE
OUR
COMMUNITY
NEEDS TO SEE
GOOD PEOPLE
WORKING
WELL
TOGETHER ON
SOMETHING
THAT
MATTERS TO
THEIR LIVES.”**

**-CHIEF JUSTICE
JOHN DAN KEMP**



Nearly three hundred onlookers watched as Retired Supreme Court Justice Jack Holt administered the Oath of Office to John Dan Kemp on January 10, 2017. In addition to friends and family, the Courtroom and two additional streaming rooms overflowed with retired justices, Court of Appeals judges, circuit judges, district judges, and legislators, as well as Secretary of State Mark Martin and Attorney General Leslie Rutledge. Chief Justice Kemp succeeded Chief Justice Howard Brill, who was appointed by Governor Hutchinson in 2015.

The newly sworn Chief Justice was robed by his daughter before taking his seat for the next eight years in the middle of the bench. Chief Justice Kemp then gave his first formal address, where he spoke of the commonality shared by the members of the judiciary, including the sincere desire to do right by the Arkansas voters. “The weight of this robe serves to remind me of the significance of this high court’s decisions,” he stated. Chief Justice Kemp also expressed his commitment to the administrative duties of the Chief Justice, to improving drug and juvenile courts, further advancement of court automation, and providing support to those working within the criminal justice system.

The Chief Justice shared the investiture with Associate Justice Shawn Womack, of Mountain Home, who was sworn in after the Chief Justice’s address to Position 2 on the Court. Justice Womack was presented by Commissioner Johnny Key and robed by fellow Associate Justice Rhonda Wood.

INVESTITURE 2017

PHOTOS FROM THE EVENT





Chief Justice John Dan Kemp, Circuit Judge Carlton Jones, PBS Host Tavis Smiley, District Judge Kim Bridgeforth, Circuit Judge Wiley Branton, Jr. and D.C. Court of Appeals Chief Judge Eric T. Washington.

COURTING JUSTICE

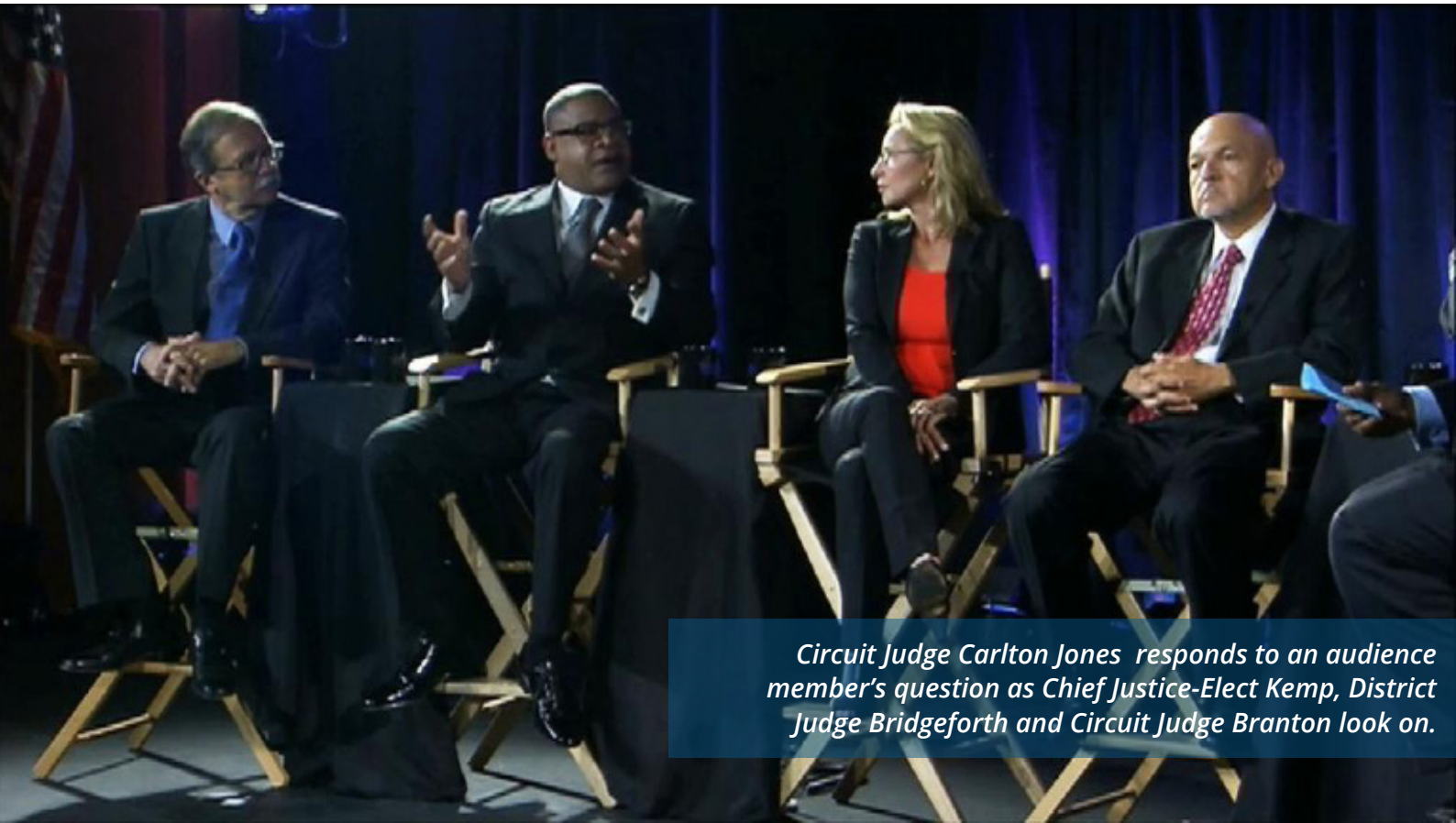
ARKANSAS JUDGES SELECTED TO PARTICIPATE IN PBS TOWN HALL SPECIAL

On the day after the two candidates for the nation's highest political office stood face to face with voters in the final presidential debate, national attention turned to another type of town hall. This one took place in a cozier venue, the Ron Robinson Theatre in Little Rock, where PBS host Tavis Smiley gathered with four Arkansas judges for the second installment of his "Courting Justice" national listening tour.

Arkansas was selected as one of only three stops on Smiley's national listening tour, which opened in Los Angeles before

traveling to Little Rock and concluding in Cleveland. An effort of the Community Engagement in the State Courts initiative, the program responds to a recent study conducted by the National Center for State Courts which found that only 32 percent of African Americans believe that the justice system provides equal justice to all. The listening tour was designed to open a dialogue between a panel of judges and a studio audience consisting of members of the communities in which they serve. "This frank discussion is unprecedented," stated Smiley, who serves on the board of

"COURTING JUSTICE" ...CONTINUED.



Circuit Judge Carlton Jones responds to an audience member's question as Chief Justice-Elect Kemp, District Judge Bridgeforth and Circuit Judge Branton look on.

the initiative. "Securing the public's trust in our judicial system is fundamental to our democracy."

Chief Judge Eric T. Washington of the District of Columbia Court of Appeals, who was heavily involved in developing the program, explained at the outset that a listening tour

was critical at this particular moment in history. "When you see the police involved shootings and the public response to those...the Conference of Chief Justices, a body on which I serve which includes the top Chief Justices of every state Supreme Court in the country, their concern was raised by these events and the

recognition that efforts in the past to connect with those communities had been unsuccessful." Chief Judge Washington is a past president of the Conference of Chief Justices (CCJ), and serves as chair of the Community Engagement in the State Courts initiative.

"Securing the public's trust in our judicial system is fundamental to our democracy."

The panelists from the Arkansas installment of the program included Circuit Judge and Chief Justice John Dan Kemp, Circuit Judge Wiley Branton Jr., Circuit Judge Carlton Jones, and District Judge Kim Bridgeforth. After a brief introduction by Smiley, the panelist judges answered questions directed to them by representatives

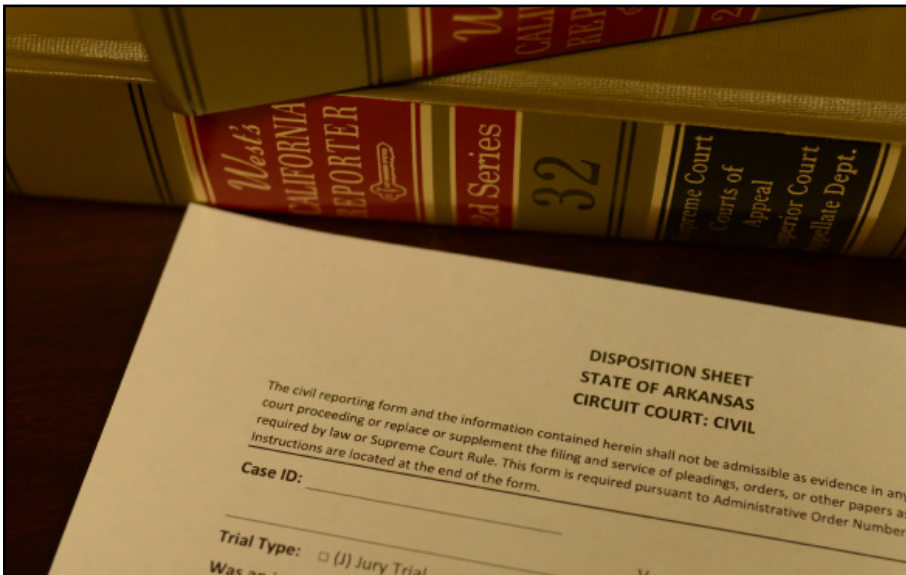
of Arkansas-based social justice, advocacy, faith and small business organizations, in addition to local court and bar leadership. Among the issues that were discussed, the judges addressed public concerns over debtors' prisons, juvenile system reform, implicit bias, and criminalization in Arkansas schools.

For those who have not yet had the opportunity to view the program, which aired on October 10, the entire six-part series is available for streaming online at the following location:

<http://www.pbs.org/wnet/tavissmiley/interviews/courting-justice-pt-1/#>

NEW COVER SHEETS TOOK EFFECT JANUARY 1

THE OFFICE OF RESEARCH AND JUSTICE STATISTICS ROLLS OUT NEW COVER SHEETS DESIGNED TO ENHANCE ACCURACY AND EFFICIENCY OF DATA QUALITY REPORTING



Case information cover sheets have become a routine practice of filing cases in Arkansas. However, whether one has filled out a cover sheet as an attorney, received and recorded the contents as a clerk, or simply heard the words “data quality” in casual conversation, most have not likely given serious thought to the purpose of the cover sheets, or why they are so important as to be required with each new filing. Now that the AOC has rolled out a brand new set of cover sheets, the use of which became mandatory on January 1, 2017, we caught up with the [Office of Research and Justice Statistics](#) to answer one simple question: why are cover sheets so important?

Cover sheets are crucial to one of the most important functions of the Administrative Office of the Courts (AOC) - to collect and manage data from all state courts. While it may be broadly acknowledged that data collection is necessary to manage and improve court function across the state, data must also be reliable in order to be useful.

There is a real challenge for court managers to maintain a culture of trust in the data by creating confidence in its accuracy.

The data collected by the AOC is used for a variety of purposes, including responding to data requests from courts and the public and helping courts effectively manage caseloads. The data helps the AOC to identify, for example, which counties in Arkansas have the highest numbers of certain types of offenses and convictions. It helps us determine trends over time. Outside organizations can also use this data to identify problem areas within the state, and explore further to determine causes and develop solutions.

In the past few issues of the Arkansas Court News, the ORJS has provided snapshots of the data it has been able to interpret from the information being entered into Contexte. It is largely thanks to the information entered in the cover sheets that we know that Van Buren and Stone counties had the largest foreclosure filings per capita

in 2015, or that Monroe county had the highest number of felony weapon charges in the state, at 10.8 per 10,000 people.

Of course, in order to actually make decisions based on that data, there must be confidence that the data is accurate. To that end, the Office of Research and Justice Statistics is constantly working to reduce the instances of data reporting errors. It reviews and ensures that the case management system’s inputs are logical to users, and has recently begun incentivizing accurate reporting by awarding Data Quality Awards to courts inputting the fewest errors. The new cover sheets are the ORJS’s latest innovation aimed at enhanced data quality.

“There are several reasons the cover sheets are being updated at this point,” explained ORJS Director Diane Robinson, architect of the state’s data quality program. “First, and most obviously, court processes have changed with advancing technology. Where at one point the primary purpose of the cover sheet was for the clerk to send statistical information to the AOC, the purpose has changed to assist the clerk quickly and accurately enter information into Contexte. As more courts use Contexte in everyday practice, and more members of the public rely upon Court Connect, speedy and accurate entry has become more important than ever.”

The new cover sheets feature increased identifiers, primarily to help with data exchanges with other agencies, including ACIC, drivers’ services, OCSE and vital records. It is essential in a criminal case to identify the correct person for warrants and to ensure that

CONTINUED ON PAGE 6...

COVER SHEETS (CONTINUED)...

conviction information is transmitted to the ACIC. It is also important for courts to know if a defendant has cases in more than one jurisdiction, and this is only possible if the defendant is accurately identified in each court.

In addition to the increased identifiers, some case types have changed to eliminate those that are rarely used, and to be consistent with national standards. Other case types have been added to help the AOC more accurately track cases. Guardianship cases provide a good example of how these changes will allow the AOC to provide better information to the courts and to the public. Courts in different parts of the state have different practices regarding the closing of guardianship cases. Because of this, it is impossible to have an accurate count of how many guardianship cases are active in the state, and how that might vary around the state. At this time, we cannot report how many guardianships

involve minors and how many involve incapacitated adults. By having separate case types for “guardianship – juvenile” and “guardianship – adult,” we will be able to collect accurate data in the future.

Another substantial change is that disposition information is no longer located at the bottom of the cover sheet, but rather on a separate form. This change is designed to help the court clearly communicate the outcome of a case with the clerk. This is necessary to ensure that clerks are not put in the position of needing to construe the outcome of the case from the Order and to ensure that appropriate information is being collected for data exchanges with other agencies. It will be the judge’s decision who should complete the disposition sheet, but typically the responsibility will fall to the attorney for the prevailing party.

All cover and disposition sheets are now available as fillable forms on the Arkansas Judiciary

website. Cases open prior to January 1 will keep the same case type, but new cases cannot be filed with an obsolete case type after that date. For those e-filing, the cover sheet and disposition sheet will need to be e-filed. As of January 1, changes to Contexte to be consistent with the new case types and data collection will be implemented.

In addition to the new cover sheets, the AOC has produced a reference guide for all case types, manners of filing, and manners of disposition in Arkansas. In 2012, the AOC contracted with the National Center for State Courts to initiate a comprehensive Data Quality Project. As part of that ongoing project, Robinson authored the “Arkansas State Court Guide to Statistical Reporting.” The Guide is the official model and framework for the collection and reporting of case-related data from all circuit courts in Arkansas. Sections will be added in the future for district and appellate courts. The Guide is designed to be consistent with the National Center for State Courts’ Court Statistics Project Guidelines to enhance uniform and consistent comparison and reporting of statistics not only within Arkansas, but also with other states.

The new cover and disposition sheets are available [here](#), along with the Arkansas State Guide to Statistical Reporting. The AOC is providing web-based training to court clerks on the new cover and disposition sheets, but anyone with questions about the new processes is encouraged to contact the Office of Research and Justice Statistics (ORJShelp@arcourts.gov) for more information.

NEW COVER SHEETS

CIVIL
CRIMINAL
CRIMINAL - DEFENDANT APPEAL AND POST CONVICTION RELIEF
DOMESTIC
PROBATE
JUVENILE DN & FNS
JUVENILE DELINQUENCY AND EJJ

NEW DISPOSITION SHEETS

CIVIL
DOMESTIC
PROBATE
JUVENILE - DELINQUENCY OR EJJ ADJUDICATION
JUVENILE - DELINQUENCY PROBATION OR AFTERCARE VIOLATION
JUVENILE - EJJ REVIEW HEARING OR DYS RELEASE HEARING
JUVENILE - DEPENDENCY-NEGLECT ADJUDICATION
JUVENILE - DEPENDENCY-NEGLECT DISPOSITION FOR TPR/
ADOPTION/GUARDIANSHIP
JUVENILE - FINS DISPOSITION

2016 FALL JUDICIAL COUNCIL MEETING



Chief Justice Brill congratulates 2016-2017 Judicial Council President, Hon. David Guthrie of El Dorado



the last time as President. Following her address, Judge McGowan was presented with a placque for her service. She then transferred her duties to Hon. David Guthrie, who was selected as President for the 2016-2017 year. Judge Guthrie is a circuit judge for the Thirteenth Judicial Circuit in El Dorado, Arkansas.

Pictured below: Current Judicial Council Officers and Board of Directors (L-R): Hon. David Guthrie, Hon. Carlton Jones, Hon. David McCormick, Hon. Barbara Halsey, Hon. Leon Johnson, Hon. Mike Medlock, Hon. Herbert Wright, Hon. Rita Gruber, Hon. James Cox, Hon. Mary McGowan, Hon. Gary Arnold.

Judicial Council met at the Embassy Suites in Rogers from October 12-14. In addition to attending designated committee meetings, members attended educational sessions on domestic violence cases, cyber crimes, handling self-represented litigants, EJJ/Transfer hearings, cultural competency and more.

A lunchtime business meeting was held on October 13, during which Judge Mary McGowan addressed Judicial Council for



2016-2017 Judicial Council Officers and Board of Directors

CHIEF JUSTICE HANNAH HONORED



Pat Hannah, wife of Chief Justice Hannah, accepts the award on his behalf.

CHIEF JUSTICE HANNAH WAS INDUCTED INTO THE WARREN E. BURGER SOCIETY DURING THE NATIONAL CENTER FOR STATE COURTS' ANNUAL RECOGNITION LUNCHEON IN NOVEMBER.

For the first time, in November, the State Justice Institute's Warren E. Burger society inducted a member posthumously. On November 17, 2016, members inducted Chief Justice Hannah into the society in recognition of his service of time, talent and support to the National Center of State Courts. 18 members of Chief Justice Hannah's family attended the luncheon to accept the honor on his behalf.

The Warren E. Burger Society was formed upon the celebration of the twenty-fifth anniversary of the National Center for State Courts in 1996. The society honors individuals who have demonstrated exceptional service to the National Center, and demonstrated an exemplary commitment to improving the administration of justices. Chief Justice Hannah embodied the spirit of the Society,

having served as Chair of the NCSC Board of Directors, President of the Conference of Chief Justices, and President of the State Justice Institute.

Chief Justice Hannah's membership into the Burger society was commemorated by a limited edition portrait of Chief Justice Burger, which was commissioned by Texas attorney Charles Noteboom.



18 Members of Chief Justice Hannah's family attended the luncheon in his honor.



NEWLY FORMED ARKANSAS ASSOCIATION OF COURT MANAGEMENT HOLDS LEADERSHIP PROGRAM

Around this time last year, the Arkansas Association of Court Management (AACM) filed its Articles of Incorporation, joining progressive states such as Michigan and Pennsylvania in establishing a local organization intended to enrich its court managers' professional education and experience. The AACM aims to provide opportunities for professional growth and development to members, to create a space for dialogue about innovations and challenges and to partner with other professionals working to improve the Justice System in Arkansas.

Arkansas Court Managers previously had access to professional development through educational seminars, training programs and conferences as members of the National Association of Court Managers (NACM). However, there are additional benefits specific to members of the Arkansas Association. "The Association brings together court employees from all levels to learn from each other and chart ways to improve the administration of justice in our state," explained Marty Sullivan, AOC Judicial Education Director and President of the AACM. "By being a member, you're entitled to a discounted membership to the National Association of Court Management, which is the nation's premier court management association. This discounted membership gives you access to research, resources and up-to-date publications on court issues and trends occurring throughout the country."

In addition to NACM benefits, the Arkansas Association aims to provide more local and accessible professional development opportunities in Arkansas. The first of these opportunities was a leadership seminar at the Crown Plaza in Little Rock on December 5. Over 50 court managers from around the state attended the event, which was led by NACM Board members. Jeff Chapple, Court Administrator from the O'Fallon, Missouri Municipal Court led a seminar on strengthening Court professionals, and Kathryn Griffin, Court Administrator from St. Joseph, Michigan discussed the Core Competencies which make up the purposes and responsibilities of courts.

The Association's 2017 Board Members were elected in March of 2016, and its members include Vice President Jennifer Lopez-Jones, Secretary Dawn Thompson, Treasurer Vicki Evans, region One Director Belinda Penn, Region Two Director Polly Leimburg, Region Three Director Kim Dodson, Region Four Director Cindy Hunty, Region Five Director Carla Wooley, and Region Six Director Karen Cobb.

The next meeting of the AACM is scheduled for May 18, 2017, and will be held prior to the start of the Trial Court Administrator's conference in Little Rock. Those interested in joining the AACM should visit the Association's [website](#) for more information.

TAKING THE BENCH

THE ARKANSAS JUDICIARY WELCOMES THIRTY-FIVE NEW JUDGES IN 2017

ARKANSAS SUPREME COURT JUSTICES

HON. JOHN DAN KEMP
CHIEF JUSTICE

HON. SHAWN WOMACK
ASSOCIATE JUSTICE, POSITION 7

COURT OF APPEALS JUDGES

HON. MIKE MURPHY
DISTRICT 2

HON. MARK KLAPPENBACH
DISTRICT 5

CIRCUIT JUDGES

HON. TONYA ALEXANDER
HON. SHANNON BLATT
HON. CHRIS CARNAHAN
HON. ALEX GUYNN
HON. MAUREEN HARROD
HON. GAIL INMAN-CAMPBELL
HON. RICHARD LUSBY
HON. DON MCSPADDEN
HON. CHALK MITCHELL
HON. STEVEN PORCH
HON. SPENCER SINGLETON
HON. E. DION WILSON



AOC Director J.D. Gingerich welcomes circuit judges at New Judges Orientation on Dec. 7.

DISTRICT JUDGES

HON. CHUCK BAKER
HON. JACK BARKER
HON. DAVID BOLING
HON. THOMAS FOWLER
HON. MELINDA FRENCH
HON. DAVID GRAHAM
HON. PHILLIP GREEN
HON. CHRIS GRIFFIN
HON. PAULA JONES
HON. DALE LIPSMAYER
HON. CLINTON MCGUE
HON. BRIAN MUELLER
HON. JACOB NEWTON
HON. JIM O'HERN
HON. MIKE SMITH
HON. RAY SPRUELL
MEREDITH SWEITZER RABSAMEN
HON. DANNY THRAILKILL
HON. MANYA WOOD

What's New?

Arkansas Court News is looking for stories! Do you know of an event, award, community service project or initiative we should cover? Contact Cara Fitzgerald, Public Education Coordinator, with the 4-1-1! Email: cara.fitzgerald@arcourts.gov

AOC DIRECTOR INVITED TO SPEAK AT JUDICIAL COMMISSION CONFERENCE IN INDONESIA



Arkansas Administrative Office of the Courts Director, J.D. Gingerich, was invited to speak at the “International Symposium on the Line between Legal Error and Misconduct of Judges” in Jakarta, Indonesia in November.

The symposium was organized by the Judicial Commission of Indonesia with the cooperation of the United Nations

Development Program (UNDP) and funded by the European Union.

Among many Indonesian and international participants, Director Gingerich joined a panel which included Maria N. Greenstein, Executive Director of the Alaska Commission on Judicial Conduct, Margaret Beazley of the Judicial Commission of the New South

Wales, Australia, and Julien Anfrus, Member of the French Conseil d’Etat, which acts as the Supreme Court on French Judicial Ethics and Discipline matters. Director Gingerich discussed the role of state judicial conduct commissions in the United States and expanded on cases in the United States involving the doctrine of legal error.





TRIAL ADVOCACY TRAINING FOR CHILD WELFARE ATTORNEYS

Arkansas attorneys who work on child dependency/neglect cases had the opportunity to participate in a rigorous trial advocacy workshop in early December. In conjunction with the National Institute of Trial Advocacy (“NITA”), the Administrative Office of the Courts’ Court Improvement Program organized the three day seminar which was held at the Crown Plaza in Little Rock.

The workshop was offered free of charge to Parent Counsel and state contracted Guardians Ad Litem thanks to federal grant funding through the Children’s Bureau. The Bureau provides a grant to each state judiciary that participates in the Court Improvement Program (CIP) to develop and implement recommendations to enhance the courts’ role in achieving the best possible outcome for children in dependency/neglect situations. Strategies include, for example, using computer technology, improving timeliness and quality of hearings, or as in this case, enhancing the quality of legal representation.

The December training was specifically tailored

to attorneys working in dependency/neglect situations. Participants were given a case to study prior to the conference. They were then provided group instruction on a particular aspect of a trial, for example, direct examination, and afterward split into separate groups to practice the skills they had learned on volunteer witnesses. NITA faculty consisting of prosecutors, public defenders, assistant attorneys general and litigators observed the simulations and administered immediate feedback to participants.

CIP Director Carol Fletcher explained that NITA trainings are widely accepted as a premier trial advocacy resource and therefore the workshops are typically very costly. This training provides dependency/neglect attorneys with crucial advocacy training they might not otherwise have the resources to obtain, thereby improving quality of representation to provide better outcomes in child welfare cases. A final training will take place in 2017, after which the AOC aims to have graduated every state employed GAL and Parent Counsel from the workshop.

Rita Gruber Appointed Chief Judge OF THE COURT OF APPEALS



Judge Rita W. Gruber, the new Chief Judge of the Arkansas Court of Appeals, was sworn in on January 3, 2017 by newly elected Chief Justice Dan Kemp of the Supreme Court of Arkansas. Chief Judge Gruber was first elected to the Arkansas Court of Appeals in 2008 after serving for 18 years as a circuit judge in the Sixth Judicial District.

Chief Judge Gruber was appointed by Chief Justice Kemp and replaces Judge Robert

Gladwin who completed his term as Chief Justice on December 31, 2016. Chief Judge Gruber graduated from UA Little Rock with a bachelor's degree in 1973 and received her J.D. from the William H. Bowen School of Law, where she currently serves on the Leadership Advisory Board.

Chief Justice Kemp is confident in Chief Judge Gruber and has noted his "respect for her judicial abilities and administrative skills." He commented that he "expects her to do an excellent job as a chief judge, and looks forward to working with her." Chief Judge Gruber is the first female to serve as chief judge of the Arkansas Court of Appeals.

CALENDAR FEB/MAR 2017

FEBRUARY

District Court Clerks Certification (Districts 1 & 2)
(Hot Springs, AR) 10

Court Officers Conference
(Springdale, AR) 23-24