

# STRATEGIC PLAN *of the* ARKANSAS JUDICIARY

*Delivering Justice:  
A 2021 Progress Report*



# Strategic Planning Committee

**Hon. John Dan Kemp**

Chief Justice, Supreme Court of Arkansas

**Hon. Brandon Harrison**

Chief Judge, Arkansas Court of Appeals

**Hon. Earnest Brown, Jr.**

Circuit Judge, 11th W Cir., Div. 6

**Hon. Cindy Thyer**

Circuit Judge, 2nd Cir., Div. 4

**Hon. Jerry Don Ramey**

Circuit Judge, 15th Cir., Div. 1

**Hon. Tom Smith**

Circuit Judge, 19th W Cir., Div. 3

**Hon. Carlton Jones**

Circuit Judge, 8th S Cir., Div. 1

**Hon. Troy Braswell**

Circuit Judge, 20th Cir., Div. 2

**Hon. Tommy Fowler**

District Judge, 19th District

**Hon. B. Park Eldridge, Jr.**

District Judge, Arkansas County,  
Southern District

**Hon. Chuck Baker**

District Judge, 5th District

**Hon. Mark Leverett**

District Judge, 31st District

**Marty Sullivan**

State Court Administrator

**Jordan Bates-Rogers**

Exec. Dir., Arkansas Access to Justice

**Paul Keith**

President, Arkansas Bar Association

**Karen Cobb**

Trial Court Administrator, 6th Cir., Div. 7

**Vicki Evans**

Trial Court Administrator, 13th Cir., Div. 2

**Skye Wright**

Court Reporter, 16th Cir., Div. 2

**Brenda DeShields**

Circuit Clerk, 19th W Cir.

**Myka Sample**

Circuit Clerk, 22nd Cir.

**Dena Ross**

Polk County District Court Clerk,  
Mena Department

**Jennifer Lopez-Jones**

Benton County District Court Clerk,  
Bentonville Department



Chief Justice John Dan Kemp

My fellow Arkansans,

It has been three years since I shared with you Arkansas’s first long-term strategic plan for the judiciary. We have been working hard on achieving our stated goals and provide you with this update.

This document represents the thoughtful and determined work of representatives from the bench, court staff, and the state’s legal community.

The Strategic Planning Committee continues to work tirelessly to deliver this vision for what Arkansas’s courts may – and in many cases must – become. Equipped with this vision, it is our ardent hope that the court system will improve the services it provides to the public, attorneys, and other branches of government, while simultaneously protecting the judiciary’s vital and independent role.

John Dan Kemp  
Chief Justice  
Arkansas Supreme Court



## Our Mission Statement

As an equal and independent branch of government, the Arkansas Judiciary, acting with integrity, shall provide a safe, accessible, transparent, efficient, and impartial system of justice by fairly resolving disputes, protecting the public interest, and preserving individual rights while maintaining respect for the rule of law.

## Our Vision Statement

The Arkansas Judiciary will embody integrity, transparency, and accountability to the public, which it serves.



# Foster Judicial Independence

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The Arkansas Judiciary is committed to maintaining a positive relationship with the legislative and executive branches of government and to ensuring that the judiciary remains an equal and independent branch of government. We strongly believe that communication among the three separate but equal branches of government is of paramount importance.

**To achieve this goal, we offer the following action plan:**

## **ACT RESPONSIBLY**

We will hold ourselves and those that come before us to the highest standards of conduct and integrity.

We will maintain strict adherence to the Arkansas Code of Judicial Conduct, the Arkansas Rules of Professional Conduct, and all other applicable statutes and rules governing the practice of law.

We will ensure that our oath to uphold the Constitution of the United States and the Constitution of the State of Arkansas is placed above all other duties.

## **COMMUNICATE RESPECTFULLY**

We will communicate respectfully, clearly, effectively, and cordially with the public in a timely manner.

We will communicate respectfully, clearly, effectively, and cordially with the other branches of government to preserve the integrity of the judicial branch and to enhance the work and success of the courts.

We will promote public awareness of the judiciary and judicial ethics through programs, publications, and other media that are designed to facilitate an understanding of the roles and limitations of the courts.

For the first time in Arkansas's history, the legislature held a joint meeting of the House and Senate Judiciary Committees at the Justice Building with the Supreme Court hosting. This event allowed representatives of the two branches to discuss concerns and find solutions in a cooperative environment. Legislators were also given a tour of the building and information on its daily functions and history.

## **COMMUNICATE RESPECTFULLY (cont.)**

During legislative sessions since the inception of the Strategic Plan, the Chief Justice has routinely set up a drop-in style coffee hour at the Capitol for legislators to come and visit informally about issues affecting court administration statewide. These casual contacts have led to greater communication and improved relationships between the co-equal branches.

The judicial branch has continued to issue its Annual Report highlighting yearly progress towards goals outlined in the Strategic Plan.

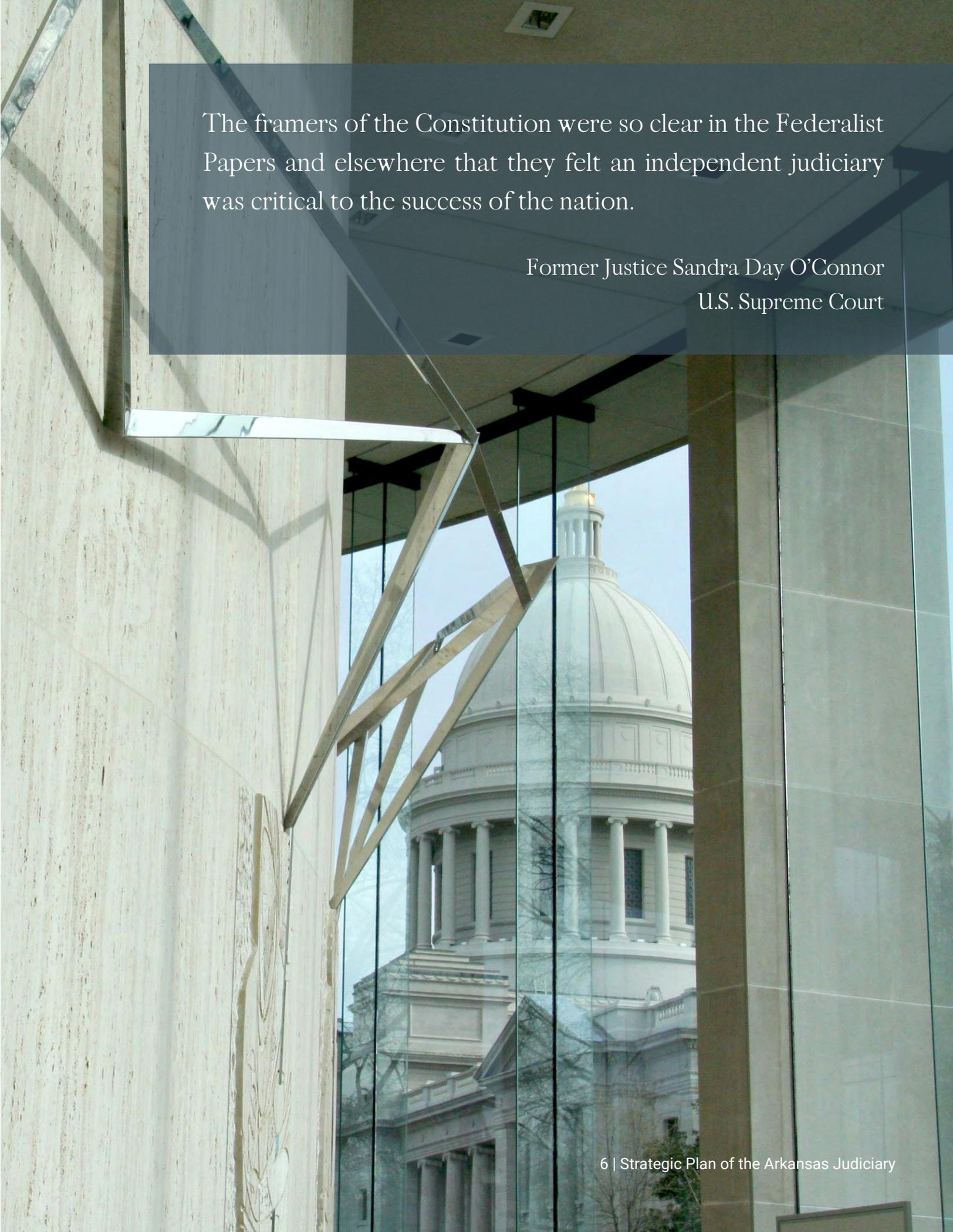
## **ENSURE FINANCIAL INDEPENDENCE**

We will work with the legislative and executive branches to ensure that the judicial branch can secure adequate funding through sources independent of court costs, fines, and fees.

We will work to ensure that the judicial branch is not dependent on or subject to improper influence from the other branches of government or from private or partisan interests.

The global pandemic caused unforeseen financial and logistical challenges in courts across the state. To ensure safe, meaningful access to the courts during the COVID-19 pandemic, the Supreme Court through the Administrative Office of the Courts has facilitated the distribution of hundreds of thousands of personal protective items for use in circuit and district courts, thereby alleviating the financial strain local governments have in providing proper protection. Furthering the effort to ensure meaningful access to the courts, the Administrative Office of the Courts (AOC) purchased Zoom licenses for use by the courts and by court personnel across the state. These acquisitions have been funded, at least in part, by grants from the CARES Act, the Coronavirus Emergency Supplemental Funding Program, and other grants.

As the most central and far-reaching goal of this plan, shifting funding of courts from costs, fees, and fines is addressed daily in the numerous conversations with representatives of the legislative and executive branches. In his State of the Judiciary addresses since the publication of this plan, the Chief Justice has repeatedly called for reform in court funding. Recognizing how long-standing and ingrained this problem is, no single program, message, or initiative represents the continuous work being done in this area. Only by working collaboratively with our partners in the legislature to slowly shift the sources of funding will the judiciary truly become independent and free from influence.



The framers of the Constitution were so clear in the Federalist Papers and elsewhere that they felt an independent judiciary was critical to the success of the nation.

Former Justice Sandra Day O'Connor  
U.S. Supreme Court

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Justice depends on having a fair chance to be heard, regardless of who you are, where you live, or how much money you have. At minimum, a person should be able to learn about her rights and then give effective voice to them in a neutral and nondiscriminatory, formal or informal, process that determines the facts, applies the rule of law, and enforces the result.

NATIONAL CENTER  
FOR ACCESS TO JUSTICE

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# Improve Access to Justice

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The Arkansas Judiciary is committed to improving public access to the courts. Access to reliable, Arkansas-specific information will assist our citizens and strengthen the public's confidence and faith in the legal system.

We will demonstrate the need and build support for obtaining the resources necessary to achieve the accessibility goals set forth herein.

**To achieve this goal, we offer the following action plan:**

## **ENSURE ACCESS TO FACILITIES**

We will ensure that judicial branch facilities are accessible to all court users and that the public has meaningful and equal access to the justice system regardless of economic and geographic barriers.

The Arkansas Access to Justice Commission recently cooperated with the National Center for Access to Justice to produce a Justice Index assessment. In partnership with the Administrative Office of the Courts, the Commission coordinated Arkansas's responses on several access to justice metrics, including access to court facilities for persons with disabilities. The Commission will be working to implement recommendations from the Justice Index on accessibility once an updated report is released this spring.

The Commission's next steps are to 1) raise awareness of the report's findings, and 2) provide policy recommendations and technical support for implementation of the report's recommendations. For instance, one likely recommendation of the Justice Index will be that the Arkansas Judiciary provide training for court staff on how to assist court users with disabilities. This is a project the Commission will undertake. The Commission's newly-hired program coordinator has subject matter expertise in this area and will develop a training program for court staff. The Commission expects to deliver this training before the end of 2021.

## **ENSURE ACCESS TO FACILITIES (cont.)**

We will develop accommodations to ensure that persons with disabilities and limited English proficiency can participate in all court proceedings whether as litigants, witnesses, jurors, lawyers, or otherwise.

Accommodations for persons with disabilities or limited English proficiency is another area where the Justice Index recommendations will guide Commission efforts in the next year. The Commission anticipates cooperating with the Office of Court Interpreter Services to determine which Justice Index recommendations on language access can be implemented in Arkansas. One example of a recommendation the Commission believes is achievable in 2021 is providing notice of the right to an interpreter or disability accommodation by including information in official court communications, posting signs in prominent locations in court facilities, and providing additional information on the Arkansas Judiciary website.

## **ENSURE ACCESS TO COURT INFORMATION AND SERVICES**

We will expand public access to court information and services.

The Access to Justice Commission is currently creating plain language instructions for the In Forma Pauperis Petition and Affidavit. These instructions will be submitted to the Supreme Court for consideration as an addition to the existing self-help page on the Court's website. The Commission is also developing a one-page resource guide for self-represented litigants that will be made available as a model for clerks and other court staff.

We will improve consistency of access and equip judges, court staff, clerks, and librarians with a statewide policy, resources, services, and information that they may need to provide the public services and information in a manner that does not constitute the practice of law.

The Arkansas Access to Justice Commission is currently in the process of developing a statewide policy on assistance that court staff can provide that does not constitute the unauthorized practice of law. The Commission's Policy Committee has reviewed an initial draft of a policy and is seeking input from court staff as it refines the proposal.

Staff of the Commission recently presented on this topic to the Arkansas Circuit Clerks Association. Clerks were asked if it would be beneficial for such a policy to be adopted and 96% of respondents said it would. Clerks were also surveyed on the types of assistance that they would be willing to provide if a policy were adopted. These findings will be incorporated into a report and proposal for the Arkansas Supreme Court's consideration. Additional input is also being sought from judges and trial court assistants.

## **ENSURE ACCESS TO COURT INFORMATION AND SERVICES (cont.)**

We will consider the feasibility of establishing a statewide network of public libraries, law libraries, self-help centers, and public access terminals that provide information to the public about common legal issues and available resources.

The Commission recently finalized a survey of technological resources available for use by self-represented litigants at court facilities<sup>1</sup>. The report finds wide-spread availability of resources or an ability to acquire resources at the trial court level, with a need for centralized digital resources, such as fact sheets and forms. Access to Justice staff next plan to meet with staff at the Administrative Office of the Courts to determine the feasibility of further developing the self-help page on the Arkansas Judiciary website. Access to Justice staff will offer their assistance in centralizing existing resources (such as forms already published on the Arkansas Judiciary website) and in developing additional resources.

## **ENSURE ADEQUATE LEGAL REPRESENTATION**

We will work with our justice partners to educate the legal community about the continued need for pro bono services, and we will encourage members of the Bar to fulfill that need by providing representation and assistance to individuals in need.

In 2020, the Arkansas Access to Justice Commission provided over a dozen continuing education opportunities to attorneys with a focus on pro bono service. Partners on these projects included the Pulaski County Bar Association, the Washington County Bar Association, the University of Arkansas School of Law, the William H. Bowen School of Law, and the United States District Court for the Eastern and Western Districts of Arkansas. Topics covered included estate planning, record sealing, limited scope representation, and how to represent survivors of domestic abuse, among others. In January 2021, a Commission training on Pro Bono Opportunities in Eviction Matters attracted over 400 participants and resulted in in-house counsel at one of the largest corporations in the state volunteering to help update Legal Aid's landlord-tenant resources.

The Commission also coordinated clinics to create opportunities for pro bono service. A partnership with the Pulaski County Bar Association during the pandemic provided frontline healthcare workers with basic healthcare planning documents, such as powers of attorney, powers of attorney for healthcare, and advance directives. Additionally, attorneys participating in the Commission's AR Free Legal Answers program provided pro bono advice to 536 low- and moderate-income households. Additional grant funding has been acquired to expand this program in 2021.

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<sup>1</sup>*This survey is available at: <https://arkansasjustice.org/our-work/research/>*

## ENSURE ADEQUATE LEGAL REPRESENTATION (cont.)

We will advocate for sufficient resources necessary to provide legal representation to individuals who cannot afford to hire an attorney in right-to-counsel cases or where an individual's life, health, or safety is at risk.

In order to increase pro bono assistance available to the public, the Arkansas Access to Justice Commission developed a proposal to permit attorneys to claim a limited number of continuing legal education credits in exchange for providing pro bono services. In June of 2020, the Arkansas Supreme Court approved the proposal. The Court's action is already having an impact, with legal aid programs reporting high levels of interest from attorneys. The Commission is partnering with the Office of Professional Programs to develop a report on the full impact of the rule change, after its first year in effect. The report will be presented to the Court in the summer of 2021.

Another Court action that has helped to ensure adequate legal representation is the addition of the Interest on Lawyers Trust Accounts (IOLTA) Program Manager position. The program has historically been the second-largest funder of legal aid for the poor in Arkansas, after the federal government. During the pandemic-induced recession, severe interest rate reductions led to major declines in revenue available to fund legal aid.

The addition of the Program Manager position has greatly helped in mitigating these revenue declines. For instance, in 2020 the Program Manager increased remittance of unclaimed and unidentifiable client funds pursuant to Arkansas Rule of Professional Conduct 1.15(c) by nearly 10 times from 2019 levels through attorney education efforts. This is enough to fund the work of approximately three legal aid attorneys for a year.<sup>2</sup>

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<sup>2</sup> *Unclaimed and unidentifiable funds are not immediately available to fund legal aid. Funds are available for grantmaking two years after receipt by the Arkansas Access to Justice Foundation, assuming no claim is made.*



*Jefferson County Courthouse  
Pine Bluff, Arkansas*



# Communicate Effectively with the Public

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The Arkansas Judiciary is committed to communicating effectively with the public and educating the public about the court system. Public confidence in the judicial system is fostered by understanding the work of courts. Through education and outreach, courts can broaden the public's knowledge about the purposes, roles, and responsibilities of the judicial branch.

**To achieve this goal, we offer the following action plan:**

## **STRENGTHEN PUBLIC AWARENESS OF THE JUDICIARY AND OUR PROJECTS**

We will support the Arkansas Courts and Community Initiative (ACCI), a program to promote knowledge and understanding of the judiciary across the state. We will encourage members of the judiciary to assume an active role in outreach efforts through ACCI.

The Supreme Court of Arkansas will continue to support its Appeals on Wheels initiative to familiarize Arkansas students with the purposes, roles, and responsibilities of the judicial branch of government. Twice per year, the justices of the Supreme Court hold oral arguments at a high school or college across the state so that students can watch a court proceeding. The audience includes students and teachers from the host school, as well as from several other schools in the area. Government officials and leadership groups also attend. After the court proceeding, students are paired with a justice for a discussion about the role of the courts.

Prior to the day of the Appeals on Wheels event, an employee of the Court's Public Education Program visits with students to give lessons about the judicial branch.

The judiciary has created two podcasts to educate the public. *Courts & Community* is a series of one-minute educational segments about the court system. The segments also air on public radio stations throughout the state. A second podcast, *Lady Justice: Women of the Court*, is a collaboration between female Supreme Court Justices from four states, including a justice from Arkansas. The podcast is produced by the Arkansas Supreme Court's Public Education Program. The panelists discuss the role of state courts.

## STRENGTHEN PUBLIC AWARENESS OF THE JUDICIARY AND OUR PROJECTS (cont.)

In March 2021, the Public Education Program hosted classroom exchanges. Several classrooms from around the state participated in video conferences with a justice of the Supreme Court and had the opportunity to ask questions. The classroom exchanges brought together students from all parts of the state.

For Arkansans who are not able to travel to the Justice Building for an in-person tour, the judiciary has created a video tour that takes the public through the building and explains the functions of the court system. After watching the video, teachers are invited to contact the public education coordinator to arrange a virtual question-and-answer session with a justice or judge.

The judiciary regularly posts information to its social media channels. Content includes educational videos, court opinions, announcements of oral arguments, and announcements of public outreach events and initiatives.

Through an online “Request a Judge” form, teachers in the state can submit a request to have a local judge speak to their class. The public education program connects these classes with judges in their area.

In 2021, two public education publications will be updated: The “Justice Building Welcome” brochure and a booklet that provides biographical and historical information about portraits displayed in the Justice Building of former Arkansas Supreme Court Justices.





Our children should learn the general framework of their government and then they should know where they come in contact with the government, where it touches their daily lives, and where their influence is exerted on the government... they must see how every cog in the wheel of a democracy is important and bears its share of responsibility for the smooth running of the entire machine.

Eleanor Roosevelt  
Former First Lady of the United States

## **STRENGTHEN PUBLIC AWARENESS OF THE JUDICIARY AND OUR PROJECTS (cont.)**

We will continue to partner with schools by expanding Law Day programs, offering group tours of courtrooms, and looking for other partnership opportunities.

The Supreme Court regularly holds outreach initiatives during Judicial Outreach Week in March, Law Day in May, and Constitution Day in September. Recent initiatives include a Law Day Art and Essay contest, a presentation by Supreme Court Justices with the Central Arkansas Library Systems, and Constitution Day outreach initiatives that included four Justices and Judges visiting high schools.

The Arkansas Judiciary's Public Education Program has been working with the Arkansas Department of Education to create materials that meet the necessary criteria for civics courses in public schools. Materials created by the judiciary are included in the Department of Education's list of suggested resources for the state's social studies teachers. Additionally, the Department of Education has partnered with the judiciary to connect with the state's teachers. When announcements regarding public outreach initiatives are made, the Department of Education distributes the information on its social media and through other channels.

Group tours are available for members of the public who visit the Justice Building. Groups who regularly visit include students, community leadership groups, and foreign dignitaries. Many groups come to watch a live court proceeding. All group tours include a meeting with a judge or a justice.

The Arkansas Judiciary continues to partner with the Arkansas Bar Association for public education initiatives. In 2019, members of the judiciary partnered with members of the Bar for a Constitution Day Program in Arkansas schools. A member of the Bar co-presented with a member of the court in each classroom. Additionally, the judiciary is currently working on a Civics Education video in partnership with the Bar that will feature Justices of the Supreme Court.

We will continue to attend civic clubs, local organizations, and other community meetings to enhance understanding of the courts' role and to foster civic awareness.

Justices of the Supreme Court are regularly guest speakers at meetings and events hosted by various community organizations, such as libraries, civic clubs, schools, and chambers of commerce. At these meetings and events, the justices speak to the public about the role of the courts and civic engagement.

We will develop and provide an orientation or other basic educational program to explain court processes, rules, and procedures to litigants, witnesses, jurors, and other court participants.



# Improve Educational Opportunities Available to the Judiciary

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The Arkansas Judiciary is committed to improving the educational and training programs provided to the judiciary.

**To achieve this goal, we offer the following action plan:**

## **STRIVE FOR JUDICIAL EXCELLENCE**

We will ensure that professional excellence is the standard and expectation for all judicial officers and court personnel in the Arkansas Judiciary.

A collaborative culture exists on the Judicial Council Education Committee and the other Education Committees that fosters professional excellence. Due to the large number of newly-elected judges taking office in 2021, the Administrative Office of the Courts worked to provide judicial orientation sessions for both district and circuit judges via Zoom. For the district judges, supplemental small group Zoom sessions were led by Kristin Clark, Director of the Legal Services Division, and Ben Barham, District Court Staff Attorney. The Judicial Education Division is evolving and continued utilization of the techniques implemented during the pandemic will ensure even higher standards in a post-pandemic world.

In 2019, the Administrative Office of the Courts purchased a Learning Management System (LMS) and has worked to build an online course library to deliver on-demand training to the court community. Nearly 800 court personnel spanning eight different constituencies are currently enrolled in LMS courses. Each learner has an account that provides access to an individualized dashboard to view assigned training sessions or to select courses from a catalog that can be completed at their own pace.

Seventy-three hours of judicial education are currently available through the Learning Management System. The Administrative Office of the Courts also hosted ten virtual conferences, three staff development sessions, and twelve specialty programs in 2020. These programs were recorded and have been stored on the LMS. Additionally, the Administrative Office of the courts hosted a virtual Court Management Program (CMP) Graduation Ceremony with live and prerecorded presentations.



The legal system is based upon the principle that an independent, impartial, and competent judiciary, composed of men and women of integrity, will interpret and apply the law that governs our society.

Arkansas Code of Judicial Conduct

## **STRIVE FOR JUDICIAL EXCELLENCE (cont.)**

We will continue to provide ongoing subject-matter-focused education and training to our judges, which will include information on maintaining and enhancing professional development.

With a rich diversity of experience, the Administrative Office of the Courts will conduct a needs assessment to identify areas where training is both needed and appropriate.

We will continue to develop content for the LMS. Examples of courses currently found in the LMS library include topics such as Fundamentals of Contempt, Conducting Jury Trials During the Pandemic, and Essential Leadership Tools for Challenging Times. In addition to these courses, the Administrative Office of the Courts partnered with the National Judicial College to add the District Judges Annual Fall College to the course catalog and Judicial Education provided 12.5 hours of professional development training.

The LMS provides flexibility. Learners have the option to select a single session or to watch a full conference, and course materials are also provided.

We will enhance education and training for the courts and judicial employees on ethical conduct, integrity, accountability, bias, and procedural fairness.

During 2020, Judicial Education offered seven ethics courses totaling 10.5 hours and four bias-related courses. These courses were offered via Zoom and the LMS.

We will train courts on the use of social media and the internet. We will also disseminate information on how the use of such tools impacts the courts and encourages judges who are utilizing social media to remain mindful of limitations imposed by the Arkansas Code of Judicial Conduct and the Arkansas Rules of Professional Conduct.

Judicial Education programmed and offered training on the use of social media, which addressed ethics issues for judges and the impact on the courts.

## **PARTNER WITH THE ARKANSAS BAR ASSOCIATION**

We will increase collaborative continuing-legal-education opportunities for the courts and members of the Bar, which will enhance relationships and promote discussions on issues affecting the judicial system statewide.

Although the pandemic hampered this strategic goal in 2020, Judicial Education did collaborate with the Arkansas Bar Association by providing access to content from the Bar's Annual Meeting to Judicial Council members at no cost. This effort replicated the in-person joint conference Judicial Council traditionally engages in with the Bar, but due to the pandemic was held virtually. Judicial Education has also partnered with the Arkansas Bar Association on a Constitution Day initiative and is partnering to create an educational video that will feature several justices.



*Justice Building  
Little Rock, Arkansas*

# 5.

# Embrace Technology

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The Arkansas Judiciary is committed to embracing technology and promoting its use to optimize the experiences of all who are involved with the court system.

Technology can aid in improving accessibility to, as well as efficiency and productivity of, the judicial system. Courts must embrace technology and actively use and manage it. Courts must also respond to the changing technological environment by providing court users remote access to information, records, and services. While recognizing the importance that technology can play in the judicial system, courts must always ensure that all court systems and data are securely maintained and that the requisite level of privacy is afforded all information.

**To achieve this goal, we offer the following action plan:**

## **ADOPT TECHNOLOGY PLANS**

We will encourage each county to adopt a technology plan that incorporates minimum technology standards that would include specifications for hardware, software, equipment, and internet capacity for all courts.

In 2019, the AOC worked with the Supreme Court Commission on Children and Families to begin a pilot project using Zoom to conduct remote hearings in dependency neglect cases.

In 2020, at the beginning of the pandemic, the Supreme Court negotiated courtesy licenses with Zoom and the AOC rolled out Zoom accounts to appellate, circuit, and district courts statewide. In late 2020, the courtesy accounts were migrated to Zoom for government accounts for increased security. The Commission provided extensive documentation and guides on technology and conducting virtual hearings.

## **ADOPT TECHNOLOGY PLANS (cont.)**

We will safeguard the security, integrity, and confidentiality of court data and technology systems.

In 2020, the AOC completed several infrastructure projects related to this goal. By replacing the firewall, implementing an updated Microsoft Administration Manager, upgrading iMIS and eFlex, and upgrading Nagios – a network monitoring tool, we took substantial steps towards improving the security and integrity of our court systems. The AOC implemented a new security tool to better manage wireless systems and servers and updated multiple systems through upgrades and patches to reduce the security risk. We have also upgraded several systems to improve password security and implement multi-factor authentication.

We will improve and expand data-exchange and integration processes between the courts and other justice partners.

In 2019, the AOC completed a project to improve the online payment interface and simplify the interaction with the system and its integration to the Information Network of Arkansas.

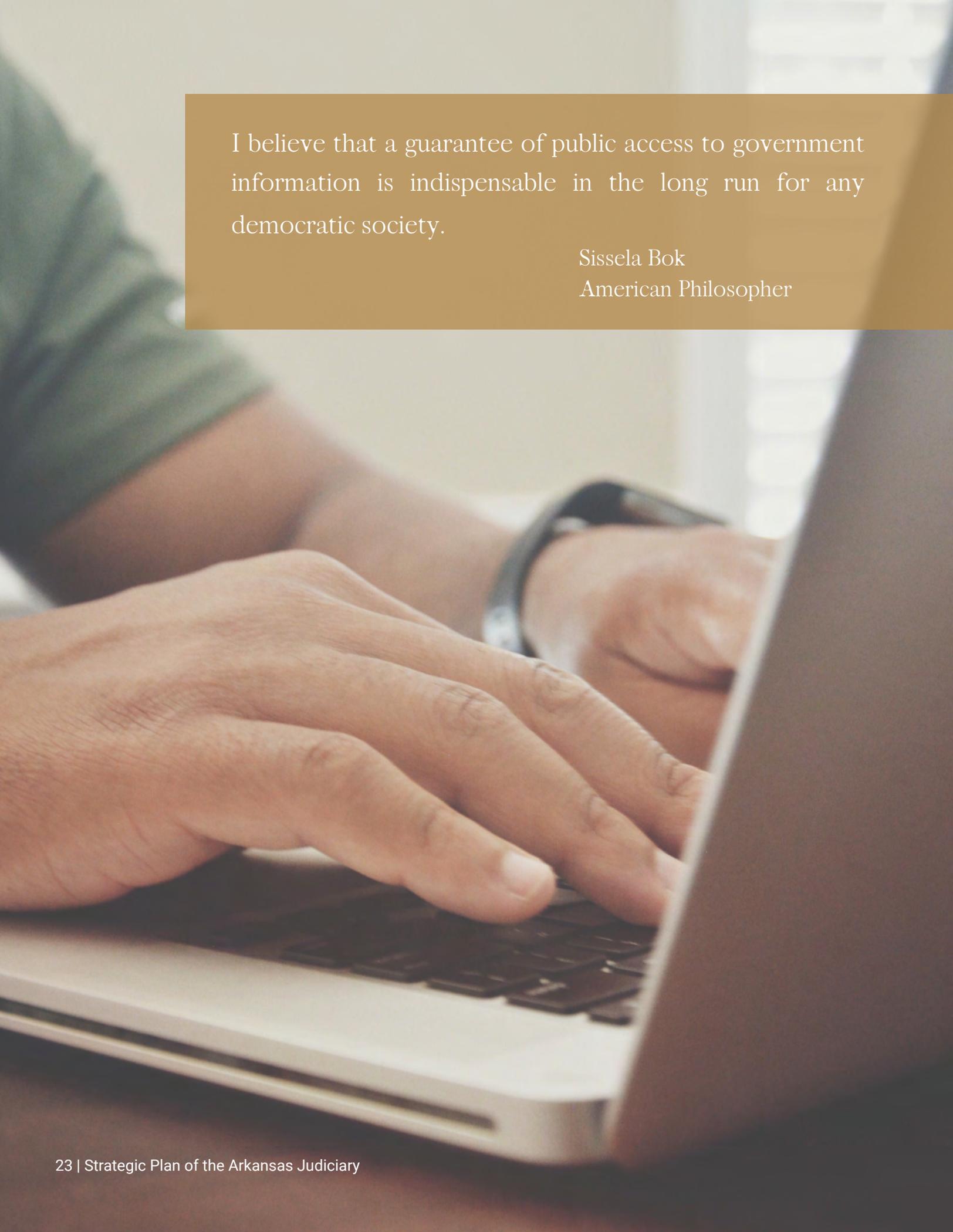
In 2020, the AOC began rolling out a new program called S.C.A.L.E.S. to help the state manage Specialty Courts. This system has a more modern user interface and streamlined design to simplify specialty court management processes. New tools and applications to assist court users were implemented such as the Child Support Calculator, the User Security Administration application, and the Court Service Documents application as well as new releases for S.A.V.R.Y. and a new, modern interface for CourtConnect.

## **PROVIDE READILY ACCESSIBLE RESOURCES**

We will expand self-service options for court users, including webpages for local courts and interactive smartphone and tablet applications for use by courts, attorneys, parties, and jurors.

In 2019, the judiciary website was redesigned, and the back-end system was upgraded to improve security.

In 2020, the AOC licensed and implemented a Learning Management System that has been instrumental in the ability to roll out case management and electronic filing during the pandemic. Online learning eases the burden of application implementation by eliminating the need for travel and classroom training and increasing the ability of courts to move at their own pace.



I believe that a guarantee of public access to government information is indispensable in the long run for any democratic society.

Sissela Bok  
American Philosopher

## **UTILIZE CASE-MANAGEMENT TOOLS**

We will utilize technology that allows both automated document technology and court case-management system information to provide judges and their staff with the ability to easily and efficiently generate standard orders and other documents for routine matters.

In 2019, the AOC completed the rollout of Contexte to the circuit courts. With all circuit courts reporting court case information in Contexte, we have completed the base upon which additional improvements can be made. We also implemented improvements in the Contexte process to reduce duplicate person records in the system. The changes to the process decrease the likelihood of merging records by mistake and has increased efficiency by reducing the number of support calls that are made to correct the mistakes.

In 2020, the AOC made substantial progress in rolling out the eFiling system through a process called eFlex Lite. By eliminating the accounting-related aspect of implementation and utilizing online-only training and support, in a matter of months eFlex was rolled out to nearly one-third of the state's counties. This rollout substantially impacted the courts' ability to conduct business through the pandemic.

## **BALANCE**

We will assist courts in training and technology to strive for balance in individual discretion of the use of courtroom technology and control of courtroom policy, procedures, conduct, and security.

In 2019, the AOC conducted its annual ACAP Systems Conference to bring together court technology users all over the state. The educational sessions supported hands-on training, professional development, security, and best practices.

In 2020, the ACAP Systems Conference was conducted remotely over two days with two tracks – one focused on circuit court processes and the other on district court processes.

In 2021, the Conference will again be held remotely, and for future sessions we will be seeking ways to enjoy the benefits of in-person networking with the cost savings of remote accessibility and time-shifting for those unable to travel.

# 6.

## Enhance Security

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The Arkansas Judiciary is committed to providing a safe and secure venue for resolution of legal disputes.

Court facilities must be designed and utilized to ensure the safety and well-being of judges, court staff, attorneys, litigants, witnesses, jurors, victims, the public, and all other individuals involved in the judicial system. Courts must also be prepared for emergencies, disasters, and accidents that could affect court operations and have a plan in place to ensure the continuity of judiciary functions despite unforeseen events.

The judiciary recognizes that courthouses are public forums in which many local governmental activities occur. The judiciary values its relationships with local law enforcement and county officials and fully understands that any security and emergency preparedness plan must include participation from and agreement with these partners.

**To achieve this goal, we offer the following action plan:**

### **IMPLEMENT COURT SECURITY POLICIES**

We will encourage each county to develop and maintain a cohesive and comprehensive set of security policies and procedures for the court and the courthouse to ensure a thorough and consistent application of security measures.

The AOC provides templates for the creation of Court Security and Emergency Preparedness Plans. This set of plans includes: 1) Court Facility Assessment, 2) Emergency Response Plan, 3) Court Security Plan, and 4) Continuity of Operations Plans. The Director of Court Security and Emergency Preparedness offers ongoing guidance and support to complete and update these plans. The plans are updated separately on a rotating calendar, so the courts are not tasked with annually updating each plan.

Arkansas courts are also provided with the “Court Security and Emergency Preparedness Policy and Procedure Manual for the Arkansas Judicial Branch.”

The Constitution will endure as a vital charter of human liberty as long as there are those with the courage to defend it, the vision to interpret it, and the fidelity to live by it.

Former Justice William J. Brennan  
U.S. Supreme Court



## **IMPLEMENT COURT SECURITY POLICIES (cont.)**

We will acknowledge that enhancing court security requires tapping into budgetary resources, which may be scarce, and we encourage local courts to prioritize implementation of security policies based upon best practices developed by the National Center for State Courts, which requires: proper staffing, utilization of equipment, adoption of policies and procedures, and continuous training.

Funding from ACT 576 of 2007 provides \$250,000.00 annually for the courts to implement new or upgrade existing court security programs. With the Governor's rainy-day fund support of \$300,000.00 in 2018, through FY2020 \$3,420,629.76 has been awarded to the courts for this purpose.

Additionally, the Administrative Office of the Court and Supreme Court provided Personal Protective Equipment (PPE) to the courts for preparation and response to COVID-19. To date, we have provided 920,375 masks, 1,042,500 gloves, 15,675 hand sanitizer containers, and 272 thermometers.

We will encourage the utilization and enhancement of current court-security-system technology and courthouse physical security features to the greatest extent fiscally possible, refining access-control policies and practices, improving critical incident-response and threat-management capabilities, and increasing collaboration and communication among stakeholders to identify and better manage court-security threats. When considering enhancement of court security system technology, we will emphasize that a local court should consider use of metal detectors, keyless entry systems, and panic buttons.

Additionally, when refining access control policies, consideration should be given to utilization of minimal entrances and to placement of uniformed personnel at main entrances.

We will encourage development of a methodology to determine court-security staffing needs for each court, which will ensure that court-security officers are available to monitor each facility, operate security equipment, and respond to emergency or security needs. We will acknowledge that for this type of staffing to be successful, the local stakeholders must engage in ongoing communication and collaboration.

Arkansas courts are advised to follow the standards developed by the National Center for State Courts (NCSC). The Director of Court Security and Emergency Preparedness partners with the courts to discuss the best ways possible to implement the best practices discussed in the guide published by the NCSC, "Steps to Best Practices for Court Building Security."

## **IMPLEMENT COURT SECURITY POLICIES (cont.)**

We will work toward a statewide uniform minimum-security protocol for equipment, staffing, procedures, and technology to provide a safe and secure environment for staff, litigants, the public, and other courthouse attendees.

We will provide security and emergency-preparedness training and materials to all judges and courthouse staff.

When requested, speakers and instructors are provided at many association conferences and trainings, including Judicial Conferences, District Court Clerk Conferences, Circuit Clerk Conferences, and Trial Court Administrator Conferences.

We will consider the feasibility of creating a singular funding mechanism for all court-security officers.

## **DEVELOP PLANS TO ENSURE CONTINUITY OF OPERATIONS**

We will encourage each county to develop and maintain local emergency preparedness and continuity-of-operations plans for the court and the courthouse, which should address how essential functions will continue, how records and facilities will be protected, and who will be responsible for decision-making.

We will encourage local courts to engage in “drills” to determine appropriateness of the continuity-of-operations plan and to familiarize the participants with their roles under the plan.

Arkansas courts are encouraged to continually update the COOP plan as part of overall CSEPP (see first topic). Additionally, the NCSC has recently updated and released a new document to aid the courts in this goal. The NCSC’s “Courts Continuity of Operations (COOP) Planning Guide and Template” is available as a tool that is shared with the courts by the Director of Court Security and Emergency Preparedness.



Administrative Office of the Courts

625 Marshall Street  
Little Rock, AR 72201  
501-682-9400  
[arcourts.gov](http://arcourts.gov)