

# ADMINISTRATIVE OFFICE OF THE COURTS



## Contexte & Chill: Tip Sheet Edition

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Presented By: ORJS





# What are tip sheets?

A document that answers common questions clerks have!



## Examples of Tip Sheets

- Adoptions
- Case Status
- Dependency & Dependency-Neglect Cases
- Guardianships
- Adult Protective Services
- In Forma Pauperis



## Examples of Tip Sheets

- Inactive Case Status
- One Time Events
- Special Judge
- Specialty Court
- Trial Types



# Adoptions

All Clerks Ever Wanted to Know About . . . .

## Juvenile Adoption

### Why the Change

If a juvenile is the subject of an open dependency-neglect case, the law (ACA § 9-9-205(a)(3)(A)) requires an adoption petition to be filed in that case. The law (ACA § 9-9-217(a)(2)(B)(i)) also requires any portion of the court file relating to the adoption shall be maintained separately from the file of other pending juvenile matters concerning the juvenile who is the subject of the adoption or the family of the juvenile.

In Contexte, it is not currently possible to completely segregate the adoption portion of the case from the underlying case without starting a new case.

### Circuit Clerk - Filing

When you receive an adoption petition in a DN case:

1. Docket the petition (F179). Do not add an MFR code.
2. Seal the petition in the DN case. Add a docket note that an adoption case has been opened.
3. Leave the case status as "set for review."

Create a new case with code of MFO and case type JA using the adoption petition (F179) and cover sheet.

1. Assign the case to the judge hearing the underlying DN case.
2. Relate the cases in CDARELC.
3. Let Contexte assign the child in the JA case a NEW party ID number in Contexte. Do not associate it with the child's ID in the DN case.
4. Enter adoptive parents as petitioners in the JA case. Mark "selfrep" as party status if they do not have private counsel.
5. Enter the OCC attorney (party type OCC) and Attorney ad Litem (party type AAL) from the DN case.
6. Do not enter parents whose rights have been terminated or their attorneys as participants in the JA case.

#### Special filing note for e-filing courts:

- a. Print the adoption filing paperwork.
- b. Create the JA case directly in Contexte in CMAINIT rather than e-filing the case.
- c. Finish the top block of the form and hit CTRL-page down to get the judge on the case. Transfer to the correct judge, if necessary.
- d. Save (F10)
- e. Write the new case number on the documents.
- f. Go to CDACASU, click the e-file box, save. Exit the form.
- g. Add the additional parties, dockets, and images on the JA case.

### Circuit Clerk - Disposition

In the JA case:

1. Enter the disposition code (MDDM-dismissed, MDPG-granted, or MDPD-denied).
2. Associate the MF and MD.
3. If the adoption is granted:
  - Update the child's name in the adoption (JA) case (NOT in the DN case) in CPAIDEN. Do not change the case name.
  - Enter JUCO for the adoption (JA) case.
  - Transfer the adoption file to the probate clerk.<sup>1</sup>

In the DN case:

1. Enter JUCO for the underlying DN case if the case has been closed for all the children on the case.

<sup>1</sup> See A.C.A. §9-9-217(a)(2)(B)(ii).



## County Clerk - Filing

1. Enter MFT
2. Filemark the case
3. Let Contexte assign a PR case ID
4. Let Contexte assign a judge
5. Add relevant parties from the juvenile adoption case. Enter the child as party type CHIL and use the same party ID as the juvenile adoption case. Do NOT use the child's party ID from the DN case!

## County Clerk - Disposition

1. Enter MDJD and associate the MFT/MDJD
2. Enter JUCO
3. Report the adoption to vital records. The form can be found at [https://www.healthy.arkansas.gov/images/uploads/pdf/RESOURCE\\_-\\_Report\\_of\\_Adoption.pdf](https://www.healthy.arkansas.gov/images/uploads/pdf/RESOURCE_-_Report_of_Adoption.pdf)

# Adoptions



All Clerks Ever Wanted to Know About . . . .

## Case Status

### Why worry about case status?

Case status tells anyone looking at the case something about where that case is in the court process. It is visible to the public on court connect and is also used for some reports for judges to flag necessary action.

Generally speaking:

<b>Open</b>	An initial petition is pending in that court.
<b>Reopen</b>	A case has been reopened for some purpose.
<b>Inactive</b>	The court CANNOT take action due to some circumstance beyond the court's control.
<b>Reactivated</b>	A case was previously inactive but now is pending before the court.
<b>Closed</b>	No petition is pending and no further action is scheduled.
<b>Set for Review</b>	No petition is pending, but further court action is legally required. This is only appropriate for juvenile DN, juvenile FINS if the child was removed from the home, probate guardianships (adult and juvenile), and probate adult protective custody cases.
<b>Specialty Court</b>	The case has been moved to drug court, veterans' court, swift court, DWI court, or another specialty court. This may be pre- or post-adjudication.
<b>Monitoring</b>	No petition is pending, no further action by the court is scheduled, but there is some aspect of the case after the disposition (juvenile probation, payment of fees or fines) that the court wishes to monitor.

# Case Status

### How can I see the case status?

For Contexte users, run CZRCASESTATUS in Contexte. Case status can also be seen for individual cases on Court Connect and in CDADOCT (in the top block) and in CDACSTS.

### How do I know what to enter for the case status?

Many case statuses are automatic based on a docket code. The disposition sheet should tell you what docket code to enter. If a manual change is needed, the court will need to inform you of the change needed.



## Case Status

### What triggers the case status?

Case status	Subject area	What triggers
Open	all	MFO: Manner of Filing Original MFA: Manner of Filing Appeal MFT: Manner of Filing Transfer
Reopen	All	MFR (plus the case type): Manner of Filing Reopen
Reactivated	All	MFF: Manner of filing reactivated
Closed	All	JUCO: case closed
	All	MDCO: case consolidated
	All	MDTR: transfer to another jurisdiction
	Civil	MDDM: dismissed
	Civil	MDJD: judgment/decreed/order
	Criminal	MDJD: judgment/decreed/order <i>Put in change for criminal</i>
	Domestic	MDJD: judgment/decreed/order
	Probate	MDJD: judgment/decreed/order
	Juvenile delinquency/EJJ	MDFNC: found not fit
	Juvenile delinquency/EJJ	MDRV: probation revoked
Inactive	All	MSIA: inactive
	Criminal	MSFNI: found not fit case inactive
	Civil	MDAR: arbitration
	Civil	MDRB: removed to bankruptcy
	Civil	MDRF: removed to federal court
	Domestic	MDRB: removed to bankruptcy
	Juvenile delinquency	MSFNI: found not fit case inactive
Specialty Court	Criminal	MDTS: transfer to specialty court (pre-adjudication)
	All	Manually change status to specialty court in CDACSTS.
Set for Review	Juvenile DN	MSSD
	Probate Adult Guardianship	MSSD
	Probate Juvenile Guardianship	MSSD
	Adult Protective Custody	MSSD
Monitoring	All	Manually change status to monitoring in CDACSTS.





# Dependency and Dependency Neglect

*All Clerks Ever Wanted to Know About . . . .*

## Dependency and Dependency-Neglect Cases

### Why the Change

Practice has varied considerably across the state and it has not been possible to provide accurate numbers of active dependency cases because of the inconsistency. It has also been difficult for those working on a case to easily determine the status of the case.

### Filing

These cases most often come in on an emergency petition, but they can also come in on a 30-day petition. Either should have a cover sheet and open with an MFO.

### Disposition of initial petition

You should receive a disposition sheet in addition to the adjudication/disposition order and do the following:

1. Enter the appropriate docket code for the disposition (typically MDFN, MDPE, or MDDM) for each juvenile and associate it with the manner of filing.
2. Enter the additional disposition information on the disposition sheet.
3. Enter MSSD if the petition has been disposed as to every juvenile and the case is set for review (further hearings are anticipated) OR enter JUCO if the case is completely closed.

The case status should show as:

- open if the petition was not disposed for every juvenile (open means that a petition is pending);
- set for review if the petition was disposed for all juveniles and further court action is anticipated; or
- closed if the case was completely closed.

### Reopening

A case should be statistically reopened (using an MFR code for each juvenile involved) if any of the following petitions are filed:

- New allegations of abuse or neglect
- Paternity
- Guardianship
- Termination of Parental Rights
- Custody
- Support

A review hearing without a new petition does NOT get an MFR code. If the case is reopening with an adoption petition, please see the adoption tip sheet!

### Disposition of later petitions

You should receive a disposition sheet in addition to the order and do the following:

1. Enter the appropriate docket code for the disposition (typically MDPG, MDPD, or MDDM) for each juvenile and associate it with the manner of filing for that petition/reason for reopening.
2. Enter MSSD if the petition has been disposed as to every juvenile and the case is set for review (further hearings are anticipated) OR enter JUCO if the case is completely closed.

### Closing the case

- The case may close with the disposition of a petition, which you will see as JUCO on the disposition form.
- The case may also close with a final order but no disposition form if it did not close based on a petition.



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## Guardianships

### Why worry about guardianships?

Practice used to vary across the state, with some jurisdictions closing guardianships as soon as they are established, some closing them when the guardianship ceases, and others keeping them open indefinitely. It has not been possible to provide accurate numbers of active guardianships, to monitor guardians' compliance with annual reporting requirements, or to say if a guardianship order is still valid.

### Filing

The cover sheet for probate is broad because case types vary a lot in probate. The AOC does not specify who needs to be included on the cover sheet, though at a minimum the petitioner should be included.

### Disposition

- You should receive a disposition sheet in addition to the order.
- Enter the appropriate docket code for the disposition (typically MDJD or MDDM) and associate it with the manner of filing.
- If granted, guardianships should be set for review because the law requires annual reports and annual accounting. Enter MSSD – this will set the case status to Set for Review.

Once you have done these things, guardianship cases will count as disposed/closed but will also appear in a report of all cases set for review.

### On an ongoing basis

In guardianship cases, an annual report is required. An annual accounting is required unless waived by the court. When those reports are received, enter the appropriate docket code:

- F103/F103\$: accounting by guardian and/or
- F147: annual report of guardian.

A report can then be run on which guardianship cases are set for review but lacking an annual report or accounting.

### For old guardianships

If the guardianship was granted but is still showing as open:

1. Enter MDJD with the date the guardianship was granted. Associate the MDJD to the MF code.
2. If the guardianship is still active, enter MSSD so the case status will show "set for review." This must be entered after the MDJD.

This will help to clear out your "cases pending" numbers.

If guardianships were inappropriately dismissed (when there should still be a valid guardianship), a judge can issue an order setting aside the dismissal. The clerk should then do the following:

- Docket ORAO and in docket text "setting aside dismissal."
- Delete MDDM (manner of disposition dismissal)
- Enter MDJD for the day the guardianship was granted
- Enter MSSD to set the case status as "set for review" as of the day of the order to set aside the dismissal. Make sure the time of the MSSD entry is after the ORAO.

# Guardianship



## In Forma Pauperis

All Clerks ever wanted to know about . . . .

### In Forma Pauperis Cases

#### Why the Change

An In Forma Pauperis (IFP) petition is a request to file a case without paying the normal fee because the individual is indigent. The Arkansas Supreme Court ruled that denial of an IFP petition is an appealable case and as such needs a case number.<sup>1</sup>

#### Filing

When an IFP petition is brought to the clerk:

- Open a new case based on the underlying case type. Let the system assign a case ID and a judge.
- Do not assign an MFO. If an MFO is automatically added by Contexte, delete it.
- Docket the cover sheet and the IFP petition (CC05 & F126 affidavit in forma pauperis). Attach the complaint for the underlying case as an exhibit (F171H IFP exhibit no file mark)
- *Note: an IFP petition filed later in the case should use docket code MNDO*

#### After the ruling on the IFP

If the IFP petition is granted:

For conventional filing	For e filing
1. Enter OR57 (order proceed in forma pauperis)	
2. Enter MFO	
3. File mark the IFP exhibit/complaint (the underlying petition). Docket CC06 (complaint/petition post IFP)*	3. Electronically file the IFP exhibit (CC06 complaint/petition post IFP)*
4. No further action on the IFP petition is required and the case continues as if the filer had paid a filing fee.	

*\*if the petition is only partially granted, use CC06\$*

If the IFP petition is denied:

1. Enter OR81 (order petition denied).

If the filer immediately pays the filing fee:

For conventional filing	For e filing
2. Enter MFO	
3. File mark the IFP exhibit/complaint (the underlying petition). Docket CC06\$ (complaint/petition post IFP)	3. Electronically file the IFP exhibit (CC06\$ complaint/petition post IFP)
No further action on the IFP petition is required and the case continues as normal.	

If the filer does not immediately pay the filing fee:

2. Enter JUCD. No further action on the IFP petition is required.
3. If/when the petitioner pays the filing fee, file the case with an MFO. File mark the petition/complaint (CC05\$)
4. You may relate the case to the original case seeking the IFP status.

<sup>1</sup> Penn v. Gallagher, 2017 Ark. 8



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## Inactive Case Status

A case is inactive when the court is prohibited from taking action on the case due to events or circumstances outside of the court's control. An inactive case is then counted as reactivated when the court can once again take action.

# Inactive Case Status

Subject area	Example of circumstances that make a case inactive	Inactive status	Reactivation
Civil	a stay is issued due to military duty of one of the parties	MSIA	Set case status to "reactivated"
	the case is subject to mandated arbitration <b>not</b> under the court's control	MDAR	MFF
	the court is unable to take action due to removal to bankruptcy court	MDRB	MFF
	the court is unable to take action due to removal to other federal court	MDRF	MFF
Criminal	the defendant has absconded, an arrest order has been issued, and the court has suspended activity until the defendant is returned to court	MSIA	Set case status to "reactivated"
	the court has ordered a fitness to proceed examination or a criminal responsibility evaluation	MSIA	
	The defendant has been found not fit to proceed, but the case remains open	MSFNI	
	a case is referred by the court to a pre-adjudication specialty court program such as drug court or veterans' court	MSIA	
	a stay is issued in the case from the Arkansas Supreme Court or Court of Appeals	MSIA	
Domestic Relations Or Probate	a stay is issued due to military duty of one of the parties	MSIA	Set case status to "reactivated"
	the court is unable to take action due to removal to bankruptcy court	MDRB	MFF
Juvenile	the juvenile is on run status	MSIA	Set case status to "reactivated"
	the court has ordered a fitness to proceed examination or a criminal responsibility evaluation in a delinquency case	MSIA	
	the court has ordered a fitness to proceed examination or a criminal responsibility evaluation in a delinquency case	MSFNI	





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## One Time Events

### The issue

Occasionally orders unrelated to an open case are issued by the court. These may include:

- Certificate of indebtedness
- Juvenile order for investigation
- Adult protective custody order for investigation.

In other cases, a case opens and closes the same day, such as a small estate case.

### The options

Type	Option	Is there a filing fee?	Is it counted as a case?	Is a judge assigned?
Certificate of Indebtedness	Enter into Contexte using Z8 case type, sets up XXOT-YY-#### Enter certificate with docket code GCI Close case	Yes	No	No
	Keep them in a separate book			
Petition/order for investigation (for juveniles)	Enter into Contexte using OI case type Close case. If a DN or FINS case is later opened, these cases can be related.	No	No	No
	Keep them in a separate book			
Petition/order for investigation (for vulnerable adults)	Enter into Contexte using AO case type Close case. If an adult protective services case is later opened, these cases can be related.	No	No	No
Small estate filing	Enter into Contexte using SE case type Immediately close the case with MDJD and trial type N Associate MD and MF codes	Yes	Yes	Yes

# One Time Events



## Special Judge

### SPECIAL JUDGE PROCESS

#### Why?

Many statistical reports are based upon the Judge ID. When there is no regular judge ID attached to the case your reports will not be accurate.

Cases in which a Special Judge has been appointed should show the last active judge within their circuit as the active judge (J Party type). This means that judge should not have an end date. The case should also have the Special Judge (JSPE) added to the case when the order appointing them is received.

#### The Regular Judge

To keep the last Circuit Judge active on the case:

When an order to transfer or recuse is filed, go to CDAPRTY and determine if all other judges have either transferred or recused.

If all other judges have previously transferred the case or recused from it, the clerk should not proceed with the transfer or recusal process in Contexte.

When the order from the Supreme Court appointing a Special Judge is received by the clerk, the clerk should follow the steps below.

#### Assigning a Special Judge

Any attorney serving as a special judge must be entered as a special judge in the Legal Information Tab in CPAIDEN prior to being added to a case. An attorney only needs to be added as a Special Judge once.

**HINT:** Search for the (Arkansas Special) attorney in CPILCAT and copy (Ctrl and C) their Bar Number (ID) before beginning the steps below.

1. Go to CPAIDEN.
2. Enter or paste (Ctrl and V) the ID (Attorney Bar number) for the attorney appointed as a special judge.
3. Click on the **Legal Information** Tab.
4. The attorney will have a current legal category of **A**.
5. On the next blank line, enter **S** for Special Judge.
6. Press **F10** to save.

#### Appointing a Special Judge

7. Go to CDAPRTY.
8. Enter or select the **Case ID** in the top block.
9. Press **Ctrl** and **PgDn** to go to display existing parties.
10. Click on the existing active Judge record so that it becomes highlighted.
11. Type APPNTSJ in the Party Status field for the judge.
12. Type in the Status Date. (File-mark date of the appointment order)



## Special Judge

1. Go to CDAPRTY.
2. Enter or select the Case ID in the top block.
3. Press Ctrl and PgDn to go to display existing parties.
4. Click on the existing active Judge record so that it becomes highlighted.
5. Type APPNTSJ in the Party Status field for the judge.
6. Type in the Status Date. (File-mark date of the appointment order)
7. Press F10 to save.

**HINT:** The Status Date and Time will default, so be sure the date and time match the file-mark date on the appointment order.

8. Press F6 to insert a new record for the Special Judge.
9. Enter JSPE as the Party Type.
10. Enter or paste (Ctrl and V) the Party ID (Attorney Bar number) for the Attorney that will serve as Special Judge.
11. Go to Start Date field and type in the file-mark date of the order appointing the Special Judge.
12. If your file-mark includes a time, type that time into the Status time field.
13. Press F10 to save.



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## Post-Adjudication Specialty Courts

### Why worry about specialty courts?

Practice has varied considerably across the state, with some jurisdictions closing specialty court cases when charges are disposed and others keeping them open. It is important to show which cases are open (have charges pending), which are in specialty court, and which cases are closed. Following the process below allows a count of how many cases are in specialty court, based on case status.

### Stages of specialty court

When an individual enters post-adjudication specialty court:

- All charges should be disposed
- The case should be closed with MDJD.
  - o Relate MDJD to the MF code
  - o Associate MDJD to the correct defendant.
- Change the case status to specialty court (manual entry in CDACSTS).
- Once the individual exits specialty court, enter JUCO. This indicates that the individual is no longer in specialty court and has no charges pending. The case status will show closed.
- If the court wishes to continue monitoring a probationer after they have completed specialty court, change the case status to monitoring (manual entry in CDACSTS) after entering JUCO.

If the individual in specialty court absconds:

- Enter MSIA to change the case status to inactive.

If the individual commits a probation violation during or after exiting specialty court:

- Enter MFRDI (or MFRMI if the original case was a misdemeanor case) to reopen the case. This will set the case status to reopen.
  - o Associate the MFR code to the defendant.
  - o Add the charge of 99-1
- Once the probation violation is heard, enter a disposition for the 99-1 and MDJD.
  - o Relate MDJD to the MFR code
  - o Associate MDJD to the defendant.
- If the individual is continuing in specialty court, change the status to specialty court (manual entry in CDACSTS).
- If the individual is not in specialty court, enter JUCO to change the status to closed.

# Specialty Court

5/23/2018





# District Court Judges to Circuit Court Cases

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## Assigning District Court Judges to Circuit Court Cases

### Why the Change

Under Administrative Order 18 (found at <https://courts.arkansas.gov/rules-and-administrative-orders/administrative-orders>), "A state district court judge may be referred matters pending in the circuit court. An individual matter or a category of case may be the subject of a reference." These may include civil, domestic, or probate matters with the consent of all parties or of an emergency nature; protective orders; detainers; search warrants; arrest warrants; first appearances; and other matters.

### Filing

In some jurisdictions, the district judge may be automatically assigned to a case in Contexte. This occurs when the assignment was part of the circuit's administrative plan and is based on a case type. If not, transfer the case to the district judge. Use the district judge ID for that judge, not their bar number or "special judge."

- Note: District judge IDs start with "DJ" followed by the county number and location code of the district court. For example, DJ30MV is the district judge in Hot Spring County, Malvern location.
- If a district judge does not have a Contexte ID, please request one from the help desk.

In statistical reports, the district judge's cases will appear on the circuit court report, but as assigned to the district judge.

### Disposition

Circuit court cases need a disposition form, even if they are heard by the district court judge. Insert the proper disposition (MD) code and associate it to the MF code and enter all other information from the disposition form.



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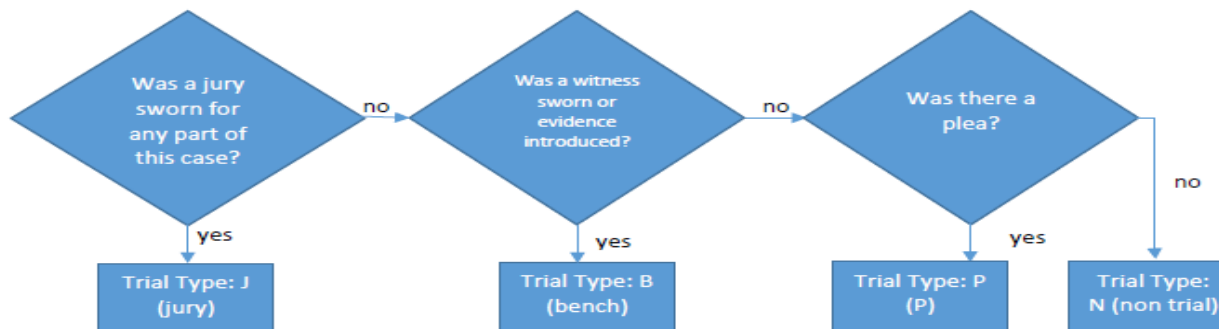
## Trial Type in Criminal Cases

# Trial Type

To determine the trial type in a criminal case, look at the sentencing order.

The image shows a portion of a sentencing order form. Two blue arrows point to specific sections: one points to the 'Defendant voluntarily, intelligently, and knowingly entered a plea' section, labeled 'Trial type: Plea'; the other points to the 'Defendant' section, which includes options for 'was sentenced pursuant to §§16-93-301 et seq.', 'entered a plea and was sentenced by a jury', 'was found guilty by the court & sentenced by court jury', and 'was found guilty of lesser included offense by court jury', labeled 'Trial Type: Jury or Bench'.

Then consider the following questions:



If a jury was sworn at any point in the case, even if they did not reach a verdict, enter trial type as jury.

To translate it from the sentencing order:

Negotiated or entered a plea	P (plea)
Entered a plea and was sentenced by a jury	J (jury)
Was found guilty by the court & sentenced by court	B (bench)
Was found guilty by the court & sentenced by jury	J (jury)
Was found guilty at a jury trial & was sentenced by court	J (jury)
Was found guilty at a jury trial & was sentenced by jury	J (jury)
Was found guilty of lesser included offense by court	B (bench)
Was found guilty of lesser included offense by jury	J (jury)



# Docket Association

when a case has more than one filing. A case will continue to show on an active case list, regardless of case status, if the docket association is not done. It does not matter whether the MF "causes" the MD or vice versa, as long as they are associated.

## Docket Association Reports

Docket Association reports are available in both Contexte and Tableau. Clerks should run docket association reports monthly.

- MD not associated with MF
- Missing MF
- MF with >1 MD
- MD with >1 MF

## What do I do with this information?

- If the docket codes are present but not associated, associate them.
- If the MF is missing (and it's not one of the below case types), enter the MF as of the date of the relevant petition or pleading and associate it to the MD. We see these most often on reopened cases where an MFR is missing.
- If the MD is missing, enter the appropriate MD code as of the date of the disposition of the case and associate it to the MF.
- If an MF is associated with more than one MD, un-associate the extra MD.
  - o *Hint: the filing date will be a clue for which one is "extra."*
  - o Click the "no" radio button in CDQDASS and save to un-associate the code.
  - o If the extra MD code was a duplicate, delete it.
  - o If the extra MD code should be associated with a different MF code, associate it to the correct MF code.
- If an MD is associated with more than one MF, un-associate the extra MF.
  - o *Hint: the filing date will be a clue for which one is "extra."*
  - o Click the "no" radio button in CDQDASS and save to un-associate the code.
  - o If the extra MF code was a duplicate, delete it.
  - o If the extra MF code should be associated with a different MD code, associate it to the correct MD code.

## What cases don't need MF or MD?

AW	Asset Warrant	IP	Juvenile Drug Court
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## How can I suggest a tip sheet?

- [ORJShelp@arcourts.gov](mailto:ORJShelp@arcourts.gov)
- Talk to your Regional Court Administrator!





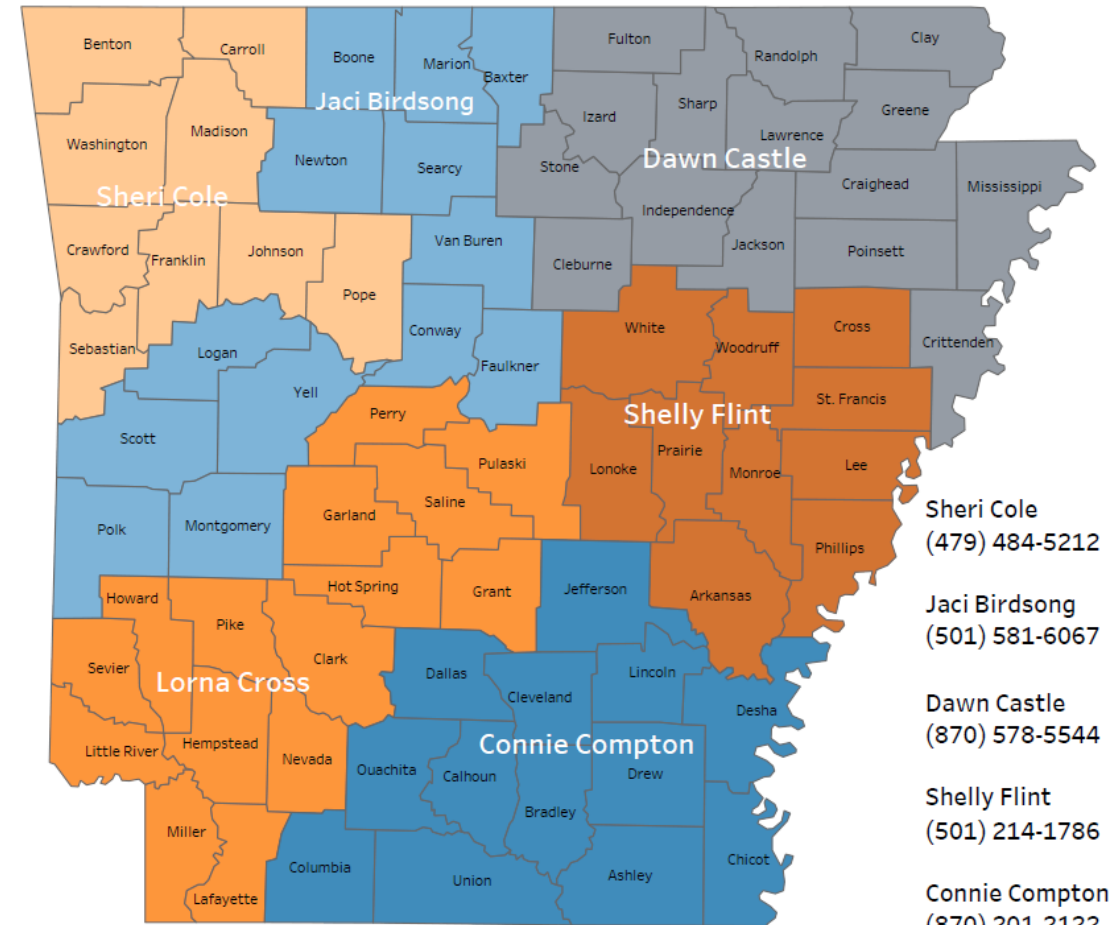
# Questions? Suggestions?

Contact ORJS HELP at:  
[ORJShelp@arcourts.gov](mailto:ORJShelp@arcourts.gov)

(501)492-5715

or

talk to your Regional Court  
Administrator!



Sheri Cole  
(479) 484-5212

Jaci Birdsong  
(501) 581-6067

Dawn Castle  
(870) 578-5544

Shelly Flint  
(501) 214-1786

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