

**ADMINISTRATIVE PLAN
FOR
EIGHTEENTH EAST JUDICIAL CIRCUIT**

EFFECTIVE JANUARY 1, 2022

Pursuant to Administrative Order Number 14 of the Supreme Court of Arkansas, the Judges of the Eighteenth East Judicial Circuit adopt the following administrative plan.

The Eighteenth East Judicial Circuit is composed of Garland County, Arkansas. The circuit is served by four circuit judges; namely, Judge Ralph Ohm, Judge Cecilia Dyer, Judge Lynn Williams and Judge Marcia R. Hearnberger.

The Forty-First Judicial District is composed of Garland County, Arkansas. The district is served by two state district judges; namely, Judge Joseph Graham and Judge Meredith Switzer.

CASE ASSIGNMENT AND ALLOCATION

This plan has been designed to facilitate the best use of available judicial and support resources within the circuit so that cases will be resolved in an efficient and prompt manner.

DIVISION 1 – Judge Ralph Ohm	
Case Type	Percentage of Cases
Criminal	50%
Civil	30%
Domestic	0%
Probate	25%
Juvenile	0%

DIVISION 2 – Judge Cecilia Dyer

Case Type	Percentage of Cases
Criminal	0%
Civil	0%
Domestic	65%
Probate	25%
Juvenile	100% FINS 100% Delinquency

DIVISION 3 – Judge Lynn Williams

Case Type	Percentage of Cases
Criminal	0%
Civil	40%
Domestic	35%
Probate	25%
Juvenile	100% Dependency Neglect

DIVISION 4 – Judge Marcia R. Hearnberger

Case Type	Percentage of Cases
Criminal	50%
Civil	30%
Domestic	0%
Probate	25%
Juvenile	0%

CASELOAD ESTIMATES

Based upon January 1, 2020, through December 31, 2020, figures, the projected caseload for each division follows:

DIVISION 1 – Judge Ralph Ohm	
Case Type	Estimated Number of Cases
Criminal	484
Civil	416
Domestic	165
Probate	183
Juvenile	<u>0</u>
Total	1,248

DIVISION 2 – Judge Cecilia Dyer	
Case Type	Estimated Number of Cases
Criminal	0
Civil	0
Domestic	711
Probate	176
Juvenile	<u>358</u>
Total	1,245

DIVISION 3 – Judge Lynn Williams

<u>Case Type</u>	<u>Estimated Number of Cases</u>
Criminal	0
Civil	543
Domestic	544
Probate	175
Juvenile	<u>137</u>
Total	1,399

DIVISION 4 – Judge Marcia R. Hearnberger

<u>Case Type</u>	<u>Estimated Number of Cases</u>
Criminal	480
Civil	412
Domestic	87
Probate	175
Juvenile	<u>0</u>
Total	1,154

SPECIALTY COURT PROGRAMS

ADULT DRUG COURT – JUDGE RALPH OHM, PRESIDING

A. Type of Program and Description of Operations:

The Garland County Drug Court is a voluntary, pre-adjudication, highly intensive supervision program designed to address the needs of criminal defendants with drug and alcohol related issues along with co-occurring disorders. Drug Court is only available to

defendants meeting program eligibility requirements. The defendant must be an adult resident of Garland County, must not have a previous conviction for a serious felony involving violence as defined in A.C.A. § 5-4-501(c)(2); must not have a previous conviction that would require registration as a sex offender; must be identified as high-risk/high-need, as determined by a validated risk-need assessment; must have a drug or alcohol disability; and must be identified as appropriate for the program, as determined by a licensed therapist. Drug Court is a minimum of eighteen (18) months. Furthermore, Drug Court is held on the First and Third Tuesday of each month beginning at 1:30 p.m. at the Garland County Courthouse, Room 301, 501 Ouachita Avenue, Hot Springs, AR 71901.

B. Statutory Authority:

The Garland County Drug Court was established pursuant to Arkansas Code Annotated §16-98-303.

C. Certification of Compliance:

The Garland County Drug Court operates in compliance with all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

D. Use of Court Resources:

The Garland County Drug Court team includes (1) full-time Circuit Court Judge, (1) full time deputy Prosecuting Attorney, (1) full-time Public Defender, (1) full-time Probation Officer, (1) full-time counselor, (1) full-time Probation Administrator, (1) full-time Hot Springs Police Department peer resource coordinator, (1) Retired law

enforcement officer, and (4) representatives from community treatment providers in Garland County.

E. Source of Funding:

The Garland County Drug Court currently receives no funding from State, federal, or local sources. The Drug Court does receive funding from the participants as authorized by A.C.A. § 16-98-304. The participants pay a fee of \$600.00 to participate in drug court. Of this \$600.00, \$300.00 goes into drug court programs and \$300.00 goes to the state. This fee is paid as the defendants' progress through drug court and complete various steps. All funds are handled through the Garland County Treasurer Office. Furthermore, all money is appropriated by the Garland County Quorum Court. Since I have been the Judge as of January 1, 2021, there have been no funds expended by drug court. However, it is anticipated that this will change in the very near future.

JUVENILE DRUG COURT – JUDGE CECILIA DYER, PRESIDING

A. Type of Program and Description of Operations:

Garland County Juvenile Drug Court is a post-adjudication, intensive program designed to address the needs of juvenile delinquents with issues related to drug abuse. Juvenile Drug Court is available to juvenile offenders who are high risk and high need. The program receives participants based on referrals from Probation Officers, the Prosecuting Attorney, the Public Defender, and drug court members. All participants have completed the SAVRY risk and needs assessment and have a follow up six-month assessment while in the program. If the juvenile receives any new criminal charges while in the program, a

re-assessment is completed. All participants have a case management plan with various additional resources provided by Ouachita Behavioral Health and Wellness and Ouachita Children's Center. Each participant attends individual and family therapy as well as peer specific substance groups. The program consists of completion of five phases. Completion can be as short as eight to nine months gauged on compliance by the participant. The average program completion time is twelve to fourteen months. Review hearings are held once a month and revocation hearings are held as needed coinciding with the monthly review hearings.

B. Statutory Authority:

The Garland County Juvenile Drug Court was established pursuant to Arkansas Code Annotated §16-98-303.

C. Certification of Compliance:

The Garland County Juvenile Drug Court operates in compliance with all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

Team members have attended trainings on the State level provided by the Administrative Office of the Courts as well as Federal training programs provided by the National Court Judges and Family Court Judges. Garland County Juvenile Drug Court was implemented and seeks to operate in accordance with best-practice standards.

D. Use of Court Resources:

The Garland County Juvenile Drug Court Team includes a Circuit Court Judge, Deputy Prosecuting Attorney, Deputy Public Defender, Juvenile Drug Court Coordinator,

Garland County Juvenile Court Chief Probation Officer, School Liaison, Community Liaison, Mental Health Provider, and Law Enforcement Officer.

The Garland County Juvenile Drug Court uses its resources to help promote a clean and sober lifestyle for the youth in the program and uses incentives such as gift cards and vouchers for positive community projects like Paint Happy and Mosaic Madness.

E. Source of Funding:

The Garland County Juvenile Drug Court receives funding and support from the Administrative Office of the CoU1is in the form of grants and a paid salaried position (Drug Court Coordinator). The program also receives funding by way of County Probation Officers who assist in court hearings. Additional funding is provided through various grants to help with other resources. A non-profit organization helps provide other funding such as incentives, treatment, family outings and other needs of the participants and their families.

STATE DISTRICT COURT JUDGES

ADMINISTRATIVE ORDER NUMBER 18 REFERRALS FROM CIRCUIT COURT

Has the circuit court referred matters pursuant to Administrative Order No. 18 to be heard by a state district judge?

Yes

No

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

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

Name	District Court Judicial District	Assignment and Allocation of Cases
Judge Joseph Graham Division 1	41st District	50% of Referred Matters
Judge Meredith Switzer Division 2	41 st District	50% of Referred Matters

Matters Subject to Reference

The following matters are referred from circuit court to state district court and have been included in the administrative plan for the circuit court and the administrative plan for the district court:

Consent Jurisdiction. Upon the consent of all parties and approval by the circuit judge originally assigned, the following types of cases are referred from circuit court:

- Civil
- Domestic Relations
- Probate

Protective Orders.

Forcible Entry and Detainers / Unlawful Detainer.

Other Matters of an Emergency or Uncontested Nature Pending in Civil, Domestic Relations or Probate Division. *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters _____ Location _____

Involuntary Commitments – Mental Illness
 Involuntary Commitments -- Drug Abuse

Other Matters, if Justification for the Reference and Procedures to be Employed are Sufficiently Demonstrated in the Circuit Court Administration Plan Pursuant to Administrative Order No. 14. *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters Location

Criminal. The following duties are referred with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of the circuit court:

- Issue Search Warrant Pursuant to Rule 13.1
- Issue Arrest Warrant Pursuant to Rule 7.1 or A.C.A. §16-81-104
- Issue Summons Pursuant to Rule 6.1
- Reasonable Cause Determinations Pursuant to Rule 4.1 (e)
- Conduct First Appearance Pursuant to Rule 8.1
- Appoint Counsel Pursuant to Rule 8.2
- Inform Defendant Pursuant to Rule 8.3
- Accept Plea of “Not Guilty” or “Not Guilty by Reason of Insanity”
- Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3
- Conduct Preliminary Hearing Pursuant to A.C.A. §16-93-307

Digital Audio Recording Equipment

Is digital audio recording equipment utilized to make a verbatim record of matters referred from the circuit court?

- Yes
- No

State District Judge Designated to Preside Over Circuit Court Specialty Court Dockets or Programs

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

- Yes
- No

If a district judge presides over a circuit court specialty court, please provide the following information:

<u>Type of Specialty Court</u>	<u>Location</u>
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Not Applicable

- a. Type of specialty docket and description of its operation:
- b. Statutory or legal authority on which it is based:
- c. Certification of compliance with all applicable sentencing laws, including assessment, collection and remittance of fines, fees, court costs, probation fees.
- d. Use of court resources. *[Describe the court team including prosecuting attorneys, public defenders, and health professionals; that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*
- e. Sources of funding:

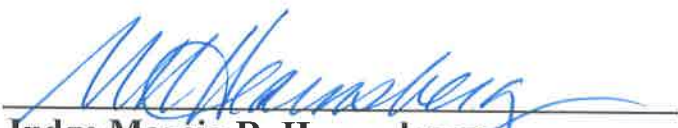
District Court Administrative Plans

The following district court administrative plans are appended for submission to the supreme court:

- 41st District – Garland County

APPROVAL

The Administrative Plan was unanimously adopted by the circuit judges of the Eighteenth East Judicial Circuit.



Judge Marcia R. Hearnberger
Administrative Judge