2021-2022 ADMINISTRATIVE PLAN OF THE SECOND JUDICIAL DISTRICT PURSUANT TO ADMINISTRATIVE ORDER NO. 14

I. INTRODUCTION

As of January 1, 2021, the Second Judicial District of the State of Arkansas will consist of 12 circuit judges, five of whom will be new pursuant to the Nonpartisan Primary Election of March 2020. Therefore, a new Administrative Plan shall be necessary for 2021-2022. The Second Judicial District consists of six counties and nine courthouses. The six counties are Clay, Craighead, Crittenden, Greene, Mississippi, and Poinsett. Three counties have two county seats: Craighead County with seats in Jonesboro and Lake City; Clay County with county seats in Corning and Piggott; and Mississippi County with county seats in Blytheville and Osceola.

As of January 1, 2021 there will be 12 Circuit Judges serving this area as follows:

Judge Pam Honeycutt	Division 1
Judge Richard Lusby	Division 2
Judge Chris Thyer	Division 3
Judge Cindy Thyer	Division 4
Judge Skip Mooney, Jr.	Division 5
Judge Tonya Alexander	Division 6
Judge Mary Broadaway	Division 7
Judge Kim Bibb	Division 8
Judge Melissa Richardson	Division 9
Judge Dan Ritchey	Division 10
Judge Randy Philhours	Division 11
Judge Scott Ellington	Division 12

II. ADMINISTRATIVE POLICY

A majority vote of the Circuit Judges of the Second Judicial District shall determine the case management and procedures to be used within the Second Judicial District to administer this plan and any subsequent plan. One of the circuit judges shall serve as the Administrative Judge (AJ). The AJ shall take any and all actions necessary to implement this plan and the administrative procedures established by the Circuit Judges of this Circuit. Judge Ralph Wilson serves as AJ and may continue in that capacity until December 31, 2020, at the expiration of Judge Wilson's current term of office, before which date a successor Administrative Judge shall be selected. Thereafter, the AJ shall be selected and serve a term as provided in Section 2 of Administrative Order N. 14 as amended. This Plan, if approved by the Supreme Court, shall take effect on **January 1, 2021**, and be effective until replaced by any subsequently approved plan.

III. CASE ASSIGNMENT AND ALLOCATION

A) Eleven of the twelve circuit judges, except for Judge Philhours, shall be assigned to the Domestic Relations and Probate Division. Furthermore, Judge Scott Ellington will not be assigned any Criminal Division cases nor Juvenile Delinquency and FINS cases, for the next two years as he was the elected Prosecuting Attorney for the Second Judicial District prior to being elected as a circuit judge. This is to avoid all conflicts of interest.

B) **Juvenile Delinquency and FINS cases.** The Circuit Judges elected to Divisions 2, 5, 7, and 8 shall be randomly assigned 25% of the Juvenile Delinquency and FINS cases. The Division 8 Circuit Judge will be assigned to the Craighead County Juvenile Drug Court.

Dependency-Neglect Cases. The Division 5 Circuit Judge shall be assigned all of the D-N cases in Clay and Poinsett counties. The Division 7 Circuit Judge shall be assigned all the D-N cases in Greene County. The Division 8 Circuit Judge shall be assigned all the D-N cases in Craighead County. The Division 12 Circuit Judge shall be assigned all the D-N cases in Crittenden and Mississippi counties.

C) The Circuit Judges elected to Divisions 5, 7, 8, and 12 shall have a reduced Civil and/or Criminal caseload because of their Dependency-Neglect caseload. All judges will be randomly assigned cases in the Civil and Criminal Divisions as described in subsection IV. CIVIL AND CRIMINAL ASSIGNEMENTS.

D) This assignment of the respective Circuit Judges to a particular division shall not preclude any Circuit Judge from hearing any and all routine and uncontested matters irrespective of the division assignment, with the exception of Division 12 Circuit Judge hearing criminal, juvenile delinquency, and FINS matters. Motions for continuances and motions to be relieved as counsel are to be heard by judge to whom the case is assigned.

IV. CIVIL AND CRIMINAL DIVISION ASSIGNMENTS

The Circuit Clerks of the respective counties are responsible for the random assignment of civil and criminal cases pursuant to this plan. The manner, process, and procedure of a true and accurate random selection of judges is left to the respective Circuit Clerks to implement. All matters connected with a pending or supplemental proceeding shall be automatically assigned by the Clerk to the Judge to whom the matter was originally assigned.

In the Eastern District of Clay County, all criminal and civil cases shall be assigned to judges elected to Divisions 1 and 3. In the Western District of Clay County, all criminal and civil cases shall be assigned to judges elected in Divisions 5 and 8.

In the Western District of Craighead County, all criminal cases shall be assigned to judges elected in Divisions 3, 4, and 11. All Drug Task Force cases shall be assigned to the judge elected to Division 3. All other criminal cases shall be randomly assigned to the judges elected to Divisions 4 and 11. All cases referred to drug court for disposition shall then be assigned to the judge elected to Division 9. All civil cases filed in this district shall be assigned to judges elected in Division 1, 2, and 9.

Because of the comparatively small caseload in the Eastern District of Craighead County and in view of speedy trial considerations and judicial efficiency, all civil and criminal cases are assigned to one Circuit Judge withing

that district. All civil and criminal cases shall be assigned to the judge elected to Division 10.7.

In Crittenden County, all criminal cases shall be assigned to judges elected to Division 6, 10, and 11. All cases referred to drug court for disposition shall then be reassigned to the judge elected to Division 5. All civil cases filed in Crittenden County shall be assigned to the judges elected to Divisions 2, 3, and 12.

In Greene County, all criminal cases shall be assigned to judges elected to Divisions 1, 9, and 11. All cases referred to drug court for disposition shall be reassigned to the judge elected to Division 7. All civil cases in Greene County shall be assigned to judges elected to Divisions 2 and 9.

In the Chickasawba District of Mississippi County, all criminal cases shall be assigned to the judges elected to Divisions 4, 5, and 8. All cases referred to drug court for disposition shall then be reassigned to the judge elected to Division 10. All civil cases in the Chickasawba District of Mississippi County shall be assigned to judges elected to Divisions 6 and 7.

In the Osceola District of Mississippi County, all criminal cases shall be assigned to judges elected to Divisions 6 and 10. All cases referred to drug court for disposition shall then be reassigned to the judge elected to Division 10. All civil cases filed in the Osceola District of Mississippi County shall be assigned to judges elected in Divisions 6 and 12.

In Poinsett County, all criminal cases shall be assigned to judges elected to Divisions 1, 4, and 9. All civil cases filed in Poinsett County shall be assigned to judges elected to Divisions 7 and 12.

In regard to Drug Court, if there is an alleged failure to successfully complete Drug Court, the case will be transferred to the originally assigned judge for sentencing.

V. DOMESTIC RELATIONS AND PROBATE

For the purpose of this plan, "Domestic Relations" shall mean cases relating to divorce, annulment, separate maintenance, alimony, child custody, visitation, child

support, paternity, and domestic abuse. "Probate" means cases relating to decedent's estates, trust administration, adoption, guardianship, conservatorship, involuntary admissions, and adult protective custody. All cases filed in the Domestic Relations and Probate Divisions of the Circuit Court of the various counties within the Second Judicial District shall be assigned to the Judges elected to all Divisions except for Division 11. Case assignment in the Domestic Relations and Probate Divisions shall be randomly done and assigned in the following percentages:

Division 1	5%
Division 2	12%
Division 3	6%
Division 4	2%
Division 5	12%
Division 6	9%
Division 7	14%
Division 8	11%
Division 9	4%
Division 10	10%
Division 12	15%

Other Provisions in Part V would remain as is. VI Caseload Estimates would be based on recent AOC statistics and set the average number of cases filed per judge at 2321.

The VII Other Provisions as to Recusals would remain the same. The Specialty Courts as most recently amended would remain the same, except in several cases, the Judge/Division would need to be updated.

I would like to submit our new Plan to Larry Brady (who retires at the end of the month, June 30th) and Ben Barham before July 1. It is not technically due then, but we need to give the Supreme Court time to review and approve before December 31st. We should probably select my successor as soon as we can and perhaps put that judge's name in this Plan!

VI. CASELOAD ESTIMATES

The judges of the 2nd Judicial Circuit, in developing this plan, relied on caseload statistics prepared by the AOC for the calendar year **2012-2015**. The Judges elected to all divisions would have a caseload of approximately **2125** cases per judge based on our circuit's approved weighted cases in dependency-neglect, domestic relations/probate and criminal divisions. In the event this assignment system results in a workload imbalance which adversely affects the judge or the judicial circuit, the AJ shall take steps to correct this imbalance by proposing an amended plan to correct any problem.

VII. OTHER PROVISIONS

A. Recusals. Consistent with the requirements of Administrative Order No. 1 and No. 16, the Circuit Judges for the Second Judicial District provide the following process for the handling of recusals, the reassignment of a case, and requests for the assignment of a judge by the Supreme Court.

A judge recusing or the trial court administrator on behalf of the judge recusing from a case shall notify in writing (including electronic mail) the Circuit Clerk and Administrative Judge. The Clerk shall then draw another chip to reassign that case to another judge. If that judge shall then recuse, he or she shall notify in writing the Circuit Clerk and Administrative Judge. The Clerk shall then draw another chip to reassign that case to another judge. If that judge also recuses and if the Clerk depletes chips for that subject matter division, the Clerk shall notify in writing the Administrative Judge who shall notify all other judges (from other subject matter divisions and geographic assignments) to request a judge

without a conflict or recusal issue to preside over that case. The Administrative Judge will then reassign that case to another judge within the Second Judicial District. If all judges in the Second Judicial District recuse, the Administrative Judge shall write a letter to the Chief Justice requesting that an assignment be made in compliance with Administrative Order No. 16.

B. Other Circumstances. Nothing in this Plan shall prohibit another judge within our circuit from presiding over cases in a division and venue jurisdiction to which he or she is not assigned, under this Plan, on the condition that there is the express consent of the judge to whom the cases are originally assigned, under circumstances including but not limited to the following: 1) to provide relief to an overcrowded docket where the volunteering judge not assigned to the particular division and venue has free time due to cancellation, settlement, or rescheduling of cases, or 2) any other extenuating circumstance requiring the just and expeditious disposition of cases with the consent of the volunteering judge and the judge to whom the cases are assigned.

SPECIALTY DOCKETS OR PROGRAMS.

1. Craighead County Drug Court, Judge Melissa Richardson presiding.

a. Defendants, by plea bargain, who qualify, plead guilty to charges and are transferred into drug court for "last chance" of rehabilitation and avoidance of long term incarceration. The program lasts 16-24 months and participants pay for treatment, fees, etc., as they go. (Five phases must be completed in order to graduate and be entitled to dismissal of charges.) Those who are unsuccessful are sentenced out to CCC or ADC. In order to graduate, they must have maintained, immediately prior to graduation, at least 6 months sobriety/clean time and completed GED, been regularly employed, and completed a community service project.

b. Established pursuant to the Drug Court Act, Arkansas Code Annotated Sections 16-98-301—307.

c. Certification of full compliance with laws regarding sentencing, fines, sanctions, court costs and probation assessments, as well as drug court treatment fees.

d. Court is conducted on Tuesdays at 8:30 a.m. Court resources are fully utilized: Craighead Courthouse Annex Courtroom used; prosecutors/defense attorneys/public defenders attend sessions where dispositive action occurs—sentencing out, primarily, but other occasions as well.

e. There is no charge for courtroom or services of prosecutors or defense attorneys.

2. Crittenden County Drug Court, Judge Skip Mooney, Jr. presiding.

a. Defendants, by plea agreement, who qualify, plead guilty to charges and are transferred into drug court for "last chance" of rehabilitation and avoidance of long term incarceration. Program last 16-24 months and participants pay for treatment, fees, etc., as they go. (5 phases must be completed in order to graduate and be entitled to dismissal of charges). Those who are unsuccessful in our drug court are sentenced to ADC. CCC is used as a sanction within the program along with other sanctions contained in our drug court handbook such as jail time, community service work. Rehabilitation is also required when needed as determined by the mental health assessments conducted and also based upon the history of the violations of the program. In order to graduate, each participant must have completed all of the phases of the program including obtaining GED, regular employment or in school, and maintaining a lengthy period of sobriety.

b. Established pursuant to the Drug Court Act, Arkansas Code Annotated Sections 16-98-301--307.

c. We are in full compliance with laws regarding sentencing, fines, sanctions, court costs and probation assessment - as well as drug court treatment fees.

d. Court is designed to be held weekly but may occur less frequently if other court assignments conflict. It is the goal to hold drug court no less than twice

each month. Court resources are fully utilized: Crittenden Count Circuit Courtroom is used; a deputy prosecutor and public defender attend all staffings and all sessions where sentencing occurs.

e. No charge to court for courtroom or for services of prosecutors or defense attorneys.

f. This court may also sentence participants to either RCF or ADC but also reserves the right to use RCF as a sanction without dismissal from the program.

3. Greene County Drug Court, Judge Mary Broadaway presiding.

a. Defendants, by plea agreement, who qualify, plead guilty to charges and are transferred into drug court for "last chance" rehabilitation and avoidance of long term incarceration. The program lasts 16-24 months and participants pay for treatment, fees, etc. as they go. (Five phases must be completed in order to graduate and be entitled to dismissal of charges.) Those who are unsuccessful are sentenced out to CCC or ADC. In order to graduate, one must have maintained, immediately prior to graduation, at least 5 months sobriety/clean time and completed GED, been regularly employed or in school, and completed community service project.

b. Established pursuant to The Drug Court Act, Arkansas Code Annotated Section 16-98-301—307.

c. Certification of full compliance with laws regarding sentencing, fines, sanctions, court costs and probation assessments, as well as drug court treatment fees.

d. Court is conducted after hours (5:30-7:00pm). Court resources are fully utilized: Greene County Circuit Courtroom is used; prosecutors/defense attorneys/public defenders attend sessions where dispositive action occurs—sentencing out, primarily, but other occasions as well.

e. There is no charge for courtroom or services of prosecutors or defense attorneys.

4. Mississippi County Drug Court, Judge Dan Ritchey presiding.

a. Defendants, by plea bargain, who qualify, plead guilty to charges and are transferred into drug court for "last chance" of rehabilitation and avoidance of long term incarceration. The program lasts 16-24 months and participants pay for treatment, fees, etc., as they go. (Five phases must be completed in order to graduate and be entitled to dismissal of charges.) Those who are unsuccessful are sentenced out to CCC or ADC. In order to graduate, they must have maintained, immediately prior to graduation, at least 6 months sobriety/clean time and completed GED, been regularly employed, and completed a community service project.

b. Established pursuant to the Drug Court Act, Arkansas Code Annotated Sections 16-98-301—307.

c. Certification of full compliance with laws regarding sentencing, fines, sanctions, court costs and probation assessments, as well as drug court treatment fees.

d. Court is conducted after hours (6:00-7:00pm). Court resources are fully utilized: Mississippi County Detention Center Courtroom used; prosecutors/defense attorneys/public defenders attend sessions where dispositive action occurs—sentencing out, primarily, but other occasions as well.

e. There is no charge for courtroom or services of prosecutors or defense attorneys.

5. Craighead, Crittenden and Mississippi Counties Mental Health Court, Judge Tonya Alexander presiding.

a. The process begins with a referral to one of the members of our mental health team. These referrals might come from defense attorneys, law

enforcement officers or prosecutors. If it is determined that the person has a mental illness that is treatable, and it is determined that the accused is competent to enter a plea, he/she will enter a plea in district court in the case of misdemeanors, or circuit court in the case of felonies. Typically, participants have a history of mental illness and a history of involvement with the criminal justice system. Upon the entry of the plea, treatment begins immediately. There are intensive and daily group and individual counseling sessions. The participants must meet with their probations officers and submit to drug screening as well. They must remain compliant with doctor's orders as to prescribed medications. The team members assist with arranging benefits, acquiring housing, budgeting, etc. The program is for at least one year. It could be longer depending on the nature of the offense and the progress of the participant. There are four (4) phases that must be completed before the person is eligible for graduation. They must remain drug free and alcohol free, pay on fines and costs (unless they have been waived), complete any court-ordered community service, keep a curfew and call in every night to a designated team member. Those who decide not to complete the program, or who are removed because of serious or repeated violations will be sentenced. In misdemeanor cases, they might be sentenced to jail, probation or suspended imposition of sentence, usually with the requirement to continue out-patient treatment for the period of probation or suspension. In felony cases, the matter is placed on the court's docket for a sentencing hearing. The defendant might be sent to the Community Correction Center, or the Arkansas Department of Correction, or might be placed on probation or suspended imposition of sentence.

b. I find the statutory authority for this program at Arkansas Code Annotated Sections 5-4-303(a), (c) (4), (c) (5), (c) (10), and (d).

c. I certify that the program conforms to all applicable sentencing laws, including fines, court costs, and probation assessments to the very best of my knowledge and belief.

d. We have staffing sessions at 8:00 a.m. on Wednesdays in Marion in the small ("Chancery") courtroom, on Thursdays in Jonesboro in the Jonesboro District Courtroom and on Thursdays at the MCDC courtroom, Luxora. These are held with the team members present, which might consist of the mental health

counselors, a prosecutor, a public defender, and a probation officer , and of course the circuit judge. In Jonesboro, the Clerk is usually present as well. We discuss the progress of the participants, whether the court needs to address any infractions of the rules, or to give reminders as to what the rules require of them. We also discuss other referrals. Court begins at 8:30 a.m. immediately following staffing.

e. The program was initially funded by a grant from the Department of Justice, which has now expired. We proceed now with the resources available to us.

6. Craighead County Juvenile Division Drug Court, Judge Kim Bibb presiding.

a. Juveniles charged with delinquency or who are members of a Family in Need of Services (FINS), by plea bargain, who qualify, plead guilty to delinquency charges or admit to FINS are transferred into juvenile drug court after being screened by the drug court treatment counselor. Program lasts approximately 12 months and participants pay for fees, etc. as they go. (4 phases must be completed in order to graduate and be entitled to release from the program) Those who are unsuccessful are transferred back to regular juvenile probation or FINS supervision. In order to graduate a participant must have maintained, immediately prior to graduation, at least 6 mos. sobriety/clean time and be recommended by the drug court treatment team.

b. Craighead County Juvenile Drug Court was established pursuant to The Drug Court Act (ACA 16-98-301-307).

c. Certification of Full compliance with laws re: sentencing, fines, sanctions, court costs and probation assessments-as well as drug court treatment fees. Participants are provided with intensive outpatient supervision. Referrals are made as necessary for short term and long term facilities for drug treatment.

d. Court is conducted after regular juvenile court one day a month on Wednesday. Court resources are fully utilized: Circuit Court courtroom used; prosecutors/defense attorneys/public defenders attend sessions where dispositive action occurs-sentencing out, primarily, but other occasions as well.

e. No charge to court for courtroom or for services of prosecutors or defense attorneys.

7. The Second Judicial District Veterans Diversion Program, Judge Tonya Alexander presiding.

a. Through funding from the Substance Abuse and Mental Health Services Administration's (SAMHSA) Adult Treatment Court Collaborative Funding, the Arkansas Second Judicial District Veterans Diversion Program was implemented in 2015. The implementation of this court was a collaborative effort between Circuit Court Judge Victor Hill, District Attorney Scott Ellington, Public Defender Brian Miles, Craighead County and Mid-South Health Systems. These collaborative partners recognized the unique issues impacting Veterans who had become involved in Criminal Justice System and were moved to develop a program designed to meet and address the specific needs of this population. Judge Victor Hill presided over the court until his retirement. Judge Tonya Alexander assumed this role in 2017 and currently provides oversight to the Court. The Court Currently meets on Tuesday Afternoons in Jonesboro, Arkansas and serves Craighead, Poinsett, Greene, Clay, Mississippi, & Crittenden Counties. The Court has been maintained through local partnerships and resources. However, funding was recently obtained through the Bureau of Justice Assistance's Adult Drug Court Discretionary Funding to enhance the services provided by the court.

The mission of the Second Judicial District Veterans Diversion Program is to honor local veterans and ensure public safety by providing treatment and support services to justice involved veterans, thereby reducing criminal recidivism, reducing taxpayer costs, and promoting successful reentry of veterans into the community.

The purpose of the Veterans Diversion Program is to improve services to criminal justice involved veterans who have a mental illness, substance use disorder, or co-occurring disorders, by assuring a continuum of care and easy access to treatment services. The program works to increase cooperation between the substance and mental health treatment system and the criminal justice system to achieve faster

case processing time and improved access to substance and mental health treatment services.

Veterans Diversion Program is a voluntary pre-conviction, post-plea program for offenders who have substance and/or mental health issues. The program consists of intensive supervision of clients by a Probation Officer, Mental Health Professional and/or Case Manager, weekly appearances before the Veterans Diversion Program Judge, mandatory mental health and substance abuse treatment, substance abuse testing, therapy, as well as other prosocial interventions that may be beneficial on a case-by-case basis. The program has 5 Phases and maintains separate tracks for misdemeanor and felony offenses. The minimum program length for misdemeanors is 9 months and the minimum length for felonies is 18 months. The phases of the program are based on minimum time frames that have been met and the core competencies needed before the participant will advance to the following phase. Once this progress and compliance has been demonstrated, the participant will graduate from the program. The real-time length of the program will be based on the individual's progress.

The Veterans Diversion Program focuses on veterans who are currently in, or are entering, the Criminal Justice System. The program creates and supervises treatment plans to address the underlying causes of the veteran's behavior and substance abuse issues. Issues commonly addressed by the treatment programs include Post-Traumatic Stress Disorder, Anger issues, Domestic Violence, Alcohol Use Disorder, Substance Use Disorder, and Other Mental Health Diagnoses (commonly depression and anxiety disorders).

The Program's Eligibility Criteria include:

- All Veterans Diversion Program participants will be admitted to the program of his/her own volition.
- The defendant must have a substance and/or mental health issue, current charge(s), and/or for whom mental health treatment in a court-supervised program can be expected to foster recovery and reduce recidivism.
- The defendant must have been diagnosed by a mental health professional with a significant mental health disorder within one or more of the following categories of disorders:
    - Schizophrenia Spectrum and Other Psychotic Disorders
    - Bipolar and Related Disorders
    - Depressive Disorders
    - Anxiety Disorders

- Trauma and Stressor-Related Disorders
- Substance-Related and Addictive Disorders
- Other Disorders to be considered on a case-by-case basis.

- Participants will not be excluded from admission solely because of prior treatment failures or a current lack of motivation for treatment.
- Those with sexual offenses will be excluded.
- Those with a serious felony involving violence as defined in § 5-4-30 501(c)(2)
- Participants must reside in the Arkansas Second Judicial District.

A Veterans Diversion Program participant will be required to appear in the specialty court on a regular basis. At each appearance, the Judge will be given a progress report prepared by the treatment team regarding drug tests, attendance and participation in treatment and compliance with the Probation Officer. The Judge may ask the participant questions about his/her progress, and discuss any specific problems the participant may have been experiencing. If doing well, the participant will be encouraged to continue with the Program and work with the treatment team toward graduation. If not doing well, the Judge will discuss these issues with the participant and the treatment team and determine further action. In the event of program violations; i.e. missed or positive urine screens, failure to attend individual or group counseling, failure to attend 12-step meetings, etc., sanctions may be imposed by the courts. Repeated violation of the program expectations, and failure to progress satisfactorily, may result in termination from the program.

Failure to appear in Court on the date and time scheduled may result in a warrant being issued for the participant's arrest. If a participant cannot appear in Court as scheduled, the Probation Officer and Veterans Diversion Program Coordinator must be notified as soon as possible.

The following violations may result in termination from the Veterans Diversion Program: warrants and/or new arrests; missing drug tests; demonstrating a lack of program response by failing to cooperate with treatment, and violence or threats of violence directed at the treatment team or others. The Veterans Diversion Program Judge will make the final decisions regarding termination from the program.

The overall goal of the Arkansas Second Judicial District Veterans Diversion Program is to provide the tools the participants in the program need to be successful by utilizing Substance abuse services, Mental health services, Academic and/or vocational skills improvement services, Residential/housing assistance,

Outpatient and/or transition support, Job placement and job retention services, and the Ten Key Components of Veterans Treatment Courts. By focusing on the root problems that contribute to involvement with the criminal justice system and providing specific rehabilitation programs, the Veterans Diversion Program provides an opportunity for the veteran to return to the community in a more advantageous and beneficial manner.

By taking part in the Veterans Diversion Program, participants gain access to a variety of comprehensive services that can help them turn their lives around. Some of the services offered through the Veterans Diversion Program are as follows:

- Outpatient/Intensive Outpatient, Rehab Day, Partial Day and Residential Treatment Programs
- Domestic Violence Counseling and Anger Management
- Individual counseling and case management
- Employment counseling, training and referrals
- Education and literacy assistance
- Health care referrals
- Medication management
- Assistance in finding housing, disability services
- Job placement assistance
- Provide life-skills training
- Veteran Mentor Support
- 12-Step Meetings and Support Groups

Participants are apprised of any fines, fees and/or restitution associated with their charge(s), when they plead into the Veterans Diversion Program. Upon entry into the program, The Court team will work with participants to ascertain the status and amounts of any outstanding fines and fees. The Court Team will also make Participants aware of any fees or costs associated with their participation in the Court Program. When possible, the Team will work with the Participant and the Court to establish payment arrangements and/or to explore options to satisfy such costs. Generally, participants are responsible to pay monthly Probation Fees. Being current on court costs, probation fees, treatment fees and having completed payment of all restitution are required in order to successfully complete and graduate from the program. The Court Team will work with Participants, during each phase of the program, to ensure that they are current and making regular payments towards their fines, fees and restitution, as not to impede rehabilitation or graduation.

b. Established pursuant to the Drug Court Act, Arkansas Code Annotated Sections 16-98-301—307 and the Mental Health Specialty Court Act, Arkansas Code Annotated Sections 16-100-201—209.

c. I certify that the program conforms to all applicable sentencing laws, including fines, court costs, and probation assessments, to the very best of my knowledge and belief.

d. We have staffing sessions at 3:00 p.m. on Tuesdays in Craighead County Circuit Courtroom.

These are held with the team members present, which might consist of the mental health counselors, a prosecutor, a public defender, and a probation officer, and of court the Circuit Judge. We discuss the progress of the participants, whether the court needs to address any infractions of the rules, or to give reminders as to what the rules require of them. We also discuss other referrals. Court begins at 3:30 p.m. immediately following staffing. The program was initially funded by a grant from the Substance and Mental Health Services Administration (SAMHSA), which as now expired. The program was recently awarded funding through the Department of Justice's Bureau of Justice Assistance for the purposes of program enhancement. The court fully utilizes available resources. A deputy prosecutor and public defender attend all staffings and court sessions.

e. There is no charge for courtroom or services of prosecutors or defense attorneys.

8. Mississippi County Mental Health Court (Project Fresh Start), Judge Tonya Alexander presiding.

a. Developed in 2010, The Craighead and Crittenden County Mental Health Courts, originally known as Project Second Chance is driven by a recognition that the criminal justice system often fails to address the needs of mentally ill offenders. Consequently, mentally ill offenders continue to cycle through the system, often spending unnecessary time in jail and lacking access to appropriate mental health treatment and community support services.

The original Mental Health Courts were implemented through funding through the Bureau of Justice Assistance, Justice and Mental Health Collaboration Grant

Program. Thereafter, Program Participants elected to rename the Program- Project Second Chance- stating that due to their participation in the court program, many of them had been given a fresh start- "A Second Chance." Subsequently, in 2017, Mississippi County was awarded similar funding allowing for the development of an additional Project and Mental Health Court (Project Fresh Start) servicing residents of that County.

The Mental Health Court Program was established in an effort to increase public safety and decrease recidivism rates of the mentally ill. The goals of the Program are: (1) to maintain and enhance a collaborative plan to initiate systemic change for the identification and treatment of offenders with mental illness; (2) to intercept participants and provide access to an enhanced system of mental health and community support services; and (3) to improve stability and community connections for mental health court graduates.

The general target population for the Mental Health Court is adults age 18 and older with a mental illness. A larger number of these individuals have a co-occurring drug/alcohol disorder. The target population includes all income groups, genders, racial, and ethnic groups. In compliance with the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008, participation priority is given to females meeting the target population criteria.

The goals of the Mental Health Court Program address the overall program purpose and identified needs by creating and implementing a post-booking jail diversion program (mental health court) which incorporates evidence-based and promising practices (e.g. Assertive Community Treatment) and multi-agency collaboration (mental health, substance abuse treatment, law enforcement, criminal justice, consumer advocacy) to better meet the physical, social, and emotional needs of mentally ill adult offenders.

The overarching goal of the Mental Health Courts is to improve the quality of life for those individuals diagnosed with a serious mental illness coming into the criminal justice system. By achieving this goal, we will also be able to increase public safety and decrease the number of arrests and incarcerations. Our plan is to work with law enforcement and other agencies to intercept individuals at the local level providing a collaborative, multidisciplinary team approach initiating a systemic change. Our outcomes will demonstrate attainment of said goals.
The purpose of the Mental Health Court is to improve services to offenders who have a serious and persistent mental illness, including those offenders with co-

occurring substance abuse disorders, by assuring a continuum of care and easy access to mental health services.

The program works to increase cooperation between the mental health treatment system and the criminal justice system to achieve faster case processing time and improved access to public mental health treatment services, with the larger objectives of reducing the criminalization of persons with mental illness, reducing recidivism, improving public safety, and improving the level of functioning of program participants in society.

Mental Health Court is a voluntary pre-conviction, post-plea program for offenders who are mentally ill and have not been successful in their compliance with previous treatment. The program consists of intensive supervision of clients by a Probation Officer, Mental Health Professional and/or Case Manager, weekly appearances before the Mental Health Court Judge, mandatory mental health and substance abuse treatment, substance abuse testing, therapy, as well as other prosocial interventions that may be beneficial on a case-by-case basis. The program has 5 Phases and maintains separate tracks for misdemeanor and felony offenses. The minimum program length for misdemeanors is 9 months and the minimum length for felonies is 18 months. The phases of the program are based on minimum time frames that have been met and the core competencies needed before the participant will advance to the following phase. Once this progress and compliance has been demonstrated, the participant will graduate from the program. The real-time length of the program will be based on the individual's progress.

All Mental Health Court participants will be admitted to the program of his/her own volition.

- The defendant must have a mental illness, current charge(s), and/or for whom mental health treatment in a court-supervised program can be expected to foster recovery and reduce recidivism.
- The defendant must have been diagnosed by a mental health professional with a significant mental health disorder within one or more of the following categories of disorders:
    - Schizophrenia and other psychotic disorders
    - Mood Disorders
    - Anxiety Disorders
    - Impulse Control Disorders
    - Other Disorders to be considered on a case-by-case basis.

- Participants will not be excluded from admission solely because of prior treatment failures or a current lack of motivation for treatment.
- Those with sexual offenses will be excluded.
- Participants must reside in Craighead or Crittenden County.
- Those with Disorders, such as Borderline Intellectual Functioning or Borderline Personality Disorder will be considered on a case-by-case basis.

By taking part in the Mental Health Court programs, participants gain access to a variety of comprehensive services that can help them turn their lives around. Some of the services offered through the Mental Health Court programs are as follows:

- Outpatient/Intensive Outpatient, Rehab Day, Partial Day and Residential Treatment Programs
- Individual counseling and case management
- Employment counseling, training and referrals
- Education and literacy assistance
- Health care referrals
- Medication management
- Assistance in finding housing, disability services
- Provide life-skills training
- Peer Support
- 12-Step Meetings and Support Groups

A Mental Health Court participant will be required to appear in Mental Health Court on a regular basis. At each appearance, the Judge is given a progress report prepared by the treatment team regarding drug tests, attendance and participation in treatment and compliance with the Probation Officer. The Judge may ask the participant questions about his/her progress, and discuss any specific problems the participant may have been experiencing. If doing well, the participant is encouraged to continue with the Program and work with the treatment team toward graduation. If not doing well, the Judge discusses these issues with the participant and the treatment team and determines further action. In the event of program violations; i.e. missed or dirty urine screens, failure to attend individual or group counseling, failure to attend 12-step meetings, etc., sanctions are imposed by the Court. Repeated violation of the program expectations, and failure to progress satisfactorily, may result in termination from the program.

Failure to appear in Court on the date and time scheduled may result in a warrant being issued for the participant's arrest. If a participant cannot appear in Court as

scheduled, the Probation Officer and Mental Health Court Coordinator must be notified as soon as possible.

The following violations may result in termination from the Mental Health Court Program: warrants and/or new arrests; missing drug tests; demonstrating a lack of program response by failing to cooperate with treatment, and violence or threats of violence directed at the treatment team or others. The Mental Health Court Judge will make the final decisions regarding termination from the program.

Participants are apprised of any fines, fees and/or restitution associated with their charge(s), when they plead into the Veterans Diversion Program. Upon entry into the program, The Court team will work with participants to ascertain the status and amounts of any outstanding fines and fees. The Court Team will also make Participants aware of any fees or costs associated with their participation in the Court Program. When possible, the Team will work with the Participant and the Court to establish payment arrangements and/or to explore options to satisfy such costs. Generally, participants are responsible to pay monthly Probation Fees. Being current on court costs, probation fees, treatment fees and having completed payment of all restitution are required in order to successfully complete and graduate from the program. The Court Team will work with Participants, during each phase of the program, to ensure that they are current and making regular payments towards their fines, fees and restitution, as not to impede rehabilitation or graduation.

b. Established pursuant to the Mental Health Specialty Court Act, Arkansas Code Annotated Sections 16-100-201—209.

c. I certify that the program conforms to all applicable sentencing laws, including fines, court costs, and probation assessments, to the very best of my knowledge and belief.

d. We have staffing sessions at 4:00 p.m. on Thursdays in the Courtroom located within the Mississippi County Detention Center in Luxora. These are held with the team members present, which might consist of the mental health counselors, a prosecutor, a public defender, and a probation officer, and of court the Circuit Judge. We discuss the progress of the participants, whether the court needs to address any infractions of the rules, or to give reminders as to what the rules require of them. We also discuss other referrals. Court begins at 4:30 p.m. immediately following staffing. The program was initially funded by a grant from the Department of Justice's Bureau of Justice Assistance and is currently in the last

year of this funding. The court fully utilizes available resources. A deputy prosecutor and public defender attend all staffings and court sessions.

e. There is no charge for the courtroom or services of the prosecutors or defense attorneys.

STATE DISTRICT COURT JUDGES.

State District Court Judges in the Second Circuit preside over selected circuit court matters pursuant to the provisions of Administrative Order No. 18.

1. The cases or matters included in State District Court Judges' concurrent jurisdiction fall under the "Other Matters" section of Administrative Order No. 18, 6(b)(4): matters of an emergency or uncontested nature pending in the civil, domestic relations, or probate divisions of circuit court (including but not limited to *ex parte* emergency involuntary commitments, uncontested decedent estate administration, uncontested divorces, and defaults) within the territorial/geographic jurisdiction of the state district courts in their respective counties or judicial district of a county.

2. The participating judges are Judges David Boling and Tom Fowler in Craighead County; Judge Fred Thorne in Crittenden County; Judge Dan Stidham in Greene County and Clay County; Judge Shannon Langston in the Chickasawba District of Mississippi County; Judge Catherine Dean in the Osceola District of Mississippi County; and Judge Ron Hunter of Poinsett County. These judges do not have specific circuit court cases assigned or allocated to them under this Plan.

3. There is a Sobriety Court in Craighead County State District Court.

VIII. CONCLUSION

The Second Judicial District consists of six (6) counties and nine (9) courthouses. It includes the larger cities of Jonesboro, West Memphis, Paragould, Blytheville and Marion. There are approximately 250 attorneys living and

practicing in this judicial district. After the General Assembly session in 2019, there are now 12 Circuit Judges as of January 1, 2021 in this judicial district, with among the highest caseload per judge in the State. The judges of the Second Judicial District submit that this plan provides an efficient method for the administration of justice in the Second Judicial District, taking into consideration the size of this judicial district, the number of courthouses, speedy trial considerations in criminal cases, and the need to provide numerous opportunities in each county for judges assigned to hear civil cases in that courthouse and Administrative Order No. 14 as amended.

Dated this 31st day of **JULY** 2020.

HON. PAM HONEYCUTT

HON. MARY BROADAWAY

HON. RICHARD LUSBY

HON. KIM BIBB

HON. CHRIS THYER

HON. MELISSA RICHARDSON

HON. CINDY THYER

HON. DAN RITCHEY

HON. SKIP MOONEY, JR

HON. RANDY PHILHOURS

HON. TONYA ALEXANDER

HON. SCOTT ELLINGTON