

## 2021 PLAN OF THE THIRD JUDICIAL CIRCUIT PURSUANT TO ADMINISTRATIVE ORDER No. 14

The Third Judicial Circuit of Arkansas encompasses Jackson, Lawrence, Randolph, and Sharp Counties. The circuit is located in rural North Central and North East Arkansas. There are currently three circuit judges who serve the Third Judicial District.

The judge of Division 1 is Rob Ratton, who resides and has his office located in Newport, Jackson County, Arkansas. The judge of Division 2 is Michelle Huff, who resides in Evening Shade, Arkansas, and has her office located in Ash Flat, Sharp County, Arkansas. The judge of Division 3 is Adam G. Weeks who resides in Powhattan and has his office located in Walnut Ridge, Lawrence County, Arkansas.

This administrative plan shall be in effect beginning January 1, 2021, or upon approval by the Arkansas Supreme Court, and shall remain in effect until approval of a subsequent plan by the Arkansas Supreme Court.

Division 1 judge will be assigned all criminal cases, and all civil cases with the exception of mortgage foreclosures and real property cases, however, Division 1 will be assigned condemnation/ eminent domain, landlord/tenant unlawful detainer and other landlord/tenant matters. Division 1 shall also be assigned all Jackson County Drug Court cases, and all post conviction criminal cases .

Division 2 judge will be assigned all domestic relations cases, adoption cases not involving the Department of Human Services, all guardianship cases not involving the Department of Human Services, and will be assigned all other cases filed in the probate division. Division 2 will be assigned all mortgage foreclosure cases.

Division 3 judge will be assigned all juvenile cases, child support cases, Department of Human Services, all Orders of Protection, and shall also be assigned all real property cases, excluding those cases assigned as described above. Division 3 judge will be assigned Drug Court cases for Lawrence and Randolph Counties.

All circuit judges in the Third Judicial District will preside over hearings on involuntary commitment cases (alcoholic commitment, civil commitment, and narcotic commitment). These cases will be brought before the judge most convenient to the county wherein the matter should be heard. Division 1 judge will be assigned name changes filed in Jackson County. Division 2 judge will be assigned name changes in Randolph and Sharp Counties. Division 3 judge will be assigned name changes filed in Lawrence County.

The State District Court Judges presiding in the Third Judicial District shall approve or deny all ex-parte petitions for orders of protection. Final hearings on all orders of protection will be assigned to Division 3 judge.

The State District Court Judges presiding in the Third Judicial District shall also be assigned initial involuntary commitment petitions for purposes of evaluation requiring up to a seventy-two (72) hour hold. Any hearings following the seventy-two (72) hour hold shall be heard by one of the three circuit judges most convenient to the county wherein the matter should be heard.

The following duties are referred to the State District Court Judges presiding in the Third Judicial District with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of the circuit court however, such duties shall be exercised concurrently with 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
- 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
- Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3

The judges of the circuit shall meet at the end of each calendar year to determine whether any adjustment in caseload assignments between or among circuit court divisions or subject matter division are necessary to maintain a proper balance of caseloads and to otherwise conform to the orders and directive of the Supreme Court of Arkansas.



Drug Courts are operated in Jackson, Lawrence, and Randolph counties. All three are post-adjudication programs and are open to defendants with pending non-violent convictions. The Jackson County Drug Court is funded entirely by the State of Arkansas and is a 24 month program. The Lawrence County Drug Court and the Randolph County Drug Court are funded by the State of Arkansas and by collection of defendants' assessed fees and court costs. The Lawrence County and Randolph County Drug Court are 24 to 36 month programs. Drug Court team members in each court consists of (1) the presiding judge, (2) the prosecuting attorney or designee, (3) the public defender, (4) the ACC probation officer, (5) the ACC substance abuse advisor, (6) the ACC administrative assistant, (7) the County Sheriff or his designee, and (8) the local Chief of Police or his designee.

The Circuit Judges of the Third Judicial Circuit hereby certify that these specialty courts are operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulate assessments and collection court costs, fines, and probations assessments.

Currently there are three State District Court Judges operating within the Third Judicial District. District 11 is comprised of Lawrence, Randolph, and Sharp Counties. Mark Johnson is the Division 1 presiding judge and Alex Bigger is the presiding Division 2 judge. Henry Boyce is the presiding judge in District 15 which includes Woodruff County and Jackson County (Jackson County is included in the Third Judicial District). In addition to the case assignment previously described herein the State District Court Judges presiding in the Third Judicial District will also hear any case specifically assigned to them by a circuit court judge.

The circuit judges of the Third Judicial Circuit are mindful of the announcement of the Supreme Court that it is the Court's belief that rotation of judges in those instances where judges are exclusively assigned to criminal or juvenile cases may be desirable and that the possibility of "burnout", as well as a desire to diversify, are factors worthy of consideration. We are in agreement with the Supreme Court's opinion and announce that the judges of the Third Judicial Circuit will give consideration to rotating the

types of cases heard by each division at least every two years as we aspire to achieve the most efficient administration of justice possible.

Therefore, the Circuit Judges of the Third Judicial Circuit respectfully submit this plan for judicial caseload allocation for the consideration and approval of the Supreme Court of the State of Arkansas.



Rob Ratton

Circuit Judge Division 1



Michelle Huff

Circuit Judge Division 2

Adam G. Weeks


Circuit Judge Division 3


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