

**IN THE CIRCUIT COURTS OF THE
NINTH WEST JUDICIAL DISTRICT OF ARKANSAS**

**AMENDED
ADMINISTRATIVE PLAN**

In accordance with Administrative Order Number 14, our Administrative Plan for handling cases in Ninth West Judicial District is submitted as follows:

PREAMBLE

The Ninth West Judicial District consists of four counties: Howard, Little River, Pike and Sevier. There are two judges serving this district, Judge Tom Cooper, Division One, and Judge Bryan L. Chesshir, Division Two

ASSIGNMENTS

Each judge will hear all types of cases.

Cases shall be assigned by computerized method for random assignment.

Due to Judge Chesshir previously holding the Elected Prosecutor position, all active Division Two criminal cases opened prior to January 1, 2021 will be transferred to Division One, to resolve any conflicts. All new criminal cases opened, beginning January 1, 2021, shall be assigned to Division Two until May 31, 2021. At such point the criminal assignments shall return to the random computerized method. All other cases from remaining divisions are to continue to be split evenly and chosen by the random computerized method.

The Clerk is to maintain a separate criminal, civil, domestic relations, probate and juvenile docket for each of the respective divisions.

Each Clerk shall affix a stamp to the pleadings designating which judge has been assigned to the case so the attorneys will know who to contact for a setting. In addition, the Clerks shall place the number one (1) or two (2) at the end of every case number to designate Division One or Two. The only exception to this procedure is where there are multiple criminal defendants with different file numbers, wherein the judge that takes the first case will handle all subsequent files of co-defendants regardless of the assignments. Likewise, similar type case or cases that have some relationship with each other will be heard by the same judge. Any case that has been non-suited and refiled shall be assigned to the same judge in the previous case.

PROCEDURE FOR HEARING CASES

Judge Cooper will set his criminal cases for jury trials in even numbered months and Judge Chesshir will set his criminal cases in odd numbered months in order to allow the prosecuting attorney to be present at all criminal jury trials. Civil jury trials are set by the presiding judge on whatever days are available that will not conflict with any cases set by the other judge.

As a normal rule each judge will travel the circuit to all four counties during one week. And then the other judge will travel the same route the next week. This allows a judge to be in each one of the four counties at least twice a month with the exception where there are scheduling problems due to holidays and continuing education classes.

Each time a jury trial is set the trial court administrators shall contact each other to notify the other judge of any setting so there will not be any conflicts concerning the use of the courtroom on the same day.

On regular court dates either judge may hear uncontested matters regardless of the designation.

In juvenile matters, the juvenile intake officer mails notices for juveniles to appear on a regular court date. If they should plead true, the judge for the first appearance will dispose of the matter. If they plead not true then, the judge will set this matter according to the random designation.

SPECIALTY DOCKETS OR PROGRAMS

The only specialty docket for the Ninth West Judicial District is Drug Court which has been in operation since August of 2003. Court sessions are conducted in Howard County for Pike, Howard, Little River and Sevier Counties. The program utilizes a pre-adjudication and post-adjudication process and is open to defendants who have committed eligible offenses. The Drug Court team consists of the Prosecuting Attorney, Department of Community Correction's Officer, Department of Community Correction's Counselor, Public Defender, Law Enforcement Representative and Circuit Judge Bryan L. Chesshir. However, Circuit Judge Tom Cooper may hear Drug Court cases at any time. The Drug Court team meets monthly to consider those eligible for Adult Drug Court. The program is conducted in conformance with Arkansas Code Annon. § 16-98-301, et seq., and complies with applicable laws involving the assessment of fines, fees, court costs and probation supervision fees. This program is funded by the Department of Community Correction and the collection of court fees.

CALENDAR

A calendar is printed each year around September setting forth the regular court dates for the upcoming year where the judges will appear and hear all types of cases, including drug court, divorces, probate, juvenile, criminal arraignments, pre-trials, criminal jury trials and non-jury matters. The judges alternate each year letting one judge pick his court dates first and then the other judge will select his dates. Judge Chesshir selects on odd numbered years and Judge Cooper selects on even

ENHANCED JURY LIST

After discussions with and approval from all the Clerks in the district, we decline the use of the enhanced jury list pursuant to Arkansas Code Ann. 16-32-303(b).

CONTROL OF DOCKETS

The clerks shall also notify the TCAs of any dispositive motions filed on cases such as motion to dismiss, motion for summary judgments and criminal post-conviction motions to assure these pleadings are dealt with in a timely fashion.

The Trial Court Administrators will travel to each county at least once every six months to check all active files, except for Probate, which will be checked once annually in order to resolve cases that need to be addressed pursuant to Rule 41. A letter is then sent to the parties advising them of what action needs to be taken. The parties are warned that if no action is taken within a reasonable period of time then the case will be dismissed.

ADMINISTRATIVE JUDGE

Pursuant of Administrative order 14, the Judges of the Ninth West Judicial District agree to alternate the position of Administrative Judge every two years. Judge Cooper will serve as administrative Judge for 2021 and 2022, and then alternate with Judge Chesshir every two years thereafter.

APPROVAL

The Judges of the Ninth West Judicial District hereby approve this amended administrative plan and submit it to the Arkansas Supreme Court for its approval this 30th day of December 2020 and if approved, effective January 1, 2021.

Tom Cooper
Circuit Judge
Division One

Bryan L. Chesshir
Circuit Judge
Division Two