

## **ADMINISTRATIVE PLAN OF THE FIFTEENTH JUDICIAL DISTRICT**

Pursuant to Administrative Order Number 14, the Fifteenth Judicial District submits the following Plan for Circuit court Administration which becomes effective on January 1, 2020.

1. Cases filed in the Circuit Court of the Fifteenth Judicial District shall be designated by the clerks of the various courts according to the following subject division:

Criminal, Civil, Juvenile, Probate and Domestic Relations

2. Circuit Division 1, currently held by Jerry Don Ramey shall be assigned all criminal cases, and including all criminal appeals from District courts, and sixty-seven percent of Adult Protective Services cases in Probate Court.

3. Circuit Division II, currently held by David H. McCormick, shall be randomly assigned sixty-seven percent of the probate cases, except for Adult Protective Services cases. Sixty-seven percent of domestic relations cases shall be randomly assigned to Division II in Logan, Scott and the Danville District of Yell County. In Conway County and the Dardanelle District of Yell County all domestic relations cases, except those filed by the Office of Child Support Enforcement, shall be assigned to Division II.

4. Circuit Division III, currently held by Terry M. Sullivan, shall be assigned all juvenile cases. Thirty-three percent of the probate cases shall be randomly assigned to Division III. Thirty-three percent of the domestic relations cases shall be assigned to Division III in Logan County, the Danville District of Yell County and Scott County. In Conway County, Scott County and the Dardanelle District of Yell County those domestic relations cases filed by the Office of Child Support Enforcement shall be assigned to Division III.

5. General Civil: All general civil cases shall be randomly assigned as follows: Thirty-three percent of Conway County general civil cases shall be assigned to Division I. Sixty-seven percent of general civil cases shall be assigned to Circuit Division II. Thirty-three percent of the general civil cases shall be randomly assigned to Division III in Scott County, Logan County and Yell County.

6. Pursuant to A.C.A. 16-98-302, Division I, which encompasses all criminal cases, shall maintain a Drug Court Program and Veteran's Court for qualified participants. Entry into the Drug Court Program and Veteran's Court shall be accessed through designated screening guidelines, with entry into the Drug Court Program and Veteran's Court discretionary. Discretion into the Drug Court Program and Veteran's Court shall be considered based upon the individual characteristics of the applicant, the statutory guidelines and acceptance by the presiding judge. The intent of the Drug Court Program and Veteran's Court is to provide judicial intervention and support for effective treatment programs that reduce the incidence of drug use, drug addiction, and family separation due to parental substance abuse and drug-related crimes. The 15<sup>th</sup> Judicial District Drug Court Program and Veteran's Court shall be supported by Arkansas Community Correction with services provided in Booneville, Danville and Morrilton. The Booneville Drug Court will also provide services to Scott County and the Paris District of Logan County. The Danville Drug Court will also provide services to the Dardanelle

District of Yell County. Veteran's Court participants shall be additionally supported by the Veteran's Administration. Each Arkansas Community Correction team shall consist of a Supervising Officer, a Counselor and an Administrative Assistant. Monthly review shall be conducted in the respective jurisdiction by a team consisting of such participants, as the prosecuting attorney, or designated deputy, a public defender, or private voluntary attorney, the Arkansas Community Correction staff listed above and other such individuals that may provide constructive/positive assistance to the Drug Court program and Veteran's Court. Funding for the Drug Court program and Veteran's Court shall include state designated funds, funds that may be provided to each individual program or said program as a whole. Supervision of the 15<sup>th</sup> Judicial District Drug Court program and Veteran's Court shall be provided by the presiding judge of Division I, of the 15<sup>th</sup> Judicial District.

7. In the event of a recusal of a circuit judge, the case will be assigned to the next numbered judge and alternate thereafter. For example, if Circuit Court Division I recuses, the first case shall be assigned to Division II and the next recusal in Division I shall be assigned to Division III and alternate thereafter. In the event all of the circuit Judges in the district recuse, the last judge to recuse will write a letter to the Chief Justice of the Arkansas Supreme Court and request the appointment of a special judge.

8. In the Fifteenth Judicial District there are six (6) separate District Courts. They are the Conway County District Court; Yell County District Court Northern District; Yell County District Court, Southern District; Logan County District Court, Northern District; Logan County District Court, Southern District; and Scott county District Court. Each of the District Courts are single venue District Courts with no specialty courts. As such, no administrative plan is required. All District Judges within the Fifteenth Judicial District are elected positions. As of January 1, 2021, the Fifteenth Judicial District will be encompassed by the statewide full-time district judge plan and each elected District Court will be served by the newly elected District Judge. The sole exception will be the Scott County District Court which will fall under a separate District Court entity with the Polk County District Court located in Mena, Arkansas.

9. It is agreed that judicial expediency and consistency is better achieved with only one judge presiding over the criminal subject matter cases and one judge presiding over the juvenile subject matter cases in the Fifteenth Judicial District. Therefore, this plan provides that Circuit Division I will be assigned all criminal cases and Circuit Division III will be assigned all juvenile cases. This plan will allow the Prosecuting Attorney to be present at criminal jury trials.

10. This plan takes into consideration that this district is made up of four (4) counties with six (6) separate courthouses. Five of the six courthouses only have one courtroom shared by the three (3) Circuit Court Judges and a District Judge.

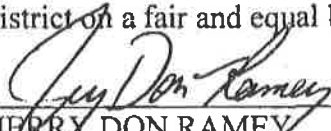
11. This plan also takes into consideration the individual experiences of the judges and caseload of each judge.

12. It has been and will continue to be the policy of each judge in the Fifteenth Judicial District to exercise jurisdiction over all matters, regardless of subject matter division, and to act for, in behalf of, and in substitution of the other judges when exigent circumstances warrant, when it is appropriate for the convenience of the litigants, attorneys, and witnesses, and at all other times when not to act may likely cause justifiable criticism of the judiciary of the Fifteenth Judicial District.

13. All judges of the Circuit Court of the Fifteenth Judicial District shall at all times have the authority to hear the matters within the jurisdiction of the Circuit Court. This administrative policy does not affect the right nor the power of the Circuit Judges to by agreement, temporarily amend or modify any provision of this policy when, in their judgment, it is necessary for the fair administration of justice.

14. This plan does hereby take into consideration Senate Bill 159 of the 90 General Assembly which amends Arkansas Code Section 5-73-122(a)(1) regarding carrying a firearm in a publicly owned building or facility. However, the authority of each circuit judge is reserved by each circuit judge to set individual policies of handguns/firearms within his individual courtroom.

15. We believe this plan provides a process which shall apportion the business of the Circuit Court among each judge within our judicial district on a fair and equal basis.

  
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JERRY DON RAMEY

  
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DAVID H. MCCORMICK

  
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TERRY M. SULLIVAN

DATED: 6-24-19