

FOURTH JUDICIAL DISTRICT OF ARKANSAS
ADMINISTRATIVE PLAN
EFFECTIVE JANUARY 1, 2020

INTRODUCTION

The majority of Circuit Judges presiding in the Fourth Judicial Circuit of Arkansas have, in accordance with the provisions of Administrative Order Number 14 of the Supreme Court of Arkansas, adopt this Administrative Plan for the Circuit.

The Fourth Judicial District of Arkansas consists of Madison and Washington Counties. At present, the circuit has seven divisions with an eighth division to be filled on January 1, 2021 after the March 2020 election pursuant to the recent passage of Act 1003 of 2019.

Currently, the following Circuit Judges serve in each division:

- Division 1 - Doug Martin
- Division 2 - John Threet
- Division 3 - Stacey Zimmerman
- Division 4 - Cristi Beaumont
- Division 5 - Beth Storey Bryan
- Division 6 - Mark Lindsay
- Division 7 - Joanna Taylor
- Division 8 - Judge to take bench January 1, 2021

Three separate buildings house the seven divisions as follows:

Main Court House, located at 280 N. College, Fayetteville: Divisions 1, 2, 5, 6 and 7

Historic Court House, located at 4 S. College, Fayetteville: Division 4, houses Drug Court, Drug Court Deputy Public Defender, Drug Court Case Manager, Drug Court Counselors, Drug Court Liaison and Drug Court Administrator
(.3 miles from Main Court House)

Juvenile Justice Complex, located at 885 Clydesdale, Fayetteville: Division 3, houses Juvenile Court, Juvenile Diversion Officers, Juvenile Intake Officers, Juvenile Probation Officers, Juvenile Court Services Director, Teen Court Coordinator, 2 licensed Social Workers and Juvenile Detention Center
(2.9 miles from Main Court House)

GOAL OF THE PLAN

The purpose of the Administrative Plan is to facilitate the best use of available judicial and support resources within the circuit in order that cases will be resolved in an efficient and prompt manner. The Administrative Plan represents a process that apportions the business of the circuit courts among each of the judges on an equal basis as possible and for random distribution of cases to judges who hear the type of case set forth in the plan.

EFFECTIVE DATE

The Administrative Plan is adopted by the undersigned judges and shall take effect January 1, 2020, or upon approval by the Supreme Court of Arkansas, and shall remain in effect until December 31, 2021, or until such time as the Supreme Court of Arkansas approves a subsequent plan.

CASE ASSIGNMENTS AND CASELOAD ESTIMATES

Juvenile Detention Hearings /First Appearance

Since the creation of the Juvenile Code in 1989, our district has had only one judge handling all juvenile court cases (Juvenile Delinquency, Dependency/Neglect, and Family In Need of Services cases). All cases filed in Juvenile Division have historically been assigned to Division 3.

Division 3 hears all juvenile detention hearings for juveniles arrested and cited for non-traffic misdemeanors and all felonies in Washington and Madison counties. These juvenile detentions hearings are held at the Juvenile Justice Complex, where the Juvenile Detention Center and Juvenile Court are located, on Mondays, Tuesdays, Thursdays and Fridays.

Felony 8.1 and Felony Arraignments for Adults

Washington and Madison County District Judges shall hear felony 8.1 hearings and felony arraignments (in addition to misdemeanor first appearances and arraignments) on Mondays, Wednesdays and the 1st and 2nd Fridays of each month. Circuit Judges for Divisions 2, 4, 5 and 7 shall hear felony 8.1 hearings and felony arraignments (in addition to misdemeanor first appearances and arraignments) on the 3rd, 4th and 5th Fridays on a schedule to be determined amongst those divisions.

Caseload estimates are based upon new filings from January 1, 2018, through December 31, 2018, based upon the attached 2018 Year End Report from the Administrative Office of the Courts:

Division 1 - 2,289
Division 2 - 1,856
Division 3 - 2,144
Division 4 - 1,777
Division 5 - 1,955
Division 6 - 4,171
Division 7 - 2,108

Division 1	25% Probate 50% Civil 33 1/3% Domestic Abuse
Division 2	25% Civil 20% Domestic Relations (excluding Domestic Abuse) 25% Probate 33 1/3% Domestic Abuse
Division 3	January 1, 2020 - December 31, 2020: 100% Juvenile cases 100% Detention Hearings for all juveniles, whether delinquent or in the criminal division January 1, 2021 - December 31, 2021: 10% Domestic Relations (excluding Domestic Abuse) 50% Juvenile cases filed (50% Delinquency, Family In Need of Services and D/N cases) 50% of Juvenile Detention Hearings for all juveniles, whether delinquent or in the juvenile division 50% of open juvenile cases (50% Delinquency, Family In Need of Services and D/N cases) January 1, 2021 - December 31, 2021: All juvenile cases transferred from Criminal Division And Other Types of Cases on Assignment from the Other Divisions as Needed
Division 4	40% Domestic Relations (excluding Domestic Abuse) until January 1, 2021, and then 20% Domestic Relations (excluding Domestic Abuse) Drug Court and Veteran's Court
Division 5	25% Civil 20% Domestic Relations (excluding Domestic Abuse) 25% Probate 33 1/3% Domestic Abuse
Division 6	75% Washington County Criminal Cases 100 % Madison County Criminal Cases Domestic Relations filed January 1, 2015 to April 15, 2016 Open Probate cases assigned prior to January 1, 2013

Division 7
25% Washington County Criminal Cases
20% Domestic Relations (excluding Domestic Abuse)
25% Probate
Re-Opened Division 6 Domestic Relations cases closed as of
January 1, 2015
January 1, 2020 - December 31, 2020: All Criminal Division
cases in which a juvenile is charged

Division 8 - Judge to take Bench January 1, 2021:

10% of Domestic Relations (excluding Domestic Abuse)
50% Juvenile cases filed (50% Delinquency, Family In Need
of Services and D/N cases)
50% of Juvenile Detention Hearings for all juveniles, whether
delinquent or in the criminal division
50% of open juvenile cases (50% Delinquency, Family In
Need of Services and D/N cases)
January 1, 2021 - December 31, 2021: All Criminal Division
cases in which a juvenile is charged
And Other Types of Cases on Assignment from the Other
Divisions as Needed

ASSIGNMENT OF CASES

1. CRIMINAL CASES: Criminal cases shall be assigned to **Division 6** and **Division 7** according to the percentage listed above.

2. JUVENILE CASES: Juvenile cases shall be assigned to **Division 3** and **Division 8** according to the percentage listed above.

3. DOMESTIC RELATIONS CASES: Domestic Relations cases shall randomly be assigned as follows, to-wit:

<u>Division 2</u>	20%
<u>Division 3</u>	10% (beginning January 1, 2021)
<u>Division 4</u>	40 % until January 1, 2021 and then 20%
<u>Division 5</u>	20%
<u>Division 7</u>	20%
<u>Division 8</u>	10% (beginning January 1, 2021)

4. CIVIL CASES: Civil cases shall be assigned to Divisions 1, 2 and 5.

Domestic Relations cases involving a child or party in an open and pending Juvenile proceeding shall be transferred to **Division 3** or **Division 8** depending on which judge is assigned the companion case.

5. **DOMESTIC ABUSE CASES:** Domestic Abuse cases shall be randomly and equally assigned to **Divisions 1, 2, and 5.**

6. **PROBATE CASES:** Probate cases shall be randomly and equally assigned to **Divisions 1, 2, 5 and 7.**

Probate cases involving a child or party in an open and pending Juvenile proceeding shall be transferred to **Division 3** or **Division 8** depending on which judge is assigned the companion case.

RECUSALS AND TRANSFERS POLICY

The recusal policy for the Circuit Courts of the Fourth Judicial Circuit of Arkansas shall be as follows:

Should a judge be disqualified to hear any assigned case, that judge shall promptly enter an order of recusal and provide a copy of said order to the Administrative Judge and the Circuit Clerk.

a) Recusals from Criminal, Domestic Relations, Civil, and Probate cases shall first be transferred to the other Division(s) assigned to hear like cases. In the event both Divisions assigned to hear a Criminal case should recuse, the case shall be randomly assigned to Divisions 1, 2, 4, and 5. In the event all Divisions assigned to hear Domestic Relations cases shall recuse, the case shall be randomly assigned to Divisions 1 and 6. In the event all Divisions assigned to hear Probate cases shall recuse, the case shall be randomly assigned to Divisions 4 and 6. In the event all Divisions assigned to hear Civil cases shall recuse, the case shall be randomly assigned to Divisions 4, 6, and 7.

b) Recusals from Division 3 or Division 8 on cases originally assigned to that Division shall first be transferred to the other Division assigned to hear like cases. In the event both Divisions assigned to hear a Juvenile case should recuse, the case shall be randomly assigned to Divisions 1, 2, 4, 5 and 7.

c) A Judge recusing from a case or transferring a case shall cause an Order of Recusal or Transfer be entered of record. The Clerk of the Court shall assign an additional case to the recusing or transferring court in order to maintain equal distribution of cases among the divisions. (See Section Random Assignments).

d) The Clerk shall maintain a Recusal and Transfer Orders Book in which a copy of each and every Order of Recusal and/or Transfers shall be recorded and preserved in chronological order according to the Division of Court recusing or Transferring the case and the Division to which the case is assigned or transferred.

e) Should all judges recuse in a case, the Administrative Judge shall contact the Chief Justice of the Arkansas Supreme Court pursuant to Administrative Order Number 16 of the Arkansas Supreme Court and request the assignment of a judge to hear the case. All such cases shall be transferred to a Special Judge (to be assigned an identifier by the Circuit Clerk), and a copy of the recusals, as well as the notification from the Administrative Judge to the Chief Justice, shall be placed in the Recusal and Transfer Orders book by the Clerk of the Court.

f) A judge may transfer a case to another Division for judicial economy to manage related cases or for the purposes of redistribution of cases to assist in case management provided the Judge receiving the case is in agreement. The Order of Transfer shall specify if the Clerk of the Court is to randomly assign a subsequently filed case to the transferring Division in order to maintain equal distribution of cases among the Divisions in effectuating the transfer. If the Order of Transfer specifies that there be no assignment of a subsequently filed case to the transferring Division, the Clerk of the Court shall take no action except to note the reassignment of the case.

RANDOM ASSIGNMENT

The assignment of cases shall be random, based on case types as assigned to the various Divisions of Court as provided in Assignment of Cases section. The Clerk is directed not to assign a case to a Division until such time as the file-mark of the Clerk has been affixed. The Clerk is prohibited from making the Division assignment known until the number is affixed to the pleading initiating the case. The Clerk is to maintain Criminal, Civil, Domestic Relations, Probate and Juvenile docket for each of the respective numerical Divisions.

SPECIALTY DOCKETS OR PROGRAMS

Drug Court

The Washington/Madison County Drug Court program has been in operation since 1999. Court sessions are conducted in Washington County. The program utilizes a pre-adjudication and post-adjudication process and is open to defendants with a felony charge, non-violent offenders. The program is conducted in conformance with state drug court statutes and complies with applicable laws involving the assessment of fines, fees, court costs, and probation fees. The program receives staff funding from the Public Defenders Commission, Department of Community Corrections, the Washington County Quorum Court, the State of Arkansas, and collection of court fees and grants.

The members of the drug court program team include the Judge, Prosecuting Attorney, Case Manager, Drug Court Liaison, Public Defender, Treatment Provider, Probation Officers, DCC Administrative Staff, Law Enforcement, and Coordinator. They have been consulted for purposes of scheduling, to ensure that the necessary resources are available and to avoid conflicts with other court programs and responsibilities in which team members may be required to participate.

FOR NEW DRUG COURT PROGRAMS AND/OR SPECIALTY PROGRAMS OTHER THAN
DRUG COURTS:

Veterans' Treatment Court

1. The Veterans' Treatment Court is an accountability-based program designed to address addiction and the criminal behavior associated with it. Participants who choose to take part in VTC are willing to attend treatment meetings and a monthly court session in exchange to have their charges reduced or even dismissed from their records when they graduate.

VTC is held in the courtroom of the **4th Division** of Washington County Circuit Court. In order to be accepted into the program, the applicant must be charged with a felony. The applicant's attorney submits the request for admission to the Prosecuting Attorney. If the presiding Judge and Prosecuting Attorney approve, the case is transferred to the Fourth Division.

The minimum amount of time it takes to finish VTC is 15 months. Each participant has an individualized treatment plan.

Graduation Requirements:

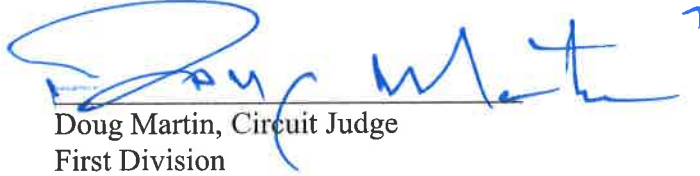
1. Have paid all financial obligations, including court-ordered and probation fines and fees and treatment program balance owed.
 2. Have been actively involved in the program for a minimum of 15 months.
 3. Verify abstinence (by urinalysis drug screens) during the last 180 days in the program.
 4. Complete all treatment plan assignments/other assignments.
 5. Complete application and get approval by Treatment Team for graduation.
2. The statutory authority for Veterans' Treatment Court is A.C.A. Section 16-98-201 and A.C.A. Section 16-98-301 - 16-98-307.
3. The Veterans' Treatment Court program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.
4. The Veteran's Treatment Court uses the same Court resources as the existing drug court program. The prosecuting attorney, public defender, court reporter, drug court coordinator, case manager and law clerk employed for the existing drug court program perform their same duties for the veterans' program. The judge currently presiding over the drug court program also presides over the veterans' program. Treatment/counseling services are provided by the Veterans' Administration.
5. The program receives funding from the Public Defenders Commission, Department of Community Corrections, the Washington County Quorum Court, the State of Arkansas, the Federal government, and the collection of court fees. Some grant funds are also available. The Veterans' Administration provides its resources at no cost to Washington or Madison Counties.


STATE DISTRICT COURT ADMINISTRATIVE PLANS

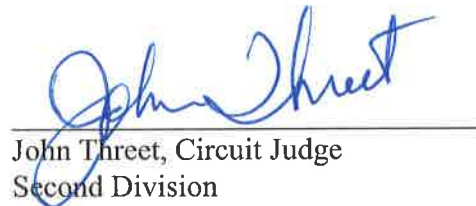
In accordance with the provisions of Administrative Orders Numbers 14 and 18, the State District Courts for Madison and Washington counties, each having multiple venues in the district, have submitted Administrative Plans which are appended to the Circuit Court Administrative Plan and said plans are endorsed by the undersigned circuit judges.

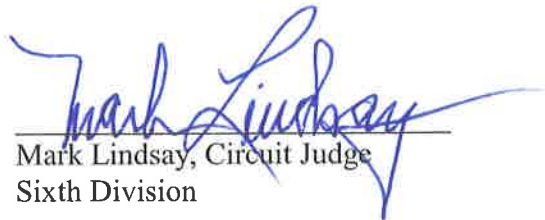
The Administrative Plan for the Fourth Judicial Circuit of Arkansas is hereby submitted to the Arkansas Supreme Court for approval on the 17th day of June, 2019.

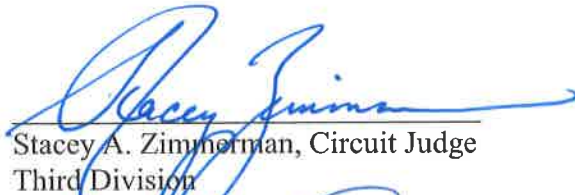
Approved:

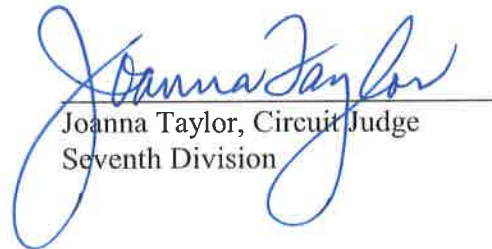

Doug Martin, Circuit Judge
First Division

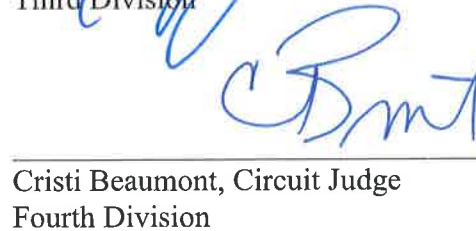

Beth Storey Bryan, Circuit Judge
Fifth Division


John Threet, Circuit Judge
Second Division


Mark Lindsay, Circuit Judge
Sixth Division


Stacey A. Zimmerman, Circuit Judge
Third Division


Joanna Taylor, Circuit Judge
Seventh Division


Cristi Beaumont, Circuit Judge
Fourth Division

Administrative Plan for the 4 Judicial District January 1, 2020 - December 31, 2020

County: <u>Madison & Washington</u>		Subject areas					Specific case types				
Division	Judge Name	CV	CR	DR	JV	PR					
1	Doug Martin	50%				25%	+ 33 1/3 Domestic Abuse cases				
2	John Threel	25%		20% (excl. Dom Abuse)		25%	+ 33 1/3 Domestic Abuse cases				
3	Stacey Zimmerman				100%						
4	Cristi Beaumont			40% (excluding Dom Abuse)			+ Drug Court and Veterans Court				
5	Beth Storey Bryan	25%		20% (excluding Dom Abuse)		25%	+ 33 1/3 Domestic Abuse cases				
6	Mark Lindsay		75% Wash Co CR				+ 100% Mad Co CR + PR prior to 1/1/2013 + DR filed 1/15 - 1/15/16				
7	Joanna Taylor		25% Wash Co CR	20% (excluding Dom Ab)		25%	+ Reopened Div 6 DR cases closed as of 1/1/2015 + All CR cases in which Juvenile charged				
District Judge	Casey Jones*										

District Judge William Storey*
 District Judge Jeff Harper*
 District Judge Graham Nations*
 District Judge Dale Ramsey*

} Washington County District Judges
 Madison & Carroll Counties District Judge

*Also hears 8.1 and Felony 1st Appearances on dates set forth in the plan

Administrative Plan for the 4 Judicial District

January 1, 2021 - December 31, 2021

County: <u>Madison & Washington</u>		Subject areas					Specific case types			
Division	Judge Name	CV	CR	DR	JV	PR				
1	<u>Doug Martin</u>	<u>50%</u>				<u>25%</u>				
2	<u>John Threedy</u>	<u>25%</u>		<u>20%</u> (excl. Dom Abuse)		<u>25%</u>				<u>+ 33 1/3 Domestic Abuse cases</u>
3	<u>Stacey Zimmerman</u>			<u>10%</u>	<u>50%</u>					<u>+ 33 1/3 Domestic Abuse cases</u>
4	<u>Cristi Beaumont</u>			<u>20%</u> (excluding Dom Abuse)						<u>+ All CR cases transferred to Juvenile Division</u>
5	<u>Beth Storey Bryan</u>	<u>25%</u>		<u>20%</u> (excluding Dom Abuse)		<u>25%</u>				<u>+ Drug Court and Veterans Court</u>
6	<u>Mark Lindsay</u>			<u>75%</u> (excl. WashCo CR)						<u>+ 33 1/3 Domestic Abuse cases</u>
7	<u>Joanna Taylor</u>		<u>25%</u> (excl. WashCo CR)	<u>20%</u> (excl. Dom Abuse)		<u>25%</u>				<u>+ 100% MadCo CR + PR priority 1/1/2013 + DR filed 1/15 - 4/15/16</u>
8	<u>To be elected in 2020</u>			<u>10%</u>	<u>50%</u>					<u>+ Reopened Div 6 DR cases closed as of 1/1/2015</u>
District Judge	<u>Casey Jones*</u>									<u>+ All CR cases in which Juvenile charged</u>

- District Judge William Sprey*
 - District Judge Jeff Harper*
 - District Judge Graham Nations*
 - District Judge Dale Ramsey*
- } Washington County District Judges
- } Madison & Carroll Counties District Judge

*Also hears 8.1 and Felony 1st Appearances on dates set forth in the plan