

**Amendments to the Case Assignment Plan Effective January 1, 2020 for the 10th
Judicial District**

Amendment to Paragraph VI, Case Assignments and Allocations

Assignment of Domestic Abuse cases are as follows:

Division One – one hundred percent (100%) of all cases in Ashley County

Division Two - one hundred percent (100%) of all cases in Bradley County

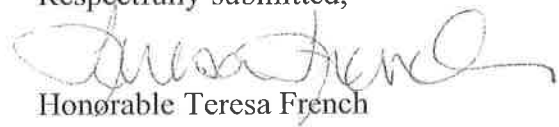
Division Three - one hundred percent (100%) of all cases in Drew County

Division Four - one hundred percent (100%) of all cases in Chicot and Desha County

Amendment to Paragraph J, Pending or Supplemental Proceedings

Any cases previously non-suited shall be assigned to the original Division.

Respectfully submitted,

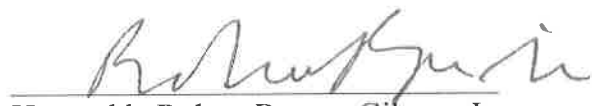


Honorable Teresa French
Division 5
Administrative Judge

Signature page for the Amendment to the Case Assignment Plan for the 10th Judicial
District.



Honorable Sam Pope
Division 1



Honorable Robert Bynum Gibson, Jr.
Division 3



Hon. Kenneth Johnson
Division 2



Honorable Quincey Ross
Division 4

**IN THE CIRCUIT COURTS OF THE
TENTH JUDICIAL DISTRICT OF ARKANSAS**

ADMINISTRATIVE PLAN – 2020

I. INTRODUCTION

Pursuant to Administrative Order Number 14 of the Arkansas Supreme Court, the undersigned Circuit Judges of the Tenth Judicial Circuit of Arkansas propose this administrative plan for submission to the Supreme Court for the purpose of judicial administration, designation of divisions, and management of caseloads of the divisions beginning January 1, 2020.

This proposal creates a substantially equal assignment of cases among the circuit judges in accordance with the weighted caseload system presently utilized by the Administrative Office of the Courts.

The Tenth Judicial Circuit consists of five (5) counties, Ashley, Bradley, Chicot, Desha and Drew, and five (5) judges. The current judges and their assigned divisions are as follows:

Judge Sam Pope	Division One
Judge Kenneth Johnson	Division Two
Judge Robert Bynum Gibson, Jr.	Division Three
Judge Quincey Ross	Division Four
Judge Teresa French	Division Five

II. ADMINISTRATIVE PLAN

The undersigned Circuit Judges of the Tenth Judicial Circuit submit this proposal as the administrative plan for circuit court administration to the Supreme Court for its approval. This Order is approved and agreed to by the undersigned judges and complies with Administrative Order Number 14.

A. Administrative Policy

The circuit judges will meet when needed for the purpose of administering this administrative order. The Administrative Judge shall call such meetings as and when necessary to carry out this plan and Administrative Order Number 14.

III. DIVISIONS

Each of the five (5) Circuit Judges of the Tenth Judicial Circuit shall at all times have the authority to hear all matters within the jurisdiction of the circuit court.

There is established in the Tenth Judicial Circuit, five (5) subject matter divisions in each county of the judicial circuit. They are as follows: criminal, civil, juvenile, probate, and domestic relations. The designation of divisions is for the purpose of judicial administration and caseload management and is not for the purpose of subject matter jurisdiction. The creation of divisions shall in no way limit the powers and duties of the judges as circuit judges.

For the purpose of this Order:

1. “Criminal” means cases relating to all matters involving the Arkansas Criminal Code except juvenile delinquency matters.
2. “Civil” means cases relating to all other matters not relating to Probate, Domestic Relations, Juvenile, or Criminal.
3. “Juvenile” means cases relating to families in need of supervision, dependency and neglect, paternity and delinquency.
4. “Probate” means case relating to decedent estates, trust administration, adoption, guardianship, conservatorship, commitment, and adult protective custody.
5. “Domestic Relations” means case relating to divorce, annulment, maintenance, custody, visitation, support, paternity, and domestic abuse.

The above definitions of “Probate” and “Domestic Relations” are not intended to restrict the juvenile division of circuit court from hearing adoption, guardianship, support, custody, paternity, or commitment issues which may arise in juvenile proceedings.

IV. CASE ASSIGNMENT AND ALLOCATION

- A. Except for good cause to the contrary, the case assignment and allocation of cases shall be a substantially equal apportionment among the judges.

B. Assignment of criminal cases

Effective January 1, 2020, all criminal cases in the District will be assigned by random selection as follows:

Division 1 – Fifty percent (50%) of cases in District.

Division 3 – Fifty percent (50%) of cases in Ashley and Drew counties.

Division 4 – Fifty percent (50%) of all cases in Bradley, Chicot, and Desha counties.

All civil forfeitures will be assigned to the Division assigned the related criminal case.

Drug Court – Effective January, 2004, a Drug Pilot Court Discretionary Grant Program was recognized and is being operated in Drew County, Arkansas. Under present policy, offenders from other counties in the District can be referred there if they otherwise meet acceptance criteria, particularly ability and means to travel. Drug Court shall be presided over weekly, or as otherwise scheduled, by the Judges of Division One and Division Three, alternating every two (2) weeks or as otherwise agreed. This program primarily utilizes a post-adjudication process and is open to first time offenders who are recommended by the prosecutor. 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 Department of Community Corrections. The members of the drug court program include the prosecuting attorney, public defendant/defense counsel, treatment professionals, and staff from the Department of Community Corrections.

Juvenile Drug Court is assigned to Division Five – a Juvenile Drug Court is recognized and is being operated in Ashley County, Arkansas and presided over by Division Five. This court was originally stated in January, 2010 and was then funding by tobacco settlement funds but is now funding through Medicaid and Act 1308 funds. The Prosecutor, Public Defender as well as school counselors, treatment professionals, and staff from the community provider, Phoenix Youth & Family Services, are part of the Juvenile Drug Court Team. The Drug Court Probation Officer, a state employee, is also a part of the team. 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 utilizes a post-adjudication process and is open to non-violent offenders.

Swift and Certain Accountability Probation Pilot Program are assigned to Division Four. In 2001, the Arkansas Legislature provided for the establishment of five pilot programs known as Swift Courts. The pilots are modeled after the successful Hawaiian Hope Program and are designed to reduce recidivism among high risk probationers by requiring swift, certain and graduated sanctions on a small number of easily verifiable behaviors to ensure compliance. The Swift Court in Desha County stated in July, 2012. The plan provides for a capacity of 20-25 probationers. Upon reaching its target capacity and stabilized procedures, the

plan provides for the start of a Swift Court in Chicot County. Eligibility is based on a validated risk/need assessment designed to determine a high risk of re-offending and/or a high risk of failing traditional probation. No offense or conviction, previous or current, shall cause an offender to be determined ineligible for Swift Court as long as the offender is eligible for probation and lives in the Desha or Chicot County area. Division Four presides over Swift Court. Members of the program include the prosecutor, public defender/defense counsel, Department of Community Corrections Probation Officer and Sheriff's Office for the respective county.

C. Assignment of Juvenile cases.

Effective January 1, 2020, all juvenile cases will be assigned to Division Five.

D. Assignment of child support enforcement cases

Effective January 1, 2020 all domestic relations cases in the district involving establishment of paternity or enforcement of a child support obligation by the Office of Child Support Enforcement Unit of the Department of Human Services, shall be assigned as follows:

Ashley	Division 3
Bradley	Division 1
Chicot	Division 4
Desha	Division 4
Drew	Division 3

E. Assignment of civil cases

Effective January 1, 2020, all civil cases will be assigned by random selection as follows:

Division 1 – Ten percent (10%) of cases in Ashley County.

Division 2 – Forty percent (40%) of cases in Bradley County

Division 3 – Ninety percent (90%) of cases in Ashley County, Seventy percent (70%) of the cases in Chicot County, and Sixty percent (60%) of the cases in Bradley, Desha, and Drew Counties.

Division 4 – Forty percent (40%) of cases in Desha and Drew Counties and Thirty percent (30%) of cases in Chicot County.

However, for purposes of judicial economy and the effective use of the personnel resources in the prosecuting attorney's and public defender's offices, civil drug forfeiture cases shall be assigned to the criminal division judge presiding over any associated criminal charges, if any exist. Such assignment shall be done by the Circuit clerk, if they can identify the associated case, or administratively by the Trial Court Assistants.

F. Assignment of domestic relations cases

Effective January 1, 2020, all domestic relations cases will be assigned to Division 2 unless otherwise specifically provided for herein.

G. Assignment of Paternity and Child Support Cases:

Effect January 1, 2020, all Paternity Cases and Child Support Cases shall be assigned as follows:

Division One – one hundred percent (100%) of all cases in Bradley County

Division Three – one hundred percent (100%) of all cases in Drew County

Division Three – one hundred percent (100%) of all cases in Ashley County

Division Four – one hundred (100%) of all cases in Chicot and Desha Counties

H. Assignment of probate cases:

Effective January 1, 2020, all probate cases will be assigned as follows:

Division Two – forty five percent (45%) of all cases in Ashley, Bradley, Chicot, Desha, and Drew Counties

Division Three – forty five percent (45%) of all cases in Ashley County

Division Four – forty five percent (45%) of all cases in Bradley, Chicot, Desha, and Drew Counties.

Division Five – all guardianships of a juvenile in Ashley, Bradley, Chicot, Desha, and Drew Counties which makes up approximately ten percent (10%) of all

probate cases and one hundred percent (100%) of all mental or drug and alcohol commitments in Ashley, Bradley, Chicot, Desha, and Drew Counties.

I. Random Assignment:

The assignment of cases shall be random, based on case types as assigned to the various Divisions of Court as provided in Section IV above. The clerk is directed not to assign a case to the 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 a separate Criminal, Civil, Domestic Relations, Probate, and Juvenile docket for each of the respective numerical Divisions. The Clerk's will not permit attorney nor parties to circumvent the random assignment process.

Pursuant to Administrative Order Number 14 as amended; "random selection" means that cases assigned to a particular subject matter division shall be randomly distributed among the judges assigned to hear those types of cases. The Clerks are directed not to assign a case to a Division until such time as the file mark of the Clerk has been affixed.

J. Pending or supplemental proceedings filed after January 1, 2020:

Effective January 1, 2020, all matters connected with a pending or supplemental proceeding, including any case subject to re-opening for any reason such as contempt or Motion to Modify, shall be automatically assigned by the clerk in accordance with the assignment schedule set out herein.

K. Recusals

The procedures outlined in Supreme Court Administrative Order Number 14 will be followed in the event of recusal from a pending case by a presiding judge. Should a judge recuse, the case shall be assigned to another judge who is hearing that type case in that county under this plan. If both judges recuse, then the clerk shall assign the case to one of the three remaining judges by random selection, provided however, Division Five will not be assigned any civil cases, and therefore, will not be included in the draw should any other judge or judges recuse. If all judges recuse, the Administrative Judge shall notify the Chief Justice of the recusals with a letter containing the written recusals of each of the five (5) judges and request the assignment of another judge.

V. SUPREME COURT

This administrative plan will be submitted to the Arkansas Supreme Court for its approval. Thereafter, a plan will be submitted to the Supreme Court as directed, if necessary. This plan may only be further amended if approved by the Supreme Court. Upon approval by

the Supreme Court, the amended plan shall be filed with the Clerk of the Circuit Court in each of the five (5) counties of the Tenth Judicial Circuit and filed with the Clerk of the Supreme Court. In the event, the approved plan is not being followed; a judge should first bring the matter to the attention of the circuit judges for resolution. In the event the complaining judge deems the resolution of the circuit judges, as a voting body, does not resolve the issue, the complaining judge may bring the matter to the attention of the Chief Justice of the Arkansas Supreme Court by setting out in writing the nature of the problem. Upon receipt of a complaint, the Supreme Court may cause an investigation to be undertaken by appropriate personnel and will take other action as may be necessary to insure the efficient operation of the courts and the expeditious dispatch of litigation in the Tenth Judicial Circuit.

VI. TRANSITION

No change in divisions of circuit court will be effective as of now.

VII. ELECTION OF ADMINISTRATIVE JUDGE

Teresa French was elected administrative judge at a meeting in January, 2019, and will continue to serve until her term expires. At the called meeting on May 9, 2019, all circuit judges were in attendance and approve this plan. Administrative Judge Teresa French is forwarding this Plan today to all the circuit judges for their signature.

VIII. ASSIGNMENT OF DISTRICT JUDGES IN THE COUNTY OR COUNTIES IN WHICH THEY WERE ELECTED.

Tenth District has three District Judges. They are District Judge Bruce Anderson, Bradley and Drew Counties; District Judge Reid Harrod, Ashley County; and District Judge Melinda French, Chicot and Desha Counties.

With the exception of first appearance and waiver of extradition when the responsibility is shared among Circuit and District Judges, a District Judge is assigned and shall have primary responsibility to preside over the following cases including scheduling and related administrative duties within their particular counties. Following completion of the first appearance paperwork, that paperwork shall be forwarded to the circuit clerk, the prosecuting attorney, defense attorney, if any, and the circuit judges sharing the criminal docket for that county.

1. Forcible Entry and Detainers and Unlawful Detainer;
2. Search warrants pursuant to Rule 13.1;
3. Arrest warrants pursuant to Rule 7.1;
4. Civil, domestic relations, and probate cases upon the consent of all parties pursuant to

Administrative Order No. 18(d);

5. Criminal case first appearances pursuant to Rule 9.1 through 8.4; and initial bond hearings, including waiver of extradition;

6. Petitions for mental or drug and alcohol commitments are assigned to Division Five (Judge Teresa French). However, should Circuit Judge Teresa French be unavailable then the district judge for that county shall handle that proceeding. If that judge is unavailable, then any circuit judge in the Tenth District may handle the commitment proceeding.

In each case of referral, the matters referred shall be subject to the superintending control of the Administrative Judge for the 10th Judicial District.

FURTHER, pursuant to Administrative Order 4 and the Administrative Office of the Courts Provisional Guidelines for digital audio in State District Courts all the State District Courts of the Judicial Circuit will utilize the equipment, software and operational abilities necessary to comply with the regulations and expectations of Order 4.

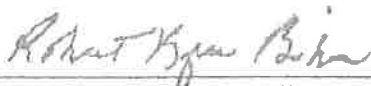
Administrative Plan to Become Effective January 1, 2020.



Honorable Sam Pope
Division 1



Hon. Kenneth Johnson
Division 2



Honorable Robert Bynum Gibson, Jr.
Division 3



Honorable Quincey Ross
Division 4



Honorable Teresa French
Division 5
Administrative Judge

Administrative Plan for the 10th Judicial District

County: Ashley		Subject areas					Specific case types								
Division	Judge Name	CV	CR	DR	JV	PR	GJ	PT	SS	UD	DA	FA	AL	DC	CV
1	Hon. Sam Pope	10%	50%								100%				
2	Hon. Kenny Johnson			100%		45%									
3	Hon. Bynum Gibson	90%	50%			45%		100%	100%						
4	Hon. Quincey Ross														
5	Hon. Teresa French				100%	10%	100%						100%	100%	100%
District Judge	Hon. Reid Harrod									100%		100%			

County: Bradley		Subject areas					Specific case types								
Division	Judge Name	CV	CR	DR	JV	PR	GJ	PT	SS	UD	DA	FA	AL	DC	CV
1	Hon. Sam Pope		50%					100%	100%						
2	Hon. Kenny Johnson	40%		100%		45%					100%				
3	Hon. Bynum Gibson	60%													
4	Hon. Quincey Ross		50%			45%									
5	Hon. Teresa French				100%	10%	100%						100%	100%	100%
District Judge	Hon. Bruce Anderson									100%		100%			

County: Chicot		Subject areas					Specific case types								
Division	Judge Name	CV	CR	DR	JV	PR	Swift	PT	SS	UD	DA	FA	AL	DC	CV
1	Hon. Sam Pope		50%												
2	Hon. Kenny Johnson			100%		45%									
3	Hon. Bynum Gibson	70%													
4	Hon. Quincey Ross	30%	50%			45%	100%	100%	100%		100%				
5	Hon. Teresa French				100%	10%	GJ 100%						100%	100%	100%
District Judge	Hon. Melinda French									100%		100%			

County: Desha		Subject areas					Specific case types									
Division	Judge Name	CV	CR	DR	JV	PR	Swift	PT	SS	UD	DA	FA	AL	DC	CV	
1	Hon. Sam Pope		50%													
2	Hon. Kenny Johnson			100%		45%										
3	Hon. Bynum Gibson	60%														
4	Hon. Quincey Ross	40%	50%			45%	100%	100%	100%		100%					
5	Hon. Teresa French				100%	10%	GJ 100%						100%	100%	100%	
District Judge	Hon. Melinda French									100%		100%				

County: Drew		Subject areas					Specific case types									
Division	Judge Name	CV	CR	DR	JV	PR	Drug	PT	SS	UD	DA	FA	AL	DC	CV	
1	Hon. Sam Pope		50%				X									
2	Hon. Kenny Johnson			100%		45%										
3	Hon. Bynum Gibson	60%	50%				X	100%	100%		100%					
4	Hon. Quincey Ross	40%				45%										
5	Hon. Teresa French				100%	10%	GJ 100%						100%	100%	100%	
District Judge	Hon. Bruce Anderson									100%		100%				

Abbreviations – Specific Case types

Drug – Adult Drug Court

PT – Paternity

SS –Support –OCSE

UD – Unlawful Detainer

DA -Domestic Abuse

FA – Felony First Appearance

AL – Alcohol Commitment

DC – Drug Commitment

CV- Mental Commitment

GJ – Guardianship of a Juvenile