

ADMINISTRATIVE PLAN
EFFECTIVE JANUARY 1, 2022

IN THE CIRCUIT COURTS OF MILLER & LAFAYETTE COUNTY, ARKANSAS
EIGHTH JUDICIAL CIRCUIT – SOUTH

In accordance with Administrative Order No. 14, adopted by the Supreme Court of Arkansas on December 13, 2012, the following Administrative Plan is hereby submitted for approval:

CIRCUIT COURT ADMINISTRATIVE PLAN

- a. **Administrative Policy:** The circuit judges of the Eighth South Judicial Circuit shall meet semi-annually in January and July of each year, and at any other agreed upon times, to establish the case management and administrative procedures to be used within the Eighth South Judicial Circuit. All policies, procedures and/or amendments thereto must be signed and approved by a majority of the judges.
- b. **Case Assignment and Allocation:** All civil, criminal, juvenile and domestic relations cases will be assigned by the Circuit Clerk. All probate cases will be assigned by the County Clerk. Both Clerks will utilize the amended random selection method established by the Eighth South Judicial Circuit on July 1, 2017. Case Assignment **Order #6**, signed by all three Circuit Judges (copy attached). This method assigns an equal apportionment of criminal, civil, domestic relations, juvenile and probate cases to each Judge. Petitions to Revoke a Probated or Suspended Sentence are treated as a reopened case and assigned accordingly. Reopened chancery/domestic relations and criminal cases are assigned to the Judge who had the original assignment.
- c. **Caseload Estimate:** The random assignment of cases apportions the caseload equally among the Judges within the Eighth South Judicial Circuit. An estimate of the total caseload for the circuit is approximately 6,000 active cases for the upcoming calendar year. As all cases are randomly assigned across the three divisions, each judge should expect a caseload of approximately 2,000 cases in his division. Caseloads will be reviewed at each of the regularly scheduled meetings to determine if a workload imbalance exists, and if such an imbalance exists, an amended plan will be submitted to the Supreme Court for approval.
- d. **Conflicts/Recusal:** Reassignment of cases or recusals of a judge or judges are addressed in Administrative Order No. 16.

e. **Specialty Court:**

A. Description of Program and How it Operates. An Adult Drug Court has operated in Miller County, Arkansas since 2001. It is a post- adjudication court but provides successful participants avenues to have their conviction expunged at the end of the process. The Court operates in the First Division of the Miller County Circuit Court but accepts referrals from the two other divisions of the circuit court and admits residents of other counties/circuits if they reside in Miller County, Arkansas. All participants are initially screened to assess their needs and appropriateness for the program.

B. Statutory or Legal Authority. Presently, it exists and operates pursuant to the Arkansas Drug Court Act codified at A.C.A. §16-98-301 to §16-16-98-306, and §16-10-139 – Specialty Court Program Evaluation and Approval – Transfer – Definitions.

C. Certification. The program confirms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

D. Description of the Program's Use of Court Resources. Team members include drug coordinator, the circuit judge, drug treatment providers, public defenders, prosecutors and adult probation officers. Team members participate in staffings and in hearings to ensure that all available resources are used in a timely manner to meet a client's individualized needs. Treatment is provided by the Department of Community Corrections and a private contractor.

E. Source of Funding. The Miller County Adult Drug Court is funded by the Miller County, Arkansas General Budget. The Quorum Court has established a line item in the budget for Drug Court Operations, supplies, education, incentives and travel. About 50% of the funds are used to obtain drug testing supplies and education materials for the participants. Travel funds are used sparingly and only when the Drug Court Team must travel for educational opportunities. The next large expenditure of funds is made in obtaining incentive materials such as gift cards, gas cards, bus passes, or other small rewards to participants for accomplishments in the program.

f. **State District Court Judges:**

ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT.

Has the circuit court referred matters pursuant to Administrative Order No. 18 to be heard by a state district judge?

☒ Yes

☐ No

Participating State District Judges ----- Assignment and Allocation of Cases

The state district judges participating in referrals from the circuit court include:

Name	District Court Judicial District	Assignment and Allocation of Cases
Judge Tommy Potter	37 th Judicial District	100% of Criminal Matters Referred

Matters Subject to Reference

The following matters are referred from circuit court to state district court and have been included in the administrative plan for the circuit court and the administrative plan for the district court:

☐ **Consent Jurisdiction.** Upon the consent of all parties and approval by the circuit judge originally assigned, the following types of cases are referred from circuit court:

- ☐ Civil
- ☐ Domestic Relations
- ☐ Probate

☐ **Protective Orders.**

☐ **Forcible Entry and Detainers / Unlawful Detainer.**

☐ **Other Matters of an Emergency or Uncontested Nature Pending in Civil, Domestic Relations or Probate Division.** *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters	Location
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☐ **Other Matters, if Justification for the Reference and Procedures to be Employed are Sufficiently Demonstrated in the Circuit Court Administration Plan Pursuant to Administrative Order No. 14.** *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters	Location
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☒ **Criminal.** The following duties are referred with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of 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
- ☒ Issue Summons Pursuant to Rule 6.1
- ☒ 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
- ☐ Accept Plea of "Not Guilty" or "Not Guilty by Reason of Insanity"
- ☒ Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3
- ☐ Conduct Preliminary Hearing Pursuant to A.C.A. §16-93-307

Digital Audio Recording Equipment

Is digital audio recording equipment utilized to make a verbatim record of matters referred from the circuit court?

- ☐ Yes
- ☒ No

Specialty Court Dockets or Programs

Does a district court judge preside over a circuit court specialty court program?

- ☐ Yes
- ☒ No

The following circuit court specialty courts are conducted:

<u>Type of Specialty Court</u>	<u>Location</u>
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Not Applicable.

- a. Type of specialty docket and description of its operation:
- b. Statutory or legal authority on which it is based:
- c. Certification of compliance with all applicable sentencing laws, including assessment, collection and remittance of fines, fees, court costs, probation fees.

- d. Use of court resources. *[Describe the court team including prosecuting attorneys, public defenders, and health professionals; that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*
- e. Sources of funding:

District Court Administrative Plans
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The following district court administrative plans are appended for submission to the supreme court:

☒ Judge Tommy Potter 37th District – Lafayette County and Miller County

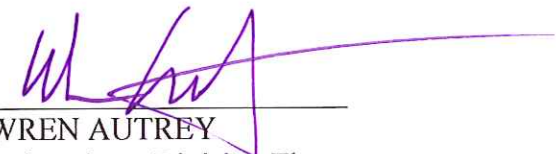
Approval

SIGNED AND SUBMITTED this 30th day of June 2021.



CARLTON D. JONES
Circuit Judge – Division One

BRENT HALTOM
Circuit Judge – Division Two



L. WREN AUTREY
Circuit Judge – Division Three

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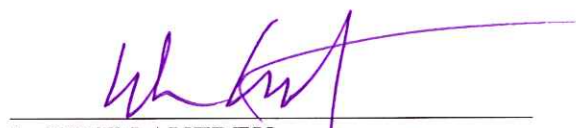
CASE ASSIGNMENT ORDER #6

Effective January 1, 2021, all new cases will be assigned by the random selection method of 1/3 each to Division 1 – Judge Carlton D. Jones, Division 2 – Judge Brent Haltom, and Division 3 – Judge L. Wren Autrey. Clerks may deviate, upon consultation with the Administrative Judge, in instances wherein a criminal defendant has multiple successive criminal court filings. Said method is to be strictly adhered to by the Clerks, so that an equitable distribution of the cases can be maintained. Any order in conflict with this order is replaced by this order.

IT IS SO ORDERED this 1st day of July 2021.


CARLTON D. JONES
Circuit Judge – Division 1

BRENT HALTOM
Circuit Judge – Division 2



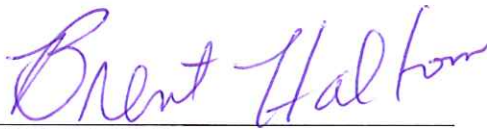
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CARLTON D. JONES
Circuit Judge – Division 1



BRENT HALTOM
Circuit Judge – Division 2

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Circuit Judge – Division 3