

**ADMINISTRATIVE PLAN FOR THE ELEVENTH JUDICIAL DISTRICT- WEST**

**INTRODUCTION**

Pursuant to Administrative Order Number 14, the circuit judges of the Eleventh Judicial District-West tender for the Arkansas Supreme Courts approval this administrative plan.

**CASE ALLOCATION AND ANTICIPATED WORKLOAD**

Recognizing that each Judge has the authority to hear, and must be prepared to hear, any type of case, this plan allocates the cases to our six Circuit Judges based upon the statistics provided by the AOC. Accordingly, with the effective date of this plan, the Circuit Clerks will assign all cases in this Circuit as follows:

	GUYNN	WYATT	NORTON	JAMISON	DENNIS	BROWN
Criminal	54%	12%	0%	0%	34%	0%
Civil	*0%	70%	0%	0%	30%	0%
Domestic Relations	0%	0%	50%	50%	0%	0%
Probate	0%	0%	50%	50%	0%	0%
Juvenile	0%	0%	0%	0%	0%	100%

\* Civil Forfeiture cases only;

In 2020, 4347 circuit court cases were filed in this District. Based on the above formula, the caseloads, not including transfers or recusals, were as follows:

Judge Alex Guynn	471 new cases
Judge Robert Wyatt, Jr.	792 new cases
Judge Mac Norton	871 new cases <sup>1</sup>
Judge Leon Jamison	871 new cases
Judge Jodi R. Dennis	594 new cases
Judge Earnest Brown, Jr.	748 new cases.

As of November 9, 2021, 3,723 new cases have been filed in this District. Based on the above formula, the caseloads, not including transfers or recusals are as follows:

Judge Alex Guynn	362 new cases
Judge Robert Wyatt, Jr.	671 new cases
Judge Mac Norton	838 new cases
Judge Leon Jamison	838 new cases
Judge Jodi R. Dennis	482 new cases
Judge Earnest Brown, Jr.	532 new cases.

We anticipate that all caseloads should increase for 2021 and 2022 as we continue to recover from the Covid-19 pandemic.

OTHER CONSIDERATIONS

Judge Dennis will specifically be assigned by the Circuit Clerks of both counties all criminal cases filed and all post-conviction inmate filings. When a Department of Correction criminal case is assigned to Judge Dennis, a case from her Division will be assigned to either Judge Guynn or Judge Wyatt in order to more evenly divide the cases between these three Judges.

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<sup>1</sup> Hon. Mac Norton replaced Hon. Bill Benton January 1, 2021

Judge Guynn will be assigned all Civil Forfeiture cases filed by the Prosecuting Attorney in both Jefferson and Lincoln Counties.

### **RANDOM ASSIGNMENT OF CASES**

Other than in criminal cases where the Defendant has prior or pending cases, the Circuit Clerks shall use Contexte to randomly assign cases.

### **ADULT DRUG COURT**

Judge Guynn presides over drug court. All cases where a Defendant will be participating in the "drug court" program shall be transferred to Judge Guynn. Judge Guynn shall transfer a criminal case to the judge who transfers a Defendant to "drug court". If the defendant has more than one case, Judge Guynn shall transfer a like number of cases to the judge who transfers the defendant to drug court. The authority for the drug court is attached as Exhibit 1 to this Plan. By his signature below, Judge Guynn certifies that the Adult Drug Court Program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

### **STATE DISTRICT COURT JUDGES**

Judge Kim Bridgforth, Judge John Kearney and Judge Phillip Green are State District Judges for the 29<sup>th</sup> District. With this distinction, the State District Court Judges have authority, pursuant to Administrative Order Number 18, to handle some matters that were previously exclusive to the Circuit Courts.

While recognizing that the State District Court Judges maintain a full-time docket, the State District Court Judges shall have the following additional authority if a circuit judge is not available:

1. To sign ex-parte orders of protection pursuant to Ark. Code Ann. §§ 9-15-201 through 217;

2. To sign ex-parte emergency involuntary commitments pursuant to Ark. Code Ann. §§ 20-47-209 and 210;
3. To sign ex-parte orders in Forcible Entry and Detainers and Unlawful Detainer pursuant to Ark. Code Ann. § 18-60-312;
4. Any other matters allowed pursuant to Administrative Order Number 18 that from time to time may become necessary or expedient to be exercised by said District Courts.

When a State District Court Judge signs any ex-parte order allowed pursuant to this Plan, the State District Court Judge shall coordinate with the Circuit Court where the case originated for the scheduling of the return hearing.

The State District Judges DO NOT conduct any type of specialty court.

All district courtrooms are equipped with approved recording equipment.

#### **DEFENDANTS IN JAIL**

The State District Judges in Jefferson and Lincoln Counties, Judge Kim Bridgforth, Judge John Kearney and Judge Phillip Green, conduct first appearance hearings Monday through Friday for those Defendants arrested and incarcerated in the Jefferson and Lincoln County Detention Centers. These hearings are conducted pursuant to Rule 8.1, 8.2, 8.3, 8.4, and 8.5 and Rule 9.1, 9.2, 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure. In the absence of a District Judge, a Circuit Judge will conduct the hearings.

All district courtrooms are equipped with approved recording equipment.

#### **JUVENILE DRUG COURT AND FAMILY DRUG TREATMENT DOCKET**

The Sixth Division (Juvenile Division) operates a Juvenile Division Drug Court (see attached) and a Family Drug Treatment Docket with services as statutorily allowed under the Juvenile Division Drug Court. The authority for these specialty courts is attached as Exhibit 2 to this Plan. By his signature below, Judge Brown certifies that the Juvenile Division Drug Court Program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments. 4

## **JUVENILE TRANSFER HEARINGS**

When a petition to transfer a criminal charge is filed under A.C.A. § 9-27-318, this judicial district agrees to have the transfer hearing conducted in the juvenile division of the circuit court. If the juvenile division of the circuit court denies the petition, the case shall remain in the original criminal division of the circuit court. If the juvenile's criminal charges are transferred and converted into delinquency charges under A.C.A. § 9-27-318, the case will then remain in the juvenile division.

## **REASSIGNMENT OF SUBJECT MATTER**

The issue of burn-out was first raised by the Arkansas Supreme Court in a per curiam opinion several years ago. The Court recognized that a judge assigned to a particular subject matter may, in time, request an assignment to hear other type subject matters of cases other than those currently assigned to that judge.

To remedy the situation and to address the issue of burn-out of all judges, as a vacancy occurs in one or more of the six divisions of circuit court, the use of seniority will be utilized to allow a sitting judge to relocate his/her division of court into the facilities of the vacant judicial division and to assume all or part of the case type currently assigned that division as long as it is consistent with the current Case Assignment Plan. The most senior judge would have the first option to elect to fill the vacancy. The next senior judge would then have the option to relocate, and so on. All subsequent vacancies created by this relocation would then be filled in a like manner using seniority. No sitting judge could be removed from his/her existing caseload or chambers using this process. No judge would change division designation or vacate the sub-district designation assigned to that particular division of court because they elected to relocate to another courtroom and chambers space. Nothing in this judicial plan shall alter or circumvent any provision of the *Hunt Decree*.

## REASSIGNMENT OF CASES

If any judge who is a party to this agreement leaves the bench the most senior judge remaining shall have the option to assume the parting judges docket which shall occur when the Administrative Plan is revised or if there is no appointment to fill that position. Nothing in this judicial plan shall alter or circumvent any provision of the *Hunt Decree*.

## PERIODIC MEETINGS

The judges of this circuit agree that periodic meetings will be beneficial to the administration of justice and will meet at least quarterly, if necessary.

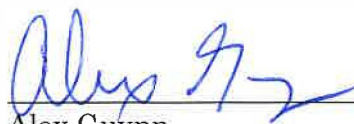
## MISCELLANEOUS

The circuit judges of this circuit recognize that any judge may act for another judge in his absence or in an emergency or other unusual circumstances and may sign routine uncontested matters or orders arising therefrom.

The Circuit Judges of the Eleventh Judicial District - West, by unanimous vote, also elected Robert H. Wyatt, Jr., Second Division Circuit Court Judge, as the Administrative Judge. His term will expire January of 2023.

The effective date of this Administrative Plan is January 1, 2022.

**SIGNED AND APPROVED**, this 1..2 day of November, 2021.




Alex Guynn  
Circuit Court Judge, First Division



Robert H. Wyatt, Jr., Administrative Judge  
Circuit Court Judge, Second Division

**CMA**


Circuit Court Judge, Third Division



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Jodi Raines Dennis  
Circuit Court Judge, Fifth Division

Circuit Court Judge, Fourth Division



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Ernest E. Brown, Jr.  
Circuit Court Judge, Sixth Division

## 11<sup>th</sup> WEST JUDICIAL DISTRICT ADULT DRUG COURT PROGRAM

A. **Description of Program and How it is Operated.** The 11<sup>th</sup> West Judicial District Adult Drug Court (JDC) is a post-adjudication program that serves medium to high-risk adults ages 18 and older, excluding violent offenders and sex offenders. The 20<sup>th</sup> JDC is a four-phase drug treatment program, typically not to exceed a year. Participants' treatment needs are assessed by the coordinator and treatment staff, upon referral to the program and throughout the program based on the changing circumstances and compliance with court orders. Incentives and sanctions are issued by the circuit judge based upon the participant's program compliance through the treatment phases. Intensive supervision is provided by adult probation staff and the adult drug court coordinator. Participants receive at least monthly court reviews. The Adult Drug Court Coordinator or his/her designee enters data on performance measures on each adult drug court participant into Contexte.

B. **Statutory or Legal Authority.** A.C.A. §16-98-301 et. seq

C. **Certification.** The program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessment.

D. **Description of the Program's Use of Court Resources.** JDC Team members include: Adult drug coordinator, the circuit judge, drug treatment providers, public defenders, prosecutors and Probation officers. Team members participate in staffings and in hearings to ensure that all available resources are used in a timely manner to meet an Adult's individualized needs. Treatment is provided by contract agency through the Department of Human Services, Behavioral Health Division.

E. **Source of Funding for Program.** The state funds an Adult Drug Court Coordinator hired by the Court. Drug tests are paid for by adult court fees. The Adult Drug Court Coordinator or his/her designee enters data on performance measures on each adult drug court participant into Contexte.





Juvenile Drug Court

16-98-303 (a) 3(B)

Operations:

Juvenile with a delinquency charges (not FINS) will be referred by the City or State Prosecutor and Public Defender to the juvenile drug court coordinator. A staffing is held and the juvenile is accepted or not accepted. If accepted, the juvenile and parent will appear twice a month for a review. The juvenile receives counseling and group. Juvenile Drug Court is a diversion program pursuant to 9-27-323.

The Drug Court coordinator is state funded position. The counseling is provided by our local mental health provider.

