

IN THE CIRCUIT COURTS OF THE 14TH JUDICIAL DISTRICT OF ARKANSAS
BAXTER, BOONE, MARION AND NEWTON COUNTIES

ADMINISTRATIVE PLAN

Pursuant to Administrative Order Number 14 of the Arkansas Supreme Court, the Circuit Judges of the Fourteenth Judicial District adopt the following Administrative Plan which shall be used by the Circuit Clerks of the 14th Judicial District to assign cases, effective January 1, 2022.

CIVIL DIVISION All new Civil Division case filings shall be randomly assigned as follows:

50% to Division 1, Judge Andrew Bailey

50% to Division 4, Judge Johnnie Copeland

If a Civil Division case is reopened it will be assigned to the Division that heard the case when it was originally filed, except that if the case was originally filed in Division 3 it will be reassigned, on a random basis, to either Division 1 or Division 4.

CRIMINAL DIVISION All new Criminal Division case filings and all reopened Criminal Division case filings shall be assigned to Division 3, Judge John Putman. The cases of Defendants who enter Drug Court shall be transferred to Division 1.

DOMESTIC RELATIONS DIVISION All cases initiated or reopened by the Office of Child Support Enforcement shall be assigned to Division 1. All petitions for Orders of Protection filed in Boone County shall be assigned to Division 4. All other Domestic Relations cases shall be randomly assigned as follows:

50% to Division 1, Judge Andrew Bailey

50% to Division 4, Judge Johnnie Copeland

If a Domestic Relations Division case is reopened it will be assigned to the Division that heard the case when it was originally filed, except that if the case was originally filed in Division 3 it will be reassigned, on a random basis, to either Division 1 or Division 4.

When the Office of Child Support Enforcement intervenes in a Domestic Relations Division case which is not in Division 1, the case shall be transferred to Division 1.

JUVENILE DIVISION All new and reopened Juvenile Division cases shall be assigned to Division 2, Judge Deanna Layton.

PROBATE DIVISION All new and reopened Probate Division cases shall be assigned to Division 2, Judge Deanna Layton.

EMERGENCY AND CRITICAL MATTERS Recognizing that litigants deserve prompt hearings and resolutions of emergency petitions and certain critical domestic relations causes, the duly assigned Judge shall provide a temporary hearing within thirty (30) days or the case shall be transferred to another division for resolution. This policy shall not interfere with a court's determination of whether an emergency exists or whether the matter may be resolved in some other manner than by hearing. A circuit judge may act for another circuit judge in situations involving emergency or other unusual circumstance.

TEMPORARY ABSENCE OF ASSIGNED JUDGE A Judge may request that another circuit judge from the District preside over their cases if the Judge is temporarily unavailable.

SPECIAL JUDGES If a case is assigned to a Special Judge by the Chief Justice of the Arkansas Supreme Court, the scheduling of that case will be handled by the originally assigned Division.

REFERRALS TO STATE DISTRICT COURTS The Fourteenth Judicial Circuit is also the location of two State District Courts. The proposed administrative plans of these courts for 2022 are appended hereto. On January 1, 2022, the Baxter County and Marion County State District Courts will be presided over by State District Court Judge Christopher Carter, and the Boone County and Newton County State District Courts will be presided over by State District Court Judge Gail Inman-Campbell.

In order to best utilize these State District Courts, pursuant to Arkansas Supreme Court Administrative Order No. 18, the undersigned Circuit Judges of the Fourteenth Judicial District with the consent of the State Court District Court Judges in the District, refer the following matters to the State Court District Judges:

Conduct first appearances pursuant to Ark. R. Crim. P. 8.1

Appoint Counsel Pursuant to Ark. R. Crim. P. 8.2

Inform a Defendant pursuant to Ark. R. Crim. P. 8.3

Matters of an emergency or uncontested nature pending in the probate division of circuit court with the exception of adoptions.

SPECIALITY COURT - DRUG COURT. The 14th Judicial District Drug Court is a post-conviction drug treatment program designed for defendants with long-term substance abuse issues. The mission of drug court is to promote public safety and the quality of life for the probationer and the community by providing structure and support for sobriety and recovery for court-involved individuals. The aim is to assist participants in regaining health, finding and enjoying new friends, repairing damaged family relationships, and meeting their responsibilities

to their families, friends, community, the court and themselves. The program is organized and operates pursuant to the requirements of the Arkansas Drug Court Act (A.C.A. 16-98-301 et seq.).

The 14th Judicial District Drug Court population represents all four counties of the judicial district. The court program has two locations. The location in Mountain Home serves participants in Baxter and Marion Counties. The location in Harrison serves participants in Boone and Newton Counties. The participant population in the program ranges from 30-40 participants at a time with an average of 15-20 participants in each of the two court locations.

Circuit Court Judge Andrew Bailey presides over drug court in both locations. Other team members are the prosecuting attorney and the defense attorney. The 14th Judicial District Prosecuting Attorney's Office provides a prosecutor for the program and, currently, the defense attorney is a volunteer attorney with vast experience with drug court. Each location has its own probation officer, administrative specialist, and drug court advisor. The non-attorney positions on the drug court team are employees of the Arkansas Department of Community Correction.

All prospective drug court participants are given the program handbook before choosing whether to enter, and all potential participants are screened. The screening process determines which offenders are eligible and appropriate for admission to drug court. Screenings are conducted by the drug court advisor at each location. Participants are screened for psychological, social and physiological signs and symptoms of alcohol and other substance use and abuse and for co-occurring conditions, such as medical, psychiatric, and physical issues that will indicate a need for additional assessment and services. Assessment/screening instruments and tools used

include the TCU Drug Screen V (TCUDS-V), the Arkansas Community Corrections Screening Form, the Consent for the Release of Confidential Information – Criminal Justice System Referral (a consent form based on federal law to disclose information within the criminal justice system as the referral source and coordination of treatment services), the Rapid Opioid Dependence Screen (RODS), the Mental Health Screening Form (the universal mental health screening form presented by SAMHSA as a reliable indicator for screening and referral for further mental health assessment), and the Specialty Court Eligibility Form, which was created by the Arkansas Administration of Specialty Court Committee based on legislative requirements to be eligible for drug courts in Arkansas.

Those eligible for participation in drug court have been arrested for a non-violent felony crime and have been identified as having a substance abuse problem. Additional eligibility criteria include: referral by 14th Judicial District Circuit Court; residence in the 14th Judicial District; at least 18 years of age (under 18 must be adjudicated as an adult or be an emancipated minor); evidence of recent or active drug/alcohol use; criminal charges with a drug or alcohol related or motivated felony; an agreement to live in a drug-free environment; no other pending charges; no sex-related or other violent criminal history; not currently on parole/probation in other areas; dependable transportation to attend all drug court-related appointments and counseling sessions; entrance of a guilty plea to the current criminal charges. Drug court currently requires an absence of active mental health concerns that would adversely affect a participant's ability to complete program.

Drug court is a four-phase, highly structured treatment program lasting up to at least eighteen months, with the exact length depending on individual progress. Each phase consists of specified treatment objectives, therapeutic and rehabilitative activities, and specific requirements for advancement to the next phase of treatment. The requirements are gradually lessened as a participant completes the various phases of the program. Advancement from each phase and graduation from the program shall be determined by the judge and the drug court team. Below are phase descriptions:

Phase 1: Orientation and Intensive Treatment – lasts an average of 18 weeks; individuals participate in three group counseling sessions, one individual counseling session, and three support group meetings a week. They must appear in court every two weeks. Supervision includes randomized drug testing one to three times a week and unannounced home visits.

Phase 2: Moral Reconciliation Therapy – lasts an average of 18 weeks; individuals participate in two group counseling sessions per week, three support group meetings per week, and two individual counseling sessions per month. They must appear in court every two weeks. Supervision includes randomized drug testing one to three times a week and unannounced home visits.

Phase 3: Relapse Prevention and Daily Living Skills – lasts an average of 18 weeks; individuals must attend one group counseling session each week, three support group meetings per week, and one individual counseling session per month. They must

appear in court every two weeks. Supervision includes randomized frequent drug testing and unannounced home visits.

Phase 4: Aftercare – lasts a minimum of 6 months; participants must mentor new participants entering the program or volunteer with a community group that has an emphasis on substance abuse. Participants in this phase continue to be subject to randomized drug testing. They must also engage with their support group sponsors, continue attending support group meetings and become an active co-facilitator in substance abuse group meetings. They must participate and assist in supervised community service projects and assist the drug court program with special projects. They attend court once a month.

All drug court participants are mandated to be on probation as part of the program. Case management services are provided by the probation officers and drug court advisors at each location. Probation conducts drug testing by random draw; each participant is tested between one and three times per week. In addition to court appearances, participants have between 10 and 15 contacts with drug court staff per month in the initial phases with contact decreasing as a participant progresses through the program. The drug court team also helps with housing and frequently guides participants to agencies that can help with other social services.

Treatment services are currently offered by the two drug court advisors (one at each site) as well as peer support groups. The advisors have several responsibilities, including screening individuals to ensure appropriateness and eligibility, orienting participants to the goals of the program, assessing the participants' strengths, weaknesses, problems and needed interventions,

planning treatment with the participant to collaboratively identify immediate and long term goals, conducting individual and group counseling, providing case management services (in conjunction with probation) including bringing services and resources together to assist in reaching the identified goals, educating participants of available community based services and resources, and reporting and record keeping of participants' progress, assessments, and treatment plans.

Sanctions are imposed for violations of drug court rules and failed drug tests with the sanctions increasing in severity as the number of sanctions increase. There are also incentives for program compliance. Sanctions include community service hours, demotion to a previous phase of the program, inpatient treatment, jail time, and revocation (program removal). Incentives include positive recognition from the drug court judge in open court, reduction or suspension of fines, reduction or suspension of drug court fees, advancement to next phase of the treatment program, participation in group leisure/entertainment activities, possible reduction of time on probation, and possible expungement of the criminal record.

Once drug court participants have successfully completed the criteria for each phase, they become a candidate to graduate from the program. Graduation candidates must discuss their progress toward the goals they initially set and why they believe they have met the graduation criteria. Advancement from each phase and graduation from the program is determined by the judge and the drug court team. Family members are invited to join the candidates in court as the judge congratulates them on successfully completing the drug court program and achieving their goal to establish a drug-free and law-abiding life. Following graduation, graduates are eligible to

be considered for unsupervised probation until all their financial obligations are completed and/or early termination of probation, at which point, the judge will consider their request for sealing the record.

Violent or inappropriate behavior results in expulsion from the program. Other expulsion criteria can include an arrest for a new charge, demonstrating a consistent lack of program participation by failing to cooperate with the treatment team, consistently missing drug tests, or consistently testing positive for drug use. Expulsion is the most severe type of sanction, and typically the last type of sanction used. All final decisions regarding termination from the program are made by the judge.

Clients must pay a supervision fee of \$35.00 per month and a one-time drug court fee of \$600.00. Restitution may be required of some participants based on their charges and plea. Restitution is paid outside of drug court participation fees.

The circuit judges of the 14th Judicial District certify the program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

From the beginning of the drug court program, several members of the drug court team have attended state and national training, including the annual Arkansas Statewide Specialty Court Training Conference and the National Association of Drug Court Professionals annual training conference.

Funding for drug court is provided by additional sources to those named above. Baxter County and Boone County provide funding through an annual drug court budget. These budgets provide for incidentals for the program and are funded by court fees. Other sources of funding

include a state grant for travel expenses, education, and supplies. In 2021, the program applied for a federal grant through the United States Department of Justice for additional funding for the program.

ESTIMATED CASE LOAD. The estimated yearly caseload for each Circuit Judge under this Administrative Plan based on projections from the 2021 filings to date in the District and the average number of participants in Drug Court, is as follows:


	Division 1	Division 2	Division 3	Division 4
Number of Cases:	1400	1300	1700	1400

WHEREFORE, after a video conference this Administrative Plan is unanimously adopted by the undersigned Circuit Judges, and shall be effective January 1, 2022.

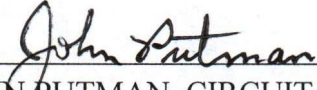
IT IS SO CONSIDERED, ORDERED AND ADJUDGED THIS 19th day of November, 2021.

Andrew Bailey

ANDREW BAILEY, CIRCUIT JUDGE, DIVISION 1



DEANNA LAYTON, CIRCUIT JUDGE, DIVISION 2



JOHN PUTMAN, CIRCUIT JUDGE, DIVISION 3

JOHNNIE COPELAND, CIRCUIT JUDGE, DIVISION 4

APPROVED:

CHRISTOPHER CARTER, STATE DISTRICT COURT JUDGE
BAXTER and MARION COUNTIES



APPROVED:

GAIL INMAN-CAMPBELL, STATE DISTRICT COURT JUDGE
BOONE and NEWTON COUNTIES