

**IN THE CIRCUIT COURTS OF THE
NINTH-WEST JUDICIAL DISTRICT OF ARKANSAS**

ADMINISTRATIVE PLAN

In accordance with Administrative Order Number 14, and after numerous meetings between the two (2) Circuit Judges, our Administrative Plan for handling cases in the Ninth West Judicial District is submitted as follows:

PREAMBLE

The Ninth-West Judicial District consists of four (4) counties: Howard, Little River, Pike and Sevier. There are two (2) judges serving this district, Judge Tom Cooper, Division One (1), and Judge Bryan L. Chesshir, Division Two (2).

ASSIGNMENTS

Each judge will hear all types of cases.

Cases shall be assigned by computerized method for random assignment.

The Clerk is to maintain a separate criminal, civil, domestic relations, probate and juvenile docket for each of the respective divisions.

Each Clerk shall affix a stamp to the pleadings designating which judge has been assigned to the case so the attorneys will know who to contact for a setting. In addition, the Clerks shall place the number one (1) or two (2) at the end of every case number to designate Division One or Two. The only exception to this procedure is where there are multiple criminal defendants with different file numbers, wherein the judge that takes the first case will handle all subsequent files of co-defendants regardless of the assignments. Likewise, similar type case or cases that have some relationship with each other will be heard by the same judge. Any case that has been non-suited and refiled shall be assigned to the same judge in the previous case.

PROCEDURE FOR HEARING CASES

Judge Cooper will set his criminal cases for jury trials in even numbered months and Judge Chesshir will set his criminal cases in odd numbered months in order to allow the prosecuting attorney to be present at all criminal jury trials. Civil jury trials are set by the presiding judge on whatever days are available that will not conflict with any cases set by the other judge.

As a normal rule each judge will travel the circuit to all four (4) counties during one (1) week. The other judge will travel the same route the next week. This allows a judge to be in each one of the four (4) counties at least twice a month with the exception where there are scheduling problems due to holidays, jury trials and continuing education classes.

Each time a jury trial is set the Trial Court Administrators shall contact each other to notify the other judge of any setting so there will not be any conflicts concerning the use of the courtroom on the same day.

On regular court dates either judge may hear uncontested matters regardless of the designation.

In juvenile matters, the juvenile intake officer has notices mailed for juveniles to appear on a regular court date. If they should plead true, the judge for the first appearance will dispose of the matter. If they plead not true then, the judge will set this matter according to the random designation.

CALENDAR

A calendar is printed each year around September setting forth the regular court dates for the upcoming year where the judges will appear and hear all types of cases, including drug court, divorces, probate, juvenile, criminal arraignments, pre-trials, criminal jury trials and non-jury matters. The judges alternate each year letting one judge pick his court dates first and then the other judge will select his dates. Judge Chesshir selects for odd numbered years and Judge Cooper selects on even numbered years.

ENHANCED JURY LIST

After discussions with and approval from all the Clerks in the district, we decline the use of the enhanced jury list pursuant to Arkansas Code Ann. 16-32-303(b).

CONTROL OF DOCKETS

The clerks shall also notify the Trial Court Administrators of any dispositive motions filed on cases such as motion to dismiss, motion for summary judgments and criminal post-conviction motions to assure these pleadings are dealt with in a timely fashion.

The Trial Court Administrators will utilize the Tableau Computer Program to review cases in each county at least once every six (6) months to check all active files, except for Probate, which will be checked once annually in order to resolve cases that need to be addressed pursuant to Rule 41. A letter is then sent to the parties advising them of what action needs to be taken. The parties are warned that if no action is taken within a reasonable period, then the case will be dismissed.

ADMINISTRATIVE JUDGE

Pursuant to Administrative Order Number 14, the Judges of the Ninth-West Judicial District agree to alternate the position of Administrative Judge every two (2) years. Judge Cooper will serve as Administrative Judge for 2021 and 2022, and then alternate with Judge Chesshir every two (2) years thereafter.

SPECIALTY DOCKETS OR PROGRAMS

The only specialty docket for the Ninth-West Judicial District is Drug Court which has been in operation since August of 2003. Court sessions are conducted in Howard County for Pike, Howard, Little River and Sevier Counties. The program utilizes a pre-adjudication and post-adjudication process and is open to defendants who have committed eligible offenses. The Drug Court team consists of the Prosecuting Attorney, Department of Community Correction's Officer, Department of Community Correction's Counselor, Public Defender, Law Enforcement Representative and Circuit Judge Bryan L. Chesshir. However, Circuit Judge Tom Cooper may hear Drug Court cases at any time. The Drug Court team meets monthly to consider those eligible for Adult Drug Court. The program is established and conducted in conformance with statutory authority set forth in Arkansas Code Annon. § 16-98-301, et seq. The program conforms to all applicable sentencing laws including fines, fees, court costs and probation supervision fees. This program is funded by the Department of Community Correction and the collection of court fees.

The program is operated as follow: After arrest, eligible offenders are offered a choice between Drug Court and other prosecution offers of plea on the pending charges. If the offender opts to accept participation in Drug Court, the offender will enter a guilty plea to the charge(s). The case will be deferred until successful completion of Drug Court and then dismissed. However, if the offender commits enough violations to be expelled from Drug Court, their case will be transferred back to Circuit Court Criminal Division upon a Petition to Revoke being filed.

While in Drug Court participants are required to follow the Probation Office rules and other specific Drug Court related terms and conditions. The participants are under direct supervision of a Drug Court counselor and probation officer. Supervision includes unannounced home visits and random drug testing. Throughout their participation in Drug Court participants will continue to be represented by counsel.

The participant's length in the program is determined by their progress; however, the program cannot be completed in less than eighteen (18) months.

Determination of eligibility for entry into the program is made by the Drug Court team, as outlined above. The prosecuting attorney has the final approval for admission. The team meets monthly for discussion of those participants appearing in Drug Court unless a meeting is needed to be called on an emergency basis.

The program is a court-supervised comprehension treatment program for non-violent offenders. It is voluntary and includes regular court appearances, supervision, treatment, drug testing, individual/group counseling and substance abuse education.

The Ninth-West Judicial District provides that at the time of plea of guilty, the fines, court costs, public defender fees and restitution are imposed and made a part of the Judgment. During the participant's tenure, they are further required to pay Drug Court and probation fees.

PROJECTION OF CASELOAD ESTIMATES

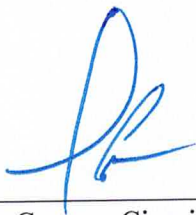
The Ninth-West Judicial District total filings for each division for the past three (3) years are as follows:

2019	Division #1	-	1405	
	Division #2	-	1275	
2020	Division #1	-	1371	
	Division #2	-	1069	
2021	Division #1	-	1057	(2021 is reflected from January 1 st through
	Division #2	-	1112	October 31 st .)

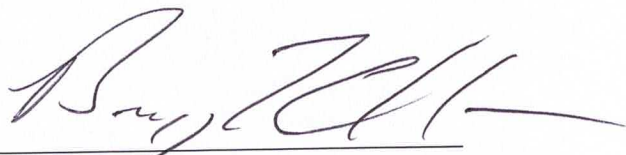
We believe the year of 2021 is a more accurate prediction of the projected caseloads for the upcoming years.

APPROVAL

The Judges of the Ninth-West Judicial District hereby approve this amended administrative plan and submit it to the Arkansas Supreme Court for its approval this 1st day of June 2021 and if approved, effective January 1, 2022.



Tom Cooper, Circuit Judge
Division One



Bryan L. Chesshir, Circuit Judge
Division Two