

ADMINISTRATIVE PLAN FOR THE
SEVENTEENTH JUDICIAL CIRCUIT
PURSUANT TO ADMINISTRATIVE ORDER NO. 14
OF THE ARKANSAS SUPREME COURT

Judge Daniel Brock (Division 1), Judge Mark Pate (Division 2) and Judge Craig Hannah (Division 3) hereby submit to the Arkansas Supreme Court the following administrative plan (the "Plan") for the Seventeenth Judicial Circuit to be effective January 1, 2022. Prior to submission, a meeting was held in person or by Zoom in which each judge attended and had an opportunity to have a voice in the completion of the Plan.

Administrative Policy: Judges of the Seventeenth Judicial Circuit shall meet during the first month of each calendar quarter to formulate, implement and act on matters of administrative policy and procedure within the jurisdiction of the Circuit Court. Majority approval of all circuit judges with the Seventeenth Judicial Circuit shall be required to adopt, enact or amend such administrative procedures or policies.

CASE ASSIGNMENT AND ALLOCATION

In White County, Arkansas cases shall be assigned by the clerk at the time of filing as follows:

- (A) Civil Cases - Judge Daniel Brock
- (B) Domestic Cases - Judge Craig Hannah
- (C) Probate Cases - Judge Daniel Brock, except for Civil Commitment cases which will be assigned to Judge Craig Hannah.
- (D) Juvenile Cases - Judge Craig Hannah, except for:

(i) Dependency/Neglect actions filed by the Department of Human Services, which shall be assigned to Judge Mark Pate

(E) Criminal Cases - Judge Mark Pate, except for:

(i) Post conviction supervision of Drug Court cases, which will be assigned to Judge Craig Hannah.

Judge Mark Pate shall conduct all criminal jury orientation and Judge Daniel Brock all civil jury orientations involving White County cases. Provided, however, that any division of the 17th Judicial Circuit may empanel a jury from any available jury pool regardless of whom conducted the orientation and regardless of whether the orientation was for criminal or civil matters.

In Prairie County, Arkansas, cases will be assigned by the clerk at the time of filing as follows:

(A) Civil Cases - Judge Daniel Brock

(B) Domestic Cases - Judge Craig Hannah

(C) Probate Cases - Judge Craig Hannah

(D) Juvenile Cases - Judge Mark Pate

(E) Criminal Cases - Judge Daniel Brock, except for:

(i) Post conviction supervision of Drug Court cases, which will be assigned to Judge Craig Hannah.

(F) Jury Orientation - Judge Daniel Brock

Judge Brock, Judge Pate, and Judge Hannah specifically agree that the above method of assignment of cases shall apply as to the initial case assignment and that

each will follow the mandates of Administrative Order No. 16 of the Arkansas Supreme Court. Additionally, all three judges recognize and accept that it is the affirmative duty of each judge to hear and dispose of any type cases when a judge is called upon to do so under appropriate circumstances in compliance with Administrative Order No.16.

Juvenile Transfer Hearings: When a petition to transfer a criminal charge is filed under Arkansas Code Annotated Section 9-27-318, this judicial circuit 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 Arkansas Code Annotation section 9-27-318, the case will then remain in the juvenile division.

CASELOAD ESTIMATE

The assignment of cases, as set forth above, is a fair and equitable distribution of cases within the Seventeenth Judicial Circuit and will provide for effective administration of justice. It is anticipated that this Plan will result in an estimated case load for each Judge as follows:

<u>1st Division</u>	<u>2nd Division</u>	<u>3rd Division</u>
1,511	1,293	1,785

(Figures are an average of 2018-2020 and do not include case counts for the 2 drug courts)

SPECIALTY COURTS

The 17th Judicial District operates an Adult Drug Court and a Juvenile Drug Court.

Adult Drug Court

A. Description of Program and How it Operates.

The 17th Circuit drug court program has been in operation since 2003. Court sessions are conducted in White County. However, Prairie County defendants are eligible for admission to the drug court program. The program primarily utilizes a post-adjudication process and is open to defendants who have committed eligible offenses and are accepted after a screening process.

B. Statutory or Legal Authority.

The program is conducted in conformance with the Arkansas Drug Court Act as codified at Ark. Code Ann. §16-98-303 et seq.

C. Certification.

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

D. Description of Program's Use of Resources.

The members of the drug court program team include prosecuting attorney, public defender, defense counsel, DDC staff and local court staff. Each member has been consulted (i) in setting up the program and its operation, (ii) for purposes of coordinating scheduling, and (iii) to ensure that the necessary resources are available and to avoid conflicts with other court programs and responsibilities in which team

members may be required to participate.

E. Source of Funding.

The program receives staff and funding from the Department of Community Corrections and collection of court fees. The Program also partners with many organizations in our community and utilizes their resources to improve and assist our participants. We are not currently utilizing any type of grant or other sources of funding.

Juvenile Drug Court Program

A. Description of Program and How it Operates.

The White County Juvenile Drug Court Program is a court-supervised, comprehensive treatment program for juvenile adjudicated delinquents with drug-related charges or juveniles identified as having substance abuse issues. The Program entails the following components:

1. Regular court appearances before Judge Craig Hannah
2. Supervision by the White County Juvenile Office.
3. Treatment, which includes drug testing and individual/group counseling and referral to residential treatment if deemed necessary by the treatment provider and/or court.

While in Drug Court, juveniles will be required to conform to a Program Contract, with specific terms and conditions, set out to govern their actions and responsibilities. These terms and conditions are separate from their rules and regulations of probation although they correlate with one another. A Probation Officer will provide supervision and enforcement of the terms and conditions of probation. The Drug Court Coordinator will monitor the juvenile's compliance with the Drug Court Program. The length of the

program is one year. Successful completion and graduation of the program can result in charges being expunged from the juvenile record upon their 18th birthday. Failure to complete the program or termination from the program can result in being sentenced to the Division of Youth Services.

The Program is divided into 4 phases with each phase being designed to be completed within 90 days pending the juvenile's compliance with their rules and regulations and their individual treatment plans. Participants receive court reviews a minimum of once per month. Court sessions are conducted in White County, but Prairie County residents are eligible for admission to this Program. With state funds a Juvenile Drug Court Coordinator was hired by the Court. Drug tests are paid for by juvenile court fees. The Juvenile Drug Court Coordinator and his/her designee enters data or performance measures on each juvenile drug court participant into Context.

Resources used include treatment as provided by the New Leaf Wellness Center. Treatment modalities include individual therapy, group therapy, family therapy, school-based therapy services and referrals for medication management when necessary. East Arkansas Youth Services offers outreach services as well as intensive supervision and tracking. The White County Juvenile Drug Court also works with Arkansas State University for GED/Adult Education Services for those juveniles who are seeking to obtain their GED or further their education post-graduation. Referrals to The Department of Human Services and the White County Health Department are made for indigent families in need of financial assistance and that qualify for Medicaid and SNAP services as well as medical services. Team members participate in staffings and in hearings to ensure that all available resources are used in a timely fashion to meet the

needs of the participants and their families.

B. Statutory or Legal Authority.

The program is conducted in conformance with the Arkansas Drug Court Act as codified at Ark. Code Ann. §16-98-303 et seq.

C. Certification.

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

D. Description of Program's Use of Resources.

JDC Team members include: Juvenile Drug Coordinator/probation officer, the Circuit Judge, substance abuse treatment providers, public defenders, prosecutors and other juvenile officers. Each team member has been consulted in setting up the program and its operation and scheduling has been coordinated. Currently, the team has the necessary resources available to run this program in compliance with applicable law.

E. Source of Funding.

Funding sources for the White County Juvenile Drug Court include the Accountability Court Funds Grant which was awarded in 2020 and used in 2021. The court will apply for the 2022 grant funding. The court is also able to access funds from the White County Juvenile Court and Probation Department. Local businesses in White County have donated coupons for the use of incentives for the juveniles.

STATE DISTRICT JUDGES

ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT.
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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 Mark M. Derrick Division 1	23 rd District	50% of Criminal Referrals on As Needed Basis

Name	District Court Judicial District	Assignment and Allocation of Cases
Judge Eric R. Kennedy Division 2	23 rd District	50% of Criminal Referrals on as Needed Basis

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 _____

- 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 _____

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 specialty courts are conducted:

Type of Specialty Court

Location

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:

APPROVAL

Approved and respectfully submitted,



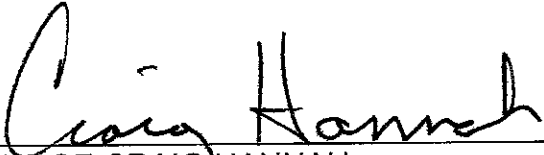
JUDGE DANIEL BROCK

November 16, 2021

DATE

JUDGE MARK PATE

DATE



JUDGE CRAIG HANNAH

11/16/21

DATE

APPROVAL


Approved and respectfully submitted,

JUDGE DANIEL BROCK

DATE



JUDGE MARK PATE



DATE

JUDGE CRAIG HANNAH

DATE