

ADMINISTRATIVE PLAN (Revised)

15th District District Court of Jackson and Woodruff County, Arkansas

1. JUDGES.

The Fifteenth District Court is a state district court served by one judge. The judge serves in the statutorily designated eight departments of the court as follows:

Judge	District / Division	Department
Henry Boyce	Jackson County/Division 1	Newport Department 615 3rd St. Newport, AR 72112
Henry Boyce	Woodruff County/Division 1	Augusta Department 210 Main St. Augusta, Ar. 72006
Henry Boyce	Woodruff County/Division 1	McCrory Department 107 N. Jackson McCrory, Ar. 72006

The statutory authority for the organization and designation of this district court is found is found at A.C.A. §16-17-1113.

Consolidation of City Courts with District Courts

Pursuant to A.C.A. §16-17-1202, the following towns or cities are no longer operating as departments of the District Court and a copy of the local ordinance waiving the requirement of holding court by the city as a department of the court has been provided to AOC with this plan. This plan is final with the exception of the Cotton Plant department which is inactive but still considering a potential operating agreement with Augusta. The Augusta Department is currently hearing all of Cotton Plant's dockets.

<u>Town / City Listed in Statute but now inactive</u>	<u>Effective Date</u>
City of Diaz	6/7/21
City of Tuckerman	6/14/21
City of Swifton	6/8/21
City of Cotton Plant	?
City of Patterson	6/15/21

☒ Copies of the local ordinances waiving the holding of Court in the department of the district court have been attached hereto except for Cotton Plant.

2. OTHER JURISDICTIONAL AREAS.

The following cities and towns have police departments but have not been designated as statutory departments of the district court. Pursuant to A.C.A. §16-17-1203, these cities and town contribute to the operational expenses of the district court and file cases in the district court.

<u>City / Town</u>	<u>Department Where Cases are Filed / Heard</u>
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None

3. COURT SESSIONS AND TYPES OF CASE BY SUBJECT MATTER (Criminal, Traffic, Civil and Small Claims).

Sessions of the court are generally scheduled on the following days of the week at the following times:

<u>District / Division</u>	<u>Department</u>	<u>Day</u>	<u>Time</u>	<u>Type of Case</u>
Jackson County/Div. 1	Newport	Wednesdays	10:00 a.m.	All Dockets
Woodruff County/Div. 1	Augusta	3 rd Tuesday And Thursday	11:00 a.m.	All Dockets
Woodruff County/Div. 1	McCrory	1 st Tuesday And Thursday	1:00 p.m.	All Dockets

District Court Rule 8 hearings conducted via zoom in all departments Mondays, Wednesdays and Fridays every week.

Mandatory Holding of Court for Departments of a District Court

☐ Pursuant to A.C.A. §16-17-138, sessions of court are held at least one (1) time per month unless mutually waived by the district court judge and the governing body of the city or town where the department is located.

or

☒ A written agreement waiving the mandatory holding of court for departments of a district court has been entered into and has been adopted by ordinance of the governing body of the city or town in which the department is located.

Based upon said written agreements, sessions of court for the Diaz, Swifton and Tuckerman Departments are held in the Newport Department.

Based upon said written agreement, sessions of court for the Patterson department are held in the Augusta Department. Cotton Plant is still negotiating with Augusta with regard to a potential agreement on cost sharing but all Cotton Plant dockets are currently being heard monthly in Augusta.

4. ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT.

☐ No referrals are made from circuit court.

or

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

☐ Consent Jurisdiction. Upon the consent of all parties, the following types of cases are referred from circuit court:

- ☐ Civil
- ☐ Domestic Relations
- ☐ Probate

☒ Protective Orders (Ex Parte only.)

☐ Forcible Entry and Detainers / Unlawful Detainer.

☒ Other Matters of an Emergency or Uncontested Nature Pending in Civil, Domestic Relations or Probate Division.

Type of Other Matters	Location
Civil Commitment Emergency Holds	

☒ 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.

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
- ☒ Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3

Digital Audio Recording Equipment

☐ Pursuant to Administrative Order No. 4, digital audio recording equipment is utilized to record a verbatim record of all proceedings pertaining to any contested matter before the court or jury.

☒ Digital audio recording equipment is not utilized.

The Fifteenth District State District Court is composed of one county in the Third Judicial Circuit (Jackson) and one county in the First Judicial Circuit (Woodruff). The Administrative Judges of both districts understand that none of the departments in the 15th District have necessary recording equipment for the establishment of a record in a contested case

5. SPECIALTY COURTS.

☒ No specialty courts are conducted.

6. OTHER PROGRAMS OR DOCKETS.

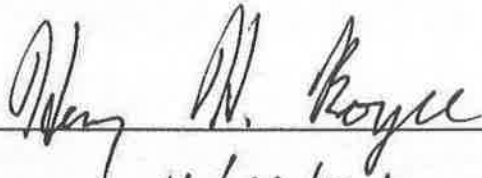
☒ No other programs or dockets are administered.

7. EFFECTIVE DATE.

This Administrative Plan is effective January 1, 2022.

Judge

Dated:



11/16/21

ORDINANCE NO. 2021-04

AN ORDINANCE ESTABLISHING COURT SESSIONS FOR THE CITY OF DIAZ, AR IN THE 15TH DISTRICT STATE DISTRICT COURT.

Whereas, the city of Diaz is a designated department of the 15th Judicial District as set forth in A.C.A. 16-10-1113(c)(2)(G).

Whereas, upon consideration, the Diaz City Council and the 15th District State District Court Judge mutually agree to waive the requirement that the district judges hold court in the Diaz department each month as required by A.C.A. 16-17-138.

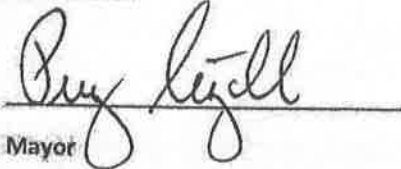
BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. Court sessions pertaining to the City of Diaz will be held at the Jackson County District Court in Newport, AR.

SECTION 2. It is hereby found and determined by the City Council that an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 7 DAY OF June, 2021.

APPROVED:


Mayor

ATTEST:


Recorder/Treasurer

District Court Operating Agreement

The City of Diaz hereby enters into an agreement with the City of Newport, Arkansas.

Whereas, Diaz desires to transfer the administration its city court from Diaz to Newport effective immediately and Newport is willing to accept the same, and

WHEREAS, it is necessary to agree upon a division as between Diaz and Newport of the fine money collected. NOW THEREFORE,

The parties agree as follows:

1. It is agreed that Newport shall administer the Diaz City Court through the Jackson County District Court.
2. The Purpose of this agreement is for Jackson County District Court to collect all monies paid to the Jackson County District Court for citations written by the Diaz Police Department, use of the district court, for payment of all court costs, and for disbursement of all monies collected.
3. A further purpose of this agreement is to determine a division of the net collected fine money between the parties as follows:

City of Diaz	60%
City of Newport	40%


4. For citations written by the Diaz Police Department, Diaz shall receive sixty percent (60%) of the net amounts collected and the City of Newport shall receive forty percent (40%) of the net amounts collected.

5. This agreement was approved by a majority vote of the Diaz City Council on

June 7th, 2021.


Mayor of Diaz


Diaz City Clerk


Mayor of Newport


Newport City Clerk

ORDINANCE NO. 297

AN ORDINANCE ESTABLISHING COURT SESSIONS FOR THE CITY OF PATTERSON, AR IN THE 15TH DISTRICT STATE DISTRICT COURT.

Whereas, the city of Patterson is a designated department of the 15th Judicial District as set forth in A.C.A. 16-10-1113(c)(2)(G).

Whereas, upon consideration, the Patterson City Council and the 15th District State District Court Judge mutually agree to waive the requirement that the district judges hold court in the Patterson department each month as required by A.C.A. 16-17-138.


BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. Court sessions pertaining to the City of Patterson will be held at the Woodruff County District Court in Augusta, AR.

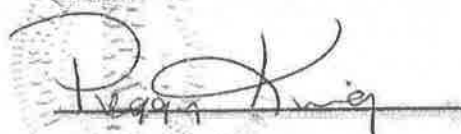
SECTION 2. It is hereby found and determined by the City Council that an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 15th DAY OF June, 2021.

APPROVED:


Mayor

ATTEST:


Recorder/Treasurer

District Court Operating Agreement

The City of Patterson hereby enters into an agreement with the City of Augusta, Arkansas.

Whereas, Patterson desires to transfer the administration its city court from Patterson to Augusta effective immediately and Augusta is willing to accept the same, and

WHEREAS, it is necessary to agree upon a division as between Patterson and Augusta of the fine money collected. NOW THEREFORE

The parties hereto do hereby agree as follows:

1. It is agreed that Augusta shall administer the Patterson City Court through the Woodruff County District Court.
2. The Purpose of this agreement is for Woodruff County District Court to collect all monies paid to the Woodruff County District Court for citations written by the Patterson Police Department, use of the district court, for payment of all court costs, and for disbursement of all monies collected.
3. A further purpose of this agreement is to determine a division of the net collected fine money between the parties as follows:


City of Patterson 60%


City of Augusta 40%

NOT TO EXCEED \$15,000.00 annually

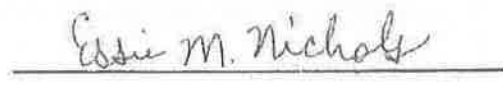
4. For citations written by the Patterson Department, Patterson shall receive sixty percent (60%) of the net amounts collected and the City of Augusta shall receive forty percent (40%) of the net amounts collected. NOT TO EXCEED \$15,000 annually.
5. This agreement shall expire on June 30, 2022 unless extended by a vote of the Patterson City Council
- 6.
7. This agreement was approved by a majority vote of the Patterson City Council on

June 15, 2021.


John Leonard, Mayor City of Patterson


Patterson City Clerk


Jeff Collins, Mayor of Augusta


Augusta City Clerk

ORDINANCE NO. 21-07

AN ORDINANCE ESTABLISHING COURT SESSIONS FOR THE CITY OF Swifton, AR IN THE 15TH DISTRICT STATE DISTRICT COURT.

Whereas, the city of Swifton is a designated department of the 15th Judicial District as set forth in A.C.A. 16-10-1113(c)(2)(G).

Whereas, upon consideration, the Swifton City Council and the 15th District State District Court Judge mutually agree to waive the requirement that the district judges hold court in the Swifton department each month as required by A.C.A. 16-17-138.

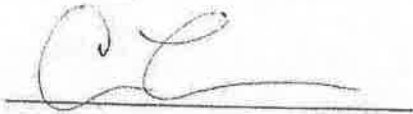
BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. Court sessions pertaining to the City of Swifton will be held at the Jackson County District Court in Newport, AR.

SECTION 2. It is hereby found and determined by the City Council that an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 8 DAY OF June, 2021.

APPROVED:



Mayor

ATTEST:



Recorder/Treasurer

District Court Operating Agreement

The City of Swifton hereby enters into an agreement with the City of Newport, Arkansas.

Whereas, Swifton desires to transfer the administration its city court from Swifton to Newport effective immediately and Newport is willing to accept the same, and

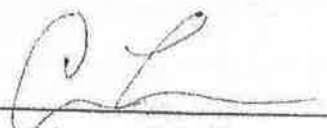
WHEREAS, it is necessary to agree upon a division as between Swifton and Newport of the fine money collected. NOW THEREFORE,

The parties agree as follows:

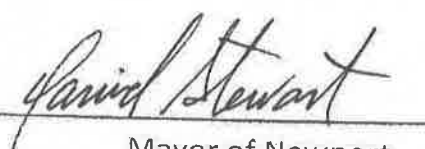
1. It is agreed that Newport shall administer the Swifton City Court through the Jackson County District Court.
2. The Purpose of this agreement is for Jackson County District Court to collect all monies paid to the Jackson County District Court for citations written by the Swifton Police Department, use of the district court, for payment of all court costs, and for disbursement of all monies collected.
3. A further purpose of this agreement is to determine a division of the net collected fine money between the parties as follows:


City of Swifton	60%
City of Newport	40%

4. For citations written by the Swifton Police Department, Swifton shall receive sixty percent (60%) of the net amounts collected and the City of Newport shall receive forty percent (40%) of the net amounts collected.
5. This agreement was approved by a majority vote of the Swifton City Council on June 8, 2021.


Mayor of Swifton


Swifton City Clerk


Mayor of Newport


Newport City Clerk

ORDINANCE NO. 2021-002

AN ORDINANCE ESTABLISHING COURT SESSIONS FOR THE CITY OF TUCKERMAN, AR IN THE 15TH DISTRICT STATE DISTRICT COURT.

Whereas, the city of Tuckerman is a designated department of the 15th Judicial District as set forth in A.C.A. 16-10-1113(c)(2)(G).

Whereas, upon consideration, the Tuckerman City Council and the 15th District State District Court Judge mutually agree to waive the requirement that the district judges hold court in the Tuckerman department each month as required by A.C.A. 16-17-138.

BE IT ORDAINED BY THE CITY COUNCIL AS FOLLOWS:

SECTION 1. Court sessions pertaining to the City of Tuckerman will be held at the Jackson County District Court in Newport, AR.

SECTION 2. It is hereby found and determined by the City Council that an emergency is hereby declared to exist, and this Ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED THIS 14 DAY OF June, 2021.

APPROVED:

Rat Womack

Mayor

ATTEST:

Vickie Adams

Recorder/Treasurer

District Court Operating Agreement

The City of Tuckerman hereby enters into an agreement with the City of Newport, Arkansas. Whereas, Tuckerman desires to transfer the administration its city court from Tuckerman to Newport effective immediately and Newport is willing to accept the same, and WHEREAS, it is necessary to agree upon a division as between Tuckerman and Newport of the fine money collected. NOW THEREFORE,

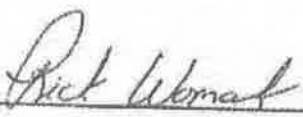
The parties agree as follows:

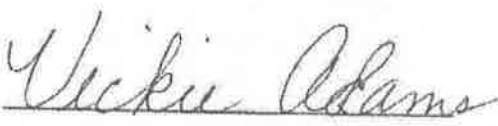
1. It is agreed that Newport shall administer the Tuckerman City Court through the Jackson County District Court.
2. The Purpose of this agreement is for Jackson County District Court to collect all monies paid to the Jackson County District Court for citations written by the Tuckerman Police Department, use of the district court, for payment of all court costs, and for disbursement of all monies collected.
3. A further purpose of this agreement is to determine a division of the net collected fine money between the parties as follows:

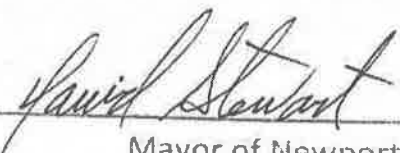
City of Tuckerman	60%
City of Newport	40%

4. For citations written by the Tuckerman Police Department, Tuckerman shall receive sixty percent (60%) of the net amounts collected and the City of Newport shall receive forty percent (40%) of the net amounts collected.

5. This agreement was approved by a majority vote of the Tuckerman City Council on June 14, 2021, 2021.


Mayor of Tuckerman


Tuckerman City Clerk


Mayor of Newport


Newport City Clerk