

# Friends OF THE COURT

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## Arkansas Access to Justice Commission

Since the late 1990's, states around the country have been forming Access to Justice Commissions. In December 2003, Arkansas joined that movement through an Arkansas Supreme Court order granting a petition from the Arkansas Bar Association to create such a Commission. The mission of the Arkansas Access to Justice Commission is to provide equal access to justice in civil cases for all Arkansans.

Since its formation, the all-volunteer Commission has opened access to the civil legal system in several ways. First, the Commission surveyed circuit judges and clerks for input about court assistance projects that could improve handling of *pro se* parties. Town Hall meetings were held in each Congressional District so that the public could voice their concerns about the legal needs of low-income Arkansans. Based on these inputs, the Commission developed a website, [www.arkansasjustice.org](http://www.arkansasjustice.org), which provides free fact sheets and automated documents for the general public. Several training courses about the availability and usage of these materials have been presented to circuit clerks and public libraries which have set up computer stations with supportive

materials provided by the Commission.

The Commission promoted the revision of A.R.P.C. Rule 6.1, which now aspires to a goal of 50 hours of pro bono service each year per attorney. The revised Rule also clarifies the types of clients, cases, and other legal work which qualify as pro bono service. To assist volunteers, the [arkansasjustice](http://arkansasjustice.org) website offers attorney advocates access to over 800 forms, fact sheets, modifiable pleadings, and automated documents most frequently used in poverty law matters. The Commission presents a one hour ethics CLE course to attorneys about the Rule and the available materials.

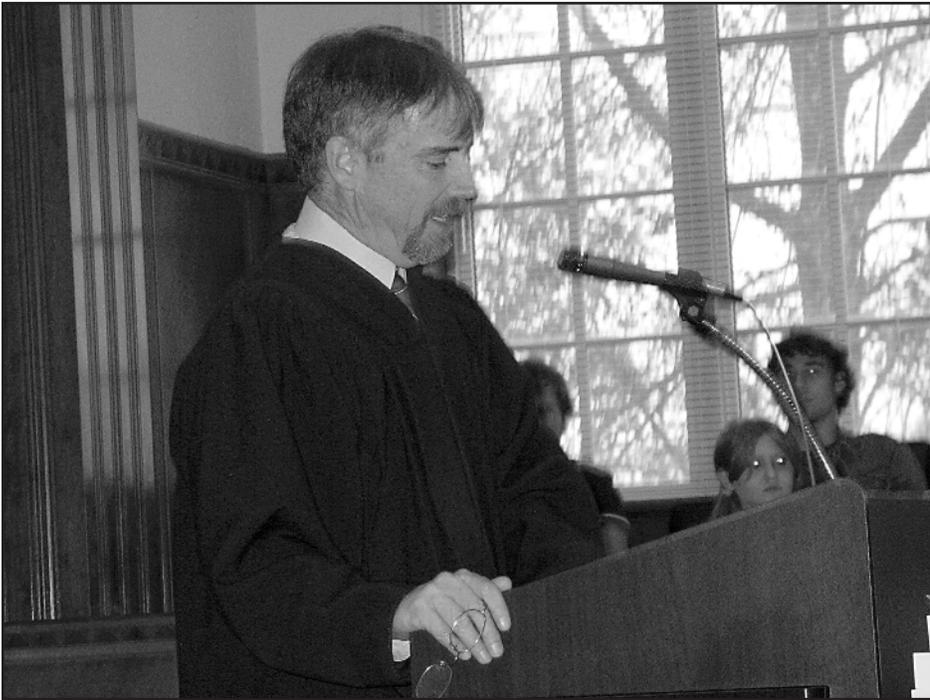
The Commission continues to work to advance equal access to the justice system. Over the coming year, the Commission plans to establish self-help centers in courthouses throughout the state, to educate policy makers about the need for legal services for low-income Arkansans, and to seek secure funding for its projects and for free legal aid providers. The Commission welcomes input from interested persons and may be contacted through the [arkansasjustice](http://arkansasjustice.org) website.

## Voluntary Appellate Mediation Program Established

With permission of the Arkansas Supreme Court, an exploratory committee was formed to consider the implementation of appellate mediation in Arkansas. A proposal was submitted by the committee to create a voluntary pilot program for mediation in the Court of Appeals, which the Court of Appeals supports. The Supreme Court has authorized the establishment of a pilot program for voluntary mediation in the Court of Appeals and encourages participation.

The pilot program will involve domestic relations, probate and workers' compensation law cases, but excludes juvenile and public service commission cases. The program will accept appeals for cases in which notices of appeal are filed on or after September 1, 2008. The pilot program shall use the procedures and rules set out in the Arkansas Voluntary Appellate Mediation Pilot Program Rules. A copy of the rules may be found on the Arkansas Judiciary's website at [courts.arkansas.gov](http://courts.arkansas.gov).

## Sebastian County Drug Court Graduation



Judge Steve Tabor speaks to those gathered at the Sebastian County Drug Court Graduation.

On Friday, December 7, 2007, in the Sebastian County Courthouse, fifteen drug court participants graduated from the Sebastian County Drug Court program. Each graduate had provided the court a written biography that Judge Mike Fitzhugh or Judge Steve Tabor read as they approached the podium. All graduates were given the opportunity to speak to the crowd gathered in his or her honor. They thanked the court, the counselors, and their family and friends for supporting them and not giving up. The graduate who had spent the most time in the program, since August 2004, received her GED while in Drug Court and is now in her second

year of college and the mother of a drug-free baby boy. The Sebastian County program, begun in 2002, had 149 clients this past year.

Also in attendance at the graduation, and seated in the jury box, was a class from Fort Smith's South Side High School. Judge Fitzhugh talked with the students about drug court during a brief recess in the proceedings. The class stayed to observe several pleas on felony cases that were being transferred into the drug court program. Students observed many charged defendants who told Judge Fitzhugh that their drug use began during their teen years, sometimes even at school with friends.

## Alternative Dispute Resolution Commission Accepting Grant Applications

The Arkansas Alternative Dispute Resolution Commission is accepting grant applications for projects promoting or furthering the use of alternative dispute resolution in Arkansas. Funding is provided by a state appropriation totaling \$51,300 annually.

The commission has determined these funds may be used for programs including, but not limited to the following;

1. District, Circuit, and Appellate Court ADR Programs
2. School Conflict Resolution/Peer Mediation Programs
3. General Community ADR Education Programs
4. Mediation Training
5. Other Programs promoting/using ADR

Eligible recipients include courts, state and local government agencies, educational institutions, or non-profit agencies using or promoting ADR for the benefit of the general public, and are encouraged to work in partnership with others from their community to apply for an ADR grant. Deadline for receiving applications is April 18, 2008.

For further information, contact Jennifer Jones Taylor, ADR Coordinator, (501) 682-9400.

## Judiciary Website Has New Address

There is a new domain name for the Arkansas Judiciary website. The old one, [courts.state.ar.us](http://courts.state.ar.us) is being changed to [courts.arkansas.gov](http://courts.arkansas.gov). When entering the new name to retrieve the Judiciary web site, do not use www at the beginning. The new domain name is now fully operational. The old name [courts.state.ar.us](http://courts.state.ar.us) will still work for the foreseeable future.



# Standardization of Jury Procedures Occurs in the 15th Circuit

The Honorable David McCormick, Administrative Judge for the 15<sup>th</sup> Judicial Circuit, has completed the standardization of jury procedures within and between all four circuit courts in the circuit. Jury trials are held in six courthouses within Conway, Logan, Scott and Yell Counties which comprise the 15th Circuit.

A plan for excusing individual jurors was reached between the Circuit Clerks and Trial Court Assistants (TCA). Since Arkansas law allows only the Judge to excuse someone from jury service, those seeking to be excused will be directed to their prospective circuit judge's office based on the courthouse to which the potential juror was summoned.

Participants in putting the plan together included Judy Gossett - TCA for Judge Elizabeth Danielson, Melinda Piatt - TCA for Judge McCormick, Becky Sexton - TCA for Judge Terry Sullivan, Everly Kellar - Logan County Circuit Clerk, Elaine Robertson - Logan County Deputy Circuit Clerk, Sandy Staggs - Scott County Circuit Clerk, Angie Hill - Scott County Deputy Circuit Clerk, and Teresa Scantling - Scott County Deputy Circuit Clerk.

The final agreement, reached at a meeting prior to the start of this term of service, has the support of the four Circuit Clerks in the 15th Circuit. "The cooperative spirit and detailed planning among everyone was impressive," stated Everly Kellar, Logan County Circuit Clerk. The biggest process change will be the procedure to

handle the failure to respond to the jury summons. The Circuit Judges in the 15<sup>th</sup> Circuit agreed that a jury summons is an order from the court and should not be ignored. It was decided that a complete list of individuals who fail to respond to their summons will be provided to the Sheriff's Office, who will then make contact with those individuals. The judges can issue an Order to Appear and Show Cause for jury duty.

This standardization and integration was made possible in part by the use of a software program called ACS Juror.

Every clerk in the 15th Circuit agreed to use this program. The software is licensed for the state through the Administrative Office of the Courts. AOC staff members assigned to the project are Susan Yarbrow - Jury Project Manager, Bonnie Kenney - Jury Functional Specialist, and Neal Farris - Jury Technical Analyst.

For further information on standardized training and the Juror Program, call Bonnie Kenney at (501) 682-9400.

## New Circuit Judges Chosen by Governor

Circuit Judge Thomas Brown, 11th West Judicial Circuit has announced his retirement. Governor Mike Beebe has chosen John Cone of Pine Bluff to replace Judge Brown.

Circuit Judge Frank Arey, 15th Judicial Circuit, has resigned and Governor Beebe has appointed Elizabeth Danielson of Booneville to take his place.

## Court Automation Update

On Monday, January 7, 2008, the Stone County District Court became the fifth Arkansas court to use the ACS Contexte case management system to process traffic and criminal cases. The Mt. View "Go Live" for traffic and criminal cases is another important milestone in the Arkansas Court Automation Project.

The Arkansas Court Automation Project (ACAP) has now begun the process of moving a new case management system into the Circuit Court jurisdictions. Hot Spring County, Faulkner County and Sebastian County have all been chosen for the Circuit Court Automation Pilot Project.

The ACAP team has conducted interviews with the Hot Spring Circuit and County Clerk's offices in Malvern, Arkansas, to help better understand their business processes and court procedures. The project is currently in the development stages of configuring the ACS Contexte system to accommodate the Circuit and County Courts throughout the state of Arkansas.

## ADR Conference Scheduled

An Alternative Dispute Resolution Conference will be held March 7, 2008 in Little Rock at the Peabody Hotel. Sponsors of the event include the Arkansas Alternative Dispute Resolution Commission, the Arkansas Conflict Resolution Association and the Arkansas Bar Association Alternative Dispute Resolution Law Section.

*(continued on page 4)*



# New faces in the Judiciary

## AOC

Project Secretary/ACAP

### **Brenda Wade**

replaces Beth Jacks.

Staff Certified Spanish Interpreter

### **Emilia d'Auteuil**

replaces Nicolas Duran.

## District Court Clerks

Clarendon - **LaDon Edens**

replaces Gail Mayville

Marion - **Monica Keith**

replaces Angie Trotter.

Blytheville - **Nancy Pannell**

replaces Grace Haynie

Cave Springs - **Thelka Wallis**

replaces Carmen Milligan.

Helena/West Helena - **Linda**

### **Danley**

replaces Belinda Covington.

## City Court Judges

Alexander - **Curtis Rickard** is the judge.

## City Clerks

Bald Knob - **Joyce Dunn**

replaces Linda Black.

Palestine - **Darlene Walker**

replaces Christie Gustavus.

## County Officials

Prairie County - **Mike Skarda**

replaces Butch Calhoun as County Judge.

## Court Reporters

11th Cir. West (Jamison) -

### **Nevelyn Smith**

## ADR *(continued)*

The program has been submitted to the Arkansas Continuing Legal Education Board for a total of 6.0 CLE hours. The program is approved by the ADR Commission for 6.0 CME hours.

Early registration will be accepted through February 22, 2008.

Early registration fee is \$130.00.

## CALENDAR

### **March**

Trial Court Assistants Conf. 6-7  
(Hot Springs)

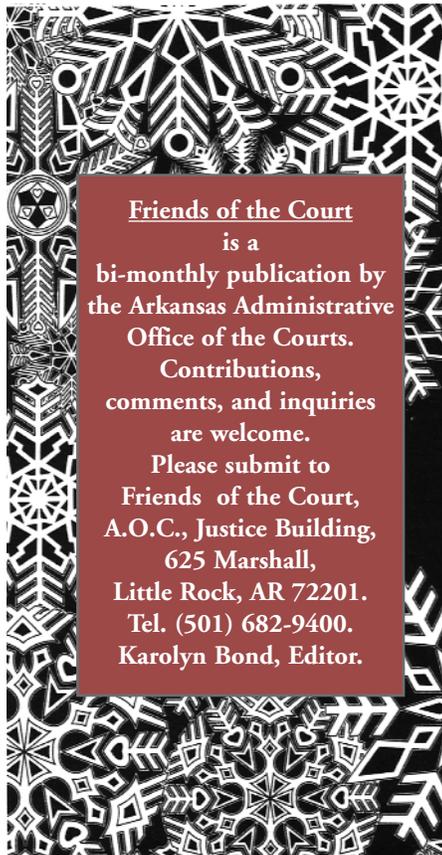
### **April**

District Judges Spring 24-25  
College/District Court Clerks  
Annual Mtg. (Little Rock)

### **June**

Spring Judicial College/ 11-13  
Judicial Council Mtg.  
(Hot Springs)

After February 22, an additional \$30.00 will be added. The Arkansas Bar Association is handling registration. Complete agendas and registration forms for all Arkansas Bar Association seminars are available on the CLE page at [www.arkbar.com](http://www.arkbar.com).



### Friends of the Court

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