

June 2016

# ARKANSAS COURT NEWS

a publication of the Arkansas Administrative Office of the Courts *"Supporting Courts, Ensuring Justice"*

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an answer to the escalating prison population?



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The Administrative Office of the Courts has eliminated the paper version of Friends of the Court and gone to an online-only format. This allows room for regular content, more diverse court-related news, and more features on you, the people who do the work of the Judicial Branch.

The newsletter has been completely reformatted to utilize the new medium. It has undergone a name change as well, and will now be called Arkansas Court News, a title more fitting for its content.

The electronic version of the newsletter will be published on the Judiciary website:

[www.courts.arkansas.gov/forms-and-publications/newsletters/friends-court](http://www.courts.arkansas.gov/forms-and-publications/newsletters/friends-court)

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Contributions, comments, and inquiries are always welcome.

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# May Proclaimed “Drug Court Month” in Arkansas

*Governor Hutchinson issued a proclamation recognizing May 2016 as “State of Arkansas Drug Court Month.” The proclamation, which was read at the Arkansas Statewide Drug Court Conference, highlights the extraordinary success of the drug courts nationally in helping to reverse the escalating prison population.*

The Arkansas Drug Court Program is an interdisciplinary, non-adversarial judicial process for diverting an offender (or alleged offender) who has demonstrated a dependence on alcohol or illicit drugs into a treatment program as opposed to incarceration. The treatment program is extremely strenuous, explained Kari Powers, the State Drug Court Coordinator for the AOC. Participants are required to report several times per month to their probation officers, submit to weekly drug testing, attend multiple outpatient and support groups per week, meet individually with counselors, and appear monthly (often twice monthly) in front of the drug court judge to report on their progress.

“More and more,” explained Powers, “the general public is becoming educated on the nature of addiction as a brain disease. With that education,

comes an understanding that addressing addiction is not a single process but multi-faceted. A large percentage of the crime committed today can be traced back to a substance abuse addiction. Using evidence based treatments to treat a person’s addiction while also maintaining a commitment to societal accountability and public safety is at the core of the drug court philosophy.”

Average treatment time is eighteen months, upon successful completion of which the participant is released from the program—in some cases without record of conviction. “Violations are addressed swiftly and consistently,” Powers pointed out. “Progress is rewarded and encouraged. It is the most widely researched and studied criminal justice system today.”

The drug courts are staffed by a team which consists of the

**“Using evidence based treatments to treat a person’s addiction while also maintaining a commitment to societal accountability and public safety is at the core of the drug court philosophy.”**

Kari Powers

Drug Court Coordinator

judge and court staff, a prosecutor, a public defender or private attorney, a probation or parole officer and a drug counselor. The Statewide Drug Court Conference, which took place on April 13-14, 2016 at the Embassy Suites in Little Rock, is the primary training event for specialty court personnel across the state. Jointly sponsored by the AOC Division of Drug Courts and the Arkansas Drug Court Professionals Association, the two groups share in funding, planning and conducting the event which is open to all specialty court personnel throughout the state of Arkansas. This year's conference was attended by Judges, attorneys, probation and parole officers, program coordinators, administrative staff, treatment providers, counselors, law enforcement and state agency directors.

Now in its ninth year, the Statewide Drug Court Conference has evolved to include other specialty courts as well. The

conference now provides educational sessions directed toward adult drug courts, juvenile drug courts, DWI courts, veterans' courts and covers mental health



**Terrance Walton, with the National Association of Drug Court Professionals, speaks during one of the conference sessions.**

topics as well. The conference typically features sessions aimed at treatment, corrections / supervision and legal topics for practitioners within these specialty courts. This year's conference featured units on Best Practices, the Multi-Disciplinary Team, Medication Assisted Treatment, and Trauma Behaviors and also included targeted sessions for

DWI, Veterans, and Juvenile Drug Courts. Sessions were led by professionals from the National Drug Court Institute, the National Institute for Drug Court Professionals, and the

University of Arkansas for Medical Sciences. Attendees also had the opportunity to hear of the program's local success from two individuals whose participation in the program changed their lives.

Powers, a former Drug Court Probation Officer, has witnessed the success of these programs firsthand. "Every court has a

sticks in their minds" she explained. "In my own experience, I have seen mothers reunited with their children as a sober parent. I have seen young and middle aged participants enroll in college and graduate college. I have seen long time addicts finally have a significant term of sobriety to build upon and strengthen them. The Drug Court Program is not a cure all or a guarantee of success. However, there are so many aspects to the program that can bring a person closer to the goal of sobriety and a crime free lifestyle."

At any given time, there are approximately 2500 individuals participating in one of the state's 44 drug court programs. To learn more about the AOC's Drug Court Program, or for information on additional training opportunities, visit the Program's website at <https://courts.arkansas.gov/courts/circuit-courts/drug-court-programs>.



Featuring community service and outreach efforts by members of the judiciary.

## Appeals on Wheels

*Arkansas Supreme Court travels to Batesville for its Spring Oral Argument*



Justice Hart speaks with students from Batesville Junior High.



Justice Baker visits with students from Rural Special School.

On April 28, 2016, the Arkansas Supreme Court travelled to Batesville, Arkansas for the 22nd installment of the Court's bi-annual "Appeals on Wheels" program. The University of Arkansas Community College at Batesville hosted the event at Independence Hall.

Appeals on Wheels provides a unique opportunity for students to gain exposure to appellate practice, which is not often portrayed on television or in literature. Prior to the event, students were provided with information on appellate procedure and encouraged to read the case briefs and familiarize themselves with the legal terminology they might hear during the proceeding.

The case, *Robert Friar v. State of Arkansas*, considered an appeal of a murder conviction from the Jackson County Circuit Court. Arguing on behalf of the State, Attorney General Leslie Rutledge asked the Court to affirm the conviction of a man whom a jury found guilty of firing a gun into a home thereby injuring one person and killing another. Much of the argument focused on the Circuit Court's rulings on a Motion to Suppress and a Motion in Limine.

Following the argument, the students—ranging in age from middle school to college—divided into smaller groups where they had the opportunity to speak with the Justices individually. The Justices answered questions about the appellate process, the roles and responsibilities of a judge, and shared about their experience on the bench. One group of students from Batesville Jr. High enjoyed Appeals on Wheels so much that they paid a visit to the Justice Building just two weeks later. The students enjoyed a tour of the building, a visit to the kids' bench, and learning more about the judicial process.



Justice Goodson speaks with Cedar Ridge Junior High and High School students.

## Guilty Verdict for Goldilocks!



Arkansas Supreme Court Chief Justice Brill found his way back to the classroom earlier this spring to preside over a different kind of proceeding: *The State of Arkansas v. Goldilocks*. The (mock) trial was held on March 11, 2016 at Butterfield Trail Elementary School in Fayetteville. The roles of the attorneys, the bailiff, the jury and the witnesses were portrayed by students in the second grade, while Chief Justice Brill acted as the Trial Judge.

The prosecution laid out a strong case against the blonde trespasser, aided by its three star witnesses: Papa, Mama, and Baby Bear. After much deliberation, the jury of second graders ultimately returned a guilty verdict against Goldilocks for trespassing and destruction of property. They acquitted her of the breaking and entering charge.

Educating students comes naturally to the Chief Justice who, prior to taking the bench, taught civil procedure and ethics at the University of Arkansas School of Law. In addition to presiding over the students' mock trial, Chief Justice Brill spoke with the students about the judiciary and explained to them how a jury trial works—a learning experience they won't likely forget.

Do you know of an individual or group that should be featured? Send your ideas and photos to Cara Fitzgerald, Public Education Coordinator, at [cara.fitzgerald@arcourts.gov](mailto:cara.fitzgerald@arcourts.gov).

As part of National Child Abuse Prevention Month, which took place in April, several members of the judiciary were featured in the Arkansas Department of Human Services #stopchildabuse social media campaign. The photos and personal stories of Parent Counsel Kendall Sample, CASA Volunteer Linda Cudney, Attorney Ad-Litem Greg Fallon, and Juvenile Judge Wiley Branton, Jr. were shared on social media to highlight the work that these individuals, along with their organizations, do to ensure that the well-being and safety of children is at the center of decisions made in court. The exhibit also featured child advocates and counselors from other state agencies and organizations who work tirelessly to eliminate instances of child abuse.



## Juvenile Judge, 23 years

Pulaski County

"Until I became a judge, I had no real insight into the world of child abuse and neglect. It is often a hidden world, sometimes hiding in plain sight. Child abuse and neglect has the potential to damage a child for life, and can result in a huge cost to society.

If we want children to have a fair chance to reach their full potential in a positive and constructive way and to be contributing members of our society, then we need a strong child welfare system that involves multiple agencies, including education, medical and mental health; that is adequately funded and competently staffed by trained and caring professionals; and one that implements evidenced-based practices and continuously measures its performance and outcomes to ensure that the system is working as desired."


Juvenile Judges oversee child welfare, juvenile delinquency and family-in-need-of-services cases.

41 Juvenile Judges hear child welfare cases statewide

61 new cases received each month, in addition to open cases

 #StopARChildAbuse

# #StopChildAbuse



**KENDALL SAMPLE**

**Parent Counsel, 15 years**  
Pulaski and Perry counties

"My role is more than being a parent's lawyer; it is like being the bridge between a parent and a system they do not trust. We meet parents when they are at their lowest and many have never had guidance on how to parent or organize their lives in such a way as to provide stability and safety for themselves or their family.

As their lawyer, I want to protect their legal rights if removal of their children wasn't warranted. If they agree there is a problem and are willing to accept services and make changes, my hope as parent counsel is to bridge the gap to a better life. The endings are not always happy, but when they are, it is because a family is stronger in the end."

Attorneys serving as Parent Counsel represent indigent parents at risk of losing their children.

66 full and part-time attorneys and supervisors

60 cases per attorney, on average.

#StopARChildAbuse



**GREG FALLON**

**Attorney Ad-Litem, 15 years**  
DeWitt County

The most rewarding part of my job is when clients who have been removed from hopeless situations and cannot be reunified with a parent or other family member are adopted into a new family. It's also rewarding to see those clients making it through college on their own with the help of Independent Living Services.

Attorney Ad-Litem represent children who have been removed from their homes because of abuse or neglect.


67 Attorneys Ad-Litem and Supervisors

75 cases per full-time Attorney Ad-Litem

25 cases per part-time Attorney Ad-Litem

Over the years, I've seen this hundreds of times, and it never gets old."

#StopARChildAbuse



**LINDA CUDNEY**

**CASA Volunteer, 2 years**  
Northwest Arkansas

"After I retired from teaching, I felt called to continue to do something that would help children in Arkansas. The thing that surprised me most about volunteering is how quickly children turn from feelings of despair to feelings of joy when they are connected with a team of compassionate adults who consistently show they care.

My first case involved five children. So far, I've put in over 1,000 hours of service for those children. There have been 60 placements among the five children. I visit them where ever they go. In a world of uncertainty, I want to be a consistent support in each child's life."

Court-Appointed Special Advocate Volunteers are appointed by judges to advocate for abused and neglected children during court proceedings.

1,153 CASA volunteers in Arkansas

3,844 children had the help of CASA volunteers last year.

#StopARChildAbuse



Learn more by visiting [stopchildabuse.com](http://stopchildabuse.com) or by searching the hashtag #stopchildabuse on facebook, Instagram and twitter.



## 2016 Clerk of the Year



Marie Johnson, 2016 District Court Clerk of the Year, with District Judge Steven Peer.

Marie Johnson, Chief Court Clerk in Mulberry, was named the 2016 District Court Clerk of the Year at the District Judges Spring College/ District Court Clerks Annual Meeting in Rogers.

The Clerk of the Year award is given by the Arkansas District Court Clerks Association to an individual who has made significant contributions to the profession of court clerk. To be nominated for this achievement, a clerk must be an active member of the Association for at least five years, exhibit leadership, and provide service to other clerks.

Marie Johnson has served Crawford County as both District Court Clerk and City Clerk for over 24 years. She has served the Arkansas District Court Clerks Association as a Representative At Large, Secretary, Treasurer, and currently serves as 2nd Vice President.

Johnson was recognized for her achievement at the Association's award luncheon, held during the conference on April 22.

## District Clerks and Judges Name New Boards



Pictured (L to R): Tabby Vogt, 3rd District Representative; Veronica Henry, Secretary; Maurisa Hayes, 1st District Representative; Kelli Purifoy, 3rd & 4th Districts At Large Representative; Laura Stephenson, Historian; Jennifer Lopez-Jones, President; Dena Ross, Parliamentarian; Rachel Sims, Vice President; Beth Thomas, Treasurer; Yukiko Bivens, 4th District Representative; Kristin Weatherford, 1st & 2nd Districts At Large Representative; Kathy Davis, 2nd District Representative; Marie Johnson, Second Vice President.

*(continued on page 10)*

# Judiciary Spotlight: Jennifer Lopez-Jones

*Jennifer Lopez-Jones, Chief District Court Clerk in Bentonville, has made a career out of her love for the law. She has been a law clerk, staff attorney, and served as support staff for a law firm. She is a believer in maintaining the honor and dignity due a court of law. For her, it's not just a job; it's a position of trust. She shares her story and unique perspective below.*



Lopez-Jones loves the outdoors. Here, she spends time with her family horse, Misty.

### **How did you get to where you are today? Where did you go to school?**

I grew up in a small town in northern Illinois called Marengo. I was born in Chicago but moved to the suburbs because my dad wanted my brother and me to grow up with horses. We lived on a “gentleman’s farm” where we raised horses and where I learned to ride and compete in horse shows. We had lots of different animals growing up from my mother’s pet duck to cats, dogs, pigs and a goat.

I completed my undergraduate degree at the University of Illinois in Champaign/Urbana and then went on to complete law school there as well. During and after law school I worked at a general practice law firm.

### **How long have you been working for the Judiciary? In what positions have you served?**

I started my legal career as a support staff in a law firm. I then worked as a law clerk and then staff attorney. At the law firm I handled primarily collections, family law cases and bankruptcies. Working as a district court clerk brought an entirely new perspective. I had never given much consideration to what happened at the court house after I had left and my client’s cases had been heard.

### **How did you become a district court clerk?**

I became a stay at home mom after my son was born with the intention of going back to the field of law when my kids got older. When it was time to enter the workplace again I was living in Bentonville,

Arkansas. My husband and I had just sold a business and we were both considering our next “opportunity.” I saw an ad in the newspaper for the Chief Court Clerk of the Bentonville District Court and it seemed the perfect fit for my experience and interests. I told my husband I really wanted that job. He tried to temper my expectations by saying that the job would probably be given to an internal candidate. I still applied because I was extremely interested in getting back into the legal field. I had two interviews and then was offered the job. I didn’t think twice – this was what I wanted to do. I love this job and truly consider myself blessed to have been given this opportunity.

### **What’s your favorite thing about your job?**

The best thing about this job is that I get to be an integral part of the legal process and I get to share with my staff the excitement I have for what we do on a daily basis. Every day is different. I am constantly learning and yet also given the opportunity to share my knowledge. I work with the best group of people which is the icing on the cake.

### **What’s the most significant change you’ve seen in the Judicial Branch during your service?**

I have seen more women lawyers. When I started, or perhaps where I started, my legal career it was still a male dominated field. Most significantly I have seen courthouses really focus on security as a priority. When I first started working most courthouses did not have staff screening visitors upon entry to the building. Now, it is the rule rather than the exception. I also see a much greater focus on trying to make

the court system more accessible to all.

**In what ways can others in the Judiciary benefit from the District Court Clerk's Association? What services can they provide?**

The District Court Clerk's Association is designed to provide a forum to come together, as a group, for the district clerks of our state. We promote the education and professional development of our fellow clerks. Additionally, our Association works in conjunction with the District Judge's Association to both further our goals and those of the Judges. The people on our board and within our association hold a wealth of knowledge. I have found that the



Lopez-Jones with new granddaughter, Kaia.

relationships I have forged as a member of this association have helped me improve the efficiency of my office as well as provided an abundance of useful information.

**When you're not at work, what do you like to do?**

I love the outdoors whether it be camping, gardening, playing with my dog or out boating on the lake. If it is a nice day, you will likely find me outside doing something. I also like to read, crochet and spend time with

family and friends. I have been married for 25 years to a very patient husband, have two young adult children and a son-in-law. I just recently became a grandmother so right now I could spend all day just holding the baby and staring at the perfection/miracle of new life.



*(continued from page 7)*

Pictured L to R (front row): Van Gearhart, Past President; Chaney Taylor, President; Casey Jones, Vice President; Stephanie Casady, Secretary/Treasurer; Kay Palmer, Executive Director. (back row): Roger Smith, lobbyist; Tony Yocum, Fourth District Rep.; John Throesch, First District Rep.; Jeff Harper, Third District Rep. Not pictured: Mark Leverett, Second District Rep.



# TECH TALK

with Dain Couch, IT Security Officer

Information you need to know to stay safe and secure in the ever-changing digital world.

Have an issue that you'd like to see covered in Tech Talk?  
Email Dain Couch at [dain.couch@arcourts.gov](mailto:dain.couch@arcourts.gov).

Phishing is one of the easiest and most successful ways for criminals to attack your network and data. Being able to identify and respond to the attack is critical because you either block the attack by simply deleting the email or allow the attack by clicking on an included

link or attachment. Your ability to stop this type of attack can mean the difference between

“Phishing is an attempt by an individual or group to solicit personal information from unsuspecting users by employing social engineering techniques.”

a normal workday and your computer or network being locked down with

ransomware. It is also applicable in your personal life if you have a personal email

account or if you check your government email on your personal

devices.

## Definition of phishing:

The US Computer Emergency Readiness Team (US-CERT) defines phishing as follows:

Phishing is an attempt by an individual or group to solicit personal information from

## 2016 DATA quality awards

The Office of Research and Justice Statistics will be presenting data quality awards at the 2016 ACAP Systems Conference. Awards to be presented will include:

### Circuit Courts

- Highest percentage of ATNs on felony charge convictions.
- Fewest duplicate IDs for juveniles.

### District Courts

- Highest percentage of ATNs on misdemeanor A convictions.
- Adults indentified with a DLN.

unsuspecting users by employing social engineering techniques. Phishing emails are crafted to appear as if they have been sent from a legitimate organization or known individual. These emails often attempt to entice users to click on a link that will take the user to a fraudulent website that appears legitimate. The user then may be asked to provide personal information, such as account usernames and passwords, that can further expose them to future compromises. Additionally, these fraudulent websites may contain malicious code.

### Tips (for work AND home)

- Reputable companies/entities will never ask for your personal information through email. Do not respond to these emails. If in doubt, contact the company's customer service directly. Use contact information from the company's website or valid documents. Do not use the contact information presented in a suspicious email.
- Topics in phishing emails often relate to seasonal events or events in the news. Phishing emails related to tax returns will increase in the coming weeks. Do not let your guard down because the topic corresponds with current events.
- Topics in phishing emails often relate to seasonal events or events in the news. Phishing emails related to tax returns will increase in the coming weeks. Do not let your guard down because the topic corresponds with current events.
- Never click on links or attachments in suspicious emails. Simply visiting a website or opening a file can infect your computer.

### Some things that make an email suspicious:

- It tries to convince you to click on a link or attachment. This may include just

the threats that claim to impact your account access or legal ramifications for not clicking or responding.

- You do not know the sender and/or the email address is long/convoluted/strange.
- Links within the email are associated with URLs (web addresses) that are long/convoluted/strange. A link can direct your web browser to any web page regardless of the text you see. You can see the address that a link will lead you to by hovering over the link with your pointer. For example, [this link right here](#) will take you to our Arkansas Judiciary home page. If you hover over "this link right here", it indicates the URL <https://courts.arkansas.gov>. However, if you hover over this second link (the email text of the courts URL), it indicates the web address for the Sesame Street home page. (You can click on them. They are both safe!)
- Errors in word usage/grammar/punctuation. These are used intentionally to weed out the easy targets. A user who responds to a poorly crafted email is more likely to give up personal information or money to the scammers.
- Email details that do not apply to you (package tracking, airline ticket, court/legal proceedings, etc.).

### What to do if you receive a phishing email at work

If you receive a phishing email at work:

1. Do not click on any links or attachments.
2. Delete the email from your Inbox and Sent Items folders.
3. Delete the emails from your Deleted Items folder.

If you have clicked on a link or attachment in a phishing email at work:

1. Report the incident to your IT department or vendor immediately.
2. Change any passwords that you

revealed during the phishing attack. For example, if you revealed your email account and password then change your email password.

3. Notify any financial institutions that may need to get involved. For example, if you “verified” your bank account information on a form in an email, notify that bank.

The email pictured below is hitting a lot of our email boxes right now. The email is not legitimate and should be deleted without clicking on the link. It appears to be a case of a user falling for a phishing attack and having her account taken over to send out more emails.

-----Original Message-----

From: Vickie Jones (ADH - Miller) [mailto:[Vickie.L.Jones@arkansas.gov](mailto:Vickie.L.Jones@arkansas.gov)]

Sent: Thursday, May 12, 2016 11:52 AM

Subject: Hi

Dear Valid User,

Your Account was recently signed in from a unknown Location, please CLICK HERE<<http://arrkass.my-free.website/>> for verification to avoid account closure.

State of Arkansas Board Official Message

## ACAP SYSTEMS CONFERENCE

The 2016 ACAP Systems conference will be held July 21-22, at the Little Rock Marriott.

The theme of the conference this year is Embracing Change — and it is a year of change! The keynote speaker will be Dr. Matthew Kleiman from the National Center for State Courts. A number of technology demonstrations and sessions will be available, including:

AgileJury (Xerox)

eSuite for ADR (Tybera)

Contexte new features and upgrades (Xerox)

Matterhorn Online Case Resolution Tool (Court Innovations)

Intelliact Redaction software (CSI)

Several sessions are planned on the upcoming changes to court cover sheets, case types, manners of filing, and manners of disposition. This will be an excellent opportunity to prepare for the changes and to ask any questions you have.

For the first time at the ACAP conference, there will be an evening networking reception, to be held at the Pulaski County Courthouse. Register for the conference, mark your calendars, and make plans to attend!

For more information and to register for the conference, please visit [www.courts.arkansas.gov/acapsConference](http://www.courts.arkansas.gov/acapsConference).





# New Faces

## Supreme Court

**Amber Isom** - Assistant Chief Deputy Clerk (Court of Appeals)

**Cassie Newkirk** - Assistant Chief Deputy Clerk (Supreme Court)

## Court of Appeals

**Amanda Yarbrough** - Administrative Assistant

**Brandi Woods** - Administrative Assistant

## AOC

**Juanchaitra Shields** - Data Entry Operator

## July

ACAP Systems Conference (Little Rock) **21-22**

40-Hour Basic Mediation Training (Little Rock) **25-29**

## August

CMP Class '18 "CaseFlow Management" (Little Rock) **3-5**

ADR Commission Meeting (Little Rock) **5**

Chief District Court Clerk Conference (Little Rock) **12**

ADR Last Chance CME (video - Northwest Arkansas) **12**

CMP Class '17 "Purposes & Responsibilities of Courts" (Little Rock) **17-19**

CMP Class '16 "Managing Financial Resources" (Little Rock) **24-26**

ADR Access and Visitation Orientation (Little Rock) **26**

ADR Last Chance CME (video - Little Rock) **29**



Are you a new court employee or know someone who should be featured in this section? We want to know!

Contact Cara Fitzgerald at [cara.fitzgerald@arcourts.gov](mailto:cara.fitzgerald@arcourts.gov)