



Friends of the Court

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Supreme Court Hands Down Administrative Order Regarding Amendment 80

The Supreme Court adopted, effective immediately, Administrative Order Number 14 on April 6, 2001, pursuant to Section 6 (B) of Amendment 80 of the Arkansas Constitution, concerning the subject matter divisions of circuit court.

Administrative Order Number 14

Divisions of Circuit Court Administrative Plan

1. *Divisions.* a. A circuit judge shall at all times have the authority to hear all matters within the jurisdiction of the circuit court and has the affirmative duty to do so regardless of the designation of divisions. The circuit judges of a judicial circuit shall establish the following subject matter divisions in each county of the judicial circuit: criminal, civil, juvenile, probate, and domestic relations. The designation of divisions is for the purpose of judicial administration and caseload management and is not for the purpose of subject matter jurisdiction. The creation of divisions shall in no way limit the powers and duties of the judges as circuit judges. Judges shall not be assigned exclusively to a particular division so as to preclude them from hearing other cases which may come before them.

b. For purposes of this order, "probate" means cases relating to decedent estates, trust administration, adoption, guardianship, conservatorship, commitment, change of name, and adult protective custody. "Domestic Relations" means cases relating to divorce, annulment, maintenance, custody, visitation, support, paternity, and domestic abuse.

2. *Administrative Plan.* The circuit judges of a judicial circuit shall submit a plan for circuit court administration to the

Supreme Court for approval. The plan shall include the following:

a. Administrative Policy. Each judicial circuit which is served by more than one circuit judge shall adopt a written policy which describes the process by which case management and administrative procedures to be used within the judicial circuit will be determined. The circuit judges of the judicial circuit must unanimously agree, and evidence their agreement, as to the manner in which decisions will be reached under the plan. For example, the policy might require the establishment of periodic meetings by all judges and might specify the requirement of an affirmative vote by a majority, super-majority, or unanimous consent of all the judges. In the alternative, the policy might provide for the designation or selection of an administrative judge or an administrative committee to make such decisions or to be responsible for on-going implementation. In designing a plan, any special circumstances within the judicial circuit and the individual experience of the judges may be considered.

b. Case Assignment and Allocation.

(1) The plan shall describe the process for the assignment of cases and shall control the assignment and allocation of cases in the judicial circuit. In the absence of good cause to the contrary, the plan of assignment of cases shall assume (i) random selection of unrelated cases; (ii) a substantially equal apportionment of cases among the circuit judges of a judicial circuit; and (iii) all matters connected with a pending or supplemental proceeding will be heard by the judge to whom the matter was originally assigned.

(2) The Administrative Office of the Courts shall as soon as practical develop

and make available to each judicial circuit a computerized program to assure (i) random assignment of cases where appropriate and (ii) a substantially equal apportionment of cases among the judges.

c. Caseload Estimate. The plan shall provide a process which will apportion the business of the circuit court among each of the judges within the judicial circuit on as equal a basis as possible. The plan shall include an estimate of the projected caseload of each of the judges based upon previous case filings. If, at any time, it is determined that a workload imbalance exists which is affecting the judicial circuit or a judge adversely, the plan shall be amended subject to the provisions of Section (3) of this Administrative Order.

3. *Supreme Court.* The administrative plan for the judicial circuit shall be submitted to the Supreme Court by March 1 of each year following the year in which the general election of circuit judges is held. Until a subsequent plan is approved by the Supreme Court, any approved plan currently in effect shall remain in full force. Upon approval, a copy of the order shall be filed with the clerk of the circuit court and the clerk of the Supreme Court. An approved plan may only be amended if approved by the Supreme Court. In the event the circuit judges are unable to agree on a plan or the plan is not approved by the Supreme Court, the Supreme Court may formulate a plan for the equitable distribution of cases and caseloads within the judicial circuit. The Supreme Court shall set out the plan in an order which shall be filed with the clerk of each court in the judicial circuit and

(See **Order**, page 2)

(Order, cont. from page 1)

the clerk of the Supreme Court. The clerk shall thereafter assign cases in accordance with the plan. The Supreme Court shall appoint a circuit judge from the judicial circuit to serve as an administrative judge for the purpose of implementing the plan formulated by the Supreme Court. In the event an approved plan is not being followed, a judge may bring the matter to the attention of the Chief Justice of the Arkansas Supreme Court by setting out in writing the nature of the problem. Upon receipt of a complaint, the Supreme Court may cause an investigation to be undertaken by appropriate personnel and will take other action as may be necessary to insure the efficient operation of the courts and the expeditious dispatch of litigation in the judicial circuit.

4. *Transition.* a. No divisions of circuit court shall be effective as of January 1, 2002 unless the Supreme Court has approved the circuit court's administrative plan. Each judicial circuit shall submit its initial administrative plan to the Supreme Court on or before June 1, 2001. The Supreme Court shall approve or disapprove such plans on or before July 1, 2001. The initial plans shall be implemented on January 1, 2002.

b. For the period July 1, 2001 through December 31, 2001, all judges are circuit judges and may hear any type of case, but during this period of transition, circuit judges shall continue to be assigned the types of cases each was being assigned prior to the effective date of Amendment 80 of the Arkansas Constitution.



ECHO-BOOMERS?

We have heard about the Generation X workforce for some time now, and studies about this age group of our population have helped the Judiciary in focusing on how to maximize Gen X'ers contributions. However, a new generation of workers, Echo-Boomers, have emerged. The question now is how do the courts prepare for this new group?

Research tells us that members of this generation were born between 1977 to 1997. They are 80 million people strong, well-informed and well versed in the new digital economy, e-commerce and new technology that is transforming business, education, health care, entertainment and government. Studies also indicate that Echo-Boomers are strong advocates for social responsibility. Echo-Boomers have more purchasing power and more knowledge and it is forecasted that they will recreate societal structures, with most becoming entrepreneurs.

What are the implications for courts? With Echo-Boomers skills in using all types of technology, they could become the best advocates for technologically advanced courts. However, they must be educated about the courts and their relationships with other parts of government in order so that they can help procure the money and backing needed to bring the courts

into the new technology era. Since this new generation has been raised with fast paced technology, they will not tolerate courts that do not embrace this technology as well.

Being strong advocates of social responsibility, Echo-Boomers will want to feel that they are contributing to the betterment of society and won't be tolerant to those who suggest that "it's always been done this way". Since they have an entrepreneurial spirit, Echo-Boomers may move from one job to another. Courts will have an opportunity to be an attractive employer to Echo-Boomers because of the social significance courts play in our society.

Echo Boomers will present many challenges to courts as they become judges, court administrators, technological experts, litigants, judicial educators, public information officers, mediators, etc. This generation will demand more of courts and society as a whole.

Information taken with permission from an article entitled "Have You heard of Echo-Boomers?" in JERITT's Bulletin-July/Sept., 2000, by Maureen Conner, Ph.D., Executive Director - Jeritt Project.



Suzanne Stanley, incoming President of Case Coordinators' Association, makes remarks after receiving gavel from outgoing President, Joan Lester.

Case Coordinators met in Little Rock in March for their annual meeting. New officers were elected at that time and consist of: Suzanne Stanley/14th Circuit-President, Pam Murphy/10th Circuit-Vice President, Myra Wylie/8th South Circuit-Secretary, and Laura Berryman/10th Circuit-Treasurer. Elected Members at Large are Linda Lee/6th Circuit, and JoAnn Smith/10th Circuit. Joan Lester/4th Circuit is the immediate Past President.

Historical Exhibit Created

Judge Jim Spears, Chancellor in the 12th Judicial Circuit, has researched and studied court



Judge Spears stands before display with his own portrait and biographical sketch.

history in Sebastian County for quite some time. His dedication to the subject has culminated in an exhibit at the Fort Smith Museum of History. The exhibit, entitled "The Picture of Justice" consists of pictures and biographical notes on the 43 Chancery and Circuit Court judges who have served since 1851 in Sebastian County. The biographical accounts on each judge that have been gathered by Judge Spears, hang below the portraits in the exhibit.

"The Picture of Justice" runs from March 1 - May 26th at the Museum. Afterwards, the collection of portraits will hang in the courtrooms where the chancery and circuit judges held court.

Congratulations

"Kudos" to Clarendon Municipal Court. A letter was recently received with pleasure by Clarendon Court Clerk Gail Mayville. "To Whom It May

Concern: I would just like to express my thanks to the lady that helped me get my ticket straightened out. I was really impressed with her level of professional-



State of Arkansas Website

The State of Arkansas Website www.state.ar.us

has a new look and a new name as of February, 2001. The Official State Web Portal for citizen and business access to state government information is now accessible under the new name of

www.accessArkansas.org. This is in addition to the old address www.state.ar.us which will always be operational.

www.accessArkansas.org was implemented to help brand the state's web portal and make it easier for the general public to remember. Market research has shown that www.stae.ar.us is not as recognizable to the general public as www.accessArkansas.org.

Again, the www.state.ar.us address will always remain active. Direct access to the Arkansas Judiciary Web site <http://courts.state.ar.us> remains the same.

Municipal Court Officers

The Municipal Court Officers, which consists of probation officers in municipal courts throughout the State, have elected new officers for their organization for the 2001/2002 term. Wayne Schoeller/Rogers Municipal Court is President. Jim Godfrey/Fayetteville Municipal Court is Vice President. Denny Bishop/Searcy Municipal Court is Secretary, and Jill Hudson/Jonesboro Municipal Court is Treasurer.

ism and politeness. She not only treated me as a person, but her eagerness to help me was unbelievable. It was actually a real joy to talk to someone so helpful, and because I didn't get to say it over the phone, I wanted to write to say thank you."

Congratulations to Clarendon Municipal Court for a job well done!

New Judgeships

Currently, four Acts passed by the General Assembly have established new general jurisdiction judgeships in the State. Act 114 of 2001 created a circuit/chancery judgeship in the 3rd Judicial District. Act 300 of 2001 establishes a circuit/chancery judgeship in the 14th District. Act 816 of 2001 gives the 16th District a circuit judge, and Act 1186 of 2001 creates a circuit judgeship in the 2nd Judicial Circuit.

Two of the new positions have been filled as of time of printing. Gov. Huckabee appointed Christopher Carter, managing public defender for the 14th District since 1998, as the new judge in that district. Carter will serve through the end of 2002.

Additionally, Gov. Huckabee appointed Phillip Smith of Pocahontas to serve as the new judge in the 3rd Judicial District. Smith has served as Pocahontas and Randolph County Municipal Judge since 1992. He, too, will serve through the end of 2002.



The Arkansas Supreme Court cordially invites you to attend the Dedication Ceremony for the Justice Building West Wing Friday, April 27, 2001 625 Marshall/Justice Building Little Rock, Arkansas at 3:00 in the afternoon

Reception Immediately following at the Arkansas Bar Center Hosted by Arkansas Bar Association Tours of West Wing Conducted 1:00 - 2:30 & 4:00 - 5:00 P.M. Day of Dedication

Inclement Weather Location: State Capitol Rotunda



New Faces in the Judiciary

Trial Judges

3rd - **Phillip Smith** is the new position circuit/chancery judge.

14th - **Chris Carter** is the new position circuit/chancery judge.

Case Coordinators

6th (Branton) - **Yolanda Stewart** replaces Sharon Walker.

19th West (Duncan) - **Bonita Stubbs** replaces Sidney Walker.

3rd (Smith) - **Chrissie Tanner** is the new case coordinator.

14th (Carter) **Donna Zaerr** is the new case coordinator.

Court Reporters

14th (Carter) - **Renee Shephard** is the new court reporter.

3rd (Smith) - **Joyce King** is the new court reporter.

Municipal Judges

Blytheville - **Shannon Langston** replaces Bill Ross.

Pulaski County - **Wayne Gruber** replaces Pat Hays.

Municipal Clerks

Marianna - **Kim Miles** replaces Dorothy Willis.

Hot Springs - **Vicki Asher** replaces Jason Lawrence.

City Judges

Cherokee Village - (new court) **Kevin King** is the judge.

Foreman - **John Finley** replaces D.D. Hector.

Sunset - **Ron Wilson** is the judge.

City Clerks

Cherokee Village - (new court) **Dora Lee Schaffert** is the clerk.

Foreman - **Mike Cranford** replaces Barbara Anderson.

Gravette - **Vicki Ash** replaces Missy Hall.

Widener - **Liz Lopez** replaces Kathy Clark.

Austin - **Yvonne Doney** replaces Lavonda Lewis.

Mayflower - **Patty Jackson** replaces Susan Smith.

Parkin - **Jamelle Green** replaces Anita Mardis.

Sunset - **Roberta Wilbourn** is the clerk.

CALENDAR

APRIL

Spring Judicial College (Hot Springs-Arlington Hotel) **18-20**

Official Court Reporters (Hot Springs-Arlington Hotel) **20-21**

MAY

Children and the Law IV (Little Rock-Holiday Inn Select) **9-11**

Municipal Judges Spring College (Springdale-NW AR Holiday Inn) **17-19**

Municipal & City Court Clerk Certification (Springdale-NW AR Holiday Inn) **17-19**

AUGUST

Municipal Court Officers (Little Rock-Holiday Inn Select) **2-3**

SEPTEMBER

Municipal Judges Fall College (Heber Springs - Red Apple Inn) **6-8**

CASA Conference (Little Rock-Doubletree Hotel) **20-21**

Municipal and City Court Clerk Certification (Eureka Springs-Inn of the Ozarks) **21**



Spring has sprung!



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Administrative Office of the Courts
Justice Building/625 Marshall
Little Rock, AR 72201



Friends of the Court is a bi-monthly publication by the Arkansas Administrative Office of the Courts. Contributions, comments, and inquiries are welcome. Please submit to **Friends of the Court**, A.O.C., Justice Building, 625 Marshall, Little Rock, AR 72201. Tel. (501) 682-9400. Karolyn Bond, Editor.

**Address
Correction
Requested**