

IN THE CIRCUIT COURT OF THE
TWENTY-FIRST JUDICIAL DISTRICT OF ARKANSAS
CRAWFORD COUNTY
ALL DIVISIONS
FIRST AMENDED PLAN

The Following is submitted by the elected judges of the Twenty-first Judicial district as the Administrative Plan to be approved by the Arkansas Supreme Court to become effective July 1, 2019, and thereafter, according to the rules of the Supreme Court unless otherwise amended. The purpose of the Amendment being to accommodate case distribution for a new Judge for the 21st Judicial District, effective July 1, 2019. The new judgeship being created by the Arkansas Legislature and by appointment by the Governor of the State of Arkansas. The following method of new case assignment shall be used by the clerks of the Twenty-first Judicial District:

The Twenty-first Judicial District consists solely of Crawford County. There are three judges serving this District: Judge Gary R. Cottrell, Division One; Judge Michael Medlock, Division Two and Judge Marc McCune, Division Three, who is to begin his term July 1, 2019.

ASSIGNMENTS

The following case assignments shall be effective beginning July 1, 2019.

Juvenile:

Division II shall be the Juvenile Division. All Juvenile cases shall be assigned to Division 2

Probate:

Division 1 shall be the probate division. All probate cases shall be assigned to Division 1

Civil Division:

All Civil Division cases are to be assigned as follows:

50 % to Division 1

25 % to Division 2

25 % to Division 3

Criminal Division:

All Criminal Division cases are to be assigned as follows:

50% to Division 1

50% to Division 2

Division 3 shall conduct all first appearances hearings. Division 1 will conduct arraignment hearings. Upon unavailability of the Judge responsible, the remaining judges, by agreement, may substitute.

Domestic Relations Division:

All Domestic Relations Division cases are to be assigned as follows:

100 % of all pending and new cases to be assigned to Division 3

Drug Court:

Division 1 shall preside over the Drug Court. The 21st District Drug Court has been in operation since 1998. Court sessions are conducted in Crawford County. The program utilizes a pre-adjudication and post-adjudication process, designation based on previous past criminal

history. The Court is open to defendants who have committed eligible offenses and are recommended by the prosecuting attorney office. The program is conducted in conformance with State Drug Court statutes and complies with applicable laws involving the assessment of fines, fees, court costs and probation fees. The program receives staff and funding from the Department of Community Corrections.

The members of the drug court program team include the prosecuting attorney, the public defender, treatment professionals, DCC staff and local court staff, and lay community. They have been consulted for purposes of scheduling to insure 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.

State District Judge:

The District Court has one State District Judge. The Circuit Judges agree the District Court Judge may as needed and by consent and agreement exercise jurisdiction in all matters allowed in Administrative Order No.

18 (b),(1),(2), (3),(4), and (5). The State District Court docket is unaffected by this amendment.

Reopenings:

After July 1, 2019, Juvenile, Criminal, and Probate shall be assigned to the Division previously assigned to the case. All Domestic Relation reopenings shall all be assigned to Division III. All Civil re-openings shall be by random assignment.

Random assignment:

The District uses the context system provided by the Administrative Office of the Courts for the random assignment of cases. Based on current AOC numbers from 2018, each judge will have between 1200-1584 cases per year. By execution of this plan, the judges further agree that they may agreeably exchange cases due to a conflict, disability, or when required by the administration of justice.

Election of special judges:

The judges will comply with Administrative Orders 1 and 16 regarding the election of special judges and requests for assignment of judges by the Supreme Court.

Recusals:

When a judge recuses in any division the case shall be referred to the other judges with the same case category for disposition. If all judges recuse from a case the last judge recusing shall be responsible for contacting the Chief of Justice of the Arkansas Supreme Court for assignment of a special Judge pursuant to Administrative Rule 16.

Juvenile Transfer Hearings:

When a petition to transfer a criminal charge is filed under Arkansas Code Ann Section 9-27-318, this judicial district agrees to have the transfer hearing conducted in Division 2 (FINS/Delinquent Division) of the Circuit Court. If Division 2 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 ACA Section 9-27-318, the case will then remain in the Juvenile FINS/Delinquent Division of Juvenile Court.

Case Apportionment:

Based upon the case assignment set out by this plan, and the numbers provided in the 2018 Circuit Court caseload, the approximate amended caseload will be:

Division 1: 1583

Division 2: 1536

Division 3: 1209

The Judges believe that the assignment of certain divisions to primarily, but not exclusively, hear certain type of cases, will promote the administration of justice and best utilize the facilities available to the District. In making these assignments, the Judges have taken into consideration the experience, training and knowledge of the Judges, as well as the caseload demand in certain types of cases.

Notwithstanding the case assignments herein, all the Judges may sign search warrants and probable cause determinations, conduct first

appearances, and arraignments when a Judge for the Division, or the Judge delegated that responsibility, is not readily available.

APPROVAL

The Judges of the 21st Judicial District hereby approve this administrative plan and submit it to the Arkansas Supreme Court for its approval this 3rd day of June, 2019.



Hon. Gary R. Cottrell
Circuit Judge Division 1



Hon. Mike Medlock
Circuit Judge Div 2



Hon. Charles Baker
District Court Judge