PLAN OF THE 2ND JUDICIAL CIRCUIT PURSUANT TO ADMINISTRATIVE ORDER No. 14

I. INTRODUCTION

The Circuit Judges of the Second Judicial Circuit of the State Arkansas, acting in compliance with Administrative Order No. 14 of the Supreme Court of Arkansas adopted April 6, 2001, as amended, hereby adopt this Plan for submission to the Supreme Court for the effective administration of justice in the 2nd Judicial Circuit of the State of Arkansas. The 2nd Judicial Circuit consists of six (6) counties and nine (9) courthouses. The six (6) counties are Clay, Craighead, Crittenden, Greene, Mississippi and Poinsett. Three of these counties have two (2) county seats: Craighead County with seats in Jonesboro and Lake City; Clay County with seats in Coming and Piggott; and Mississippi County with seats in Blytheville and Osceola.

There are currently ten (10) Circuit Judges serving this area with an eleventh (11) Circuit Judge to take office effective July 1, 2007. Governor Beebe has appointed the Honorable Cindy Thyer to this newly created position. The present judges of the 2nd Judicial Circuit and the division they hold are as follows:

Judge Pam Honeycutt	Division 1
Judge Lee Fergus	Division 2
Judge David Burnett	Division 3
Judge Rice VanAusdall	Division 4
Judge Ralph Wilson	Division 5
Judge Victor Hill	Division 6
Judge Barbara Halsey	Division 7
Judge John N. Fogleman	Division 8
Judge David Laser	Division 9
Judge Larry Boling	Division 10

II. ADMINISTRATIVE POLICY

The case management and administrative procedures to be used within the 2nd Judicial Circuit to administer this plan and any subsequent plan will be determined by a majority vote of the Circuit Judges of the 2nd Judicial Circuit. One of the circuit judges shall serve as the Administrative Judge (AJ). The AJ shall take any and all actions necessary to implement this plan and the administrative procedures established by the Circuit Judges

of this Circuit. Effective February 1, 2007, Judge Ralph Wilson shall serve as AJ until January 31, 2009. Thereafter, the AJ shall be selected and serve a term as provided in Section 2 of Administrative Order No. 14 as amended.

III. CASE ASSIGNMENT AND ALLOCATION

A) Of the eleven (11) circuit judges, nine (9) shall be assigned to the Domestic Relations and Probate Divisions. The nine (9) judges assigned to the Domestic Relations and Probate Divisions shall be those elected to Divisions 1,2, 3, 4, 5, 6, 7 and 10 and to that judge initially appointed to Division 11 and her successor.

B) The Circuit Judge elected to Division 7 shall be randomly assigned 31 % of the Juvenile Delinquency and FINS cases. The Circuit Judge initially appointed to Division 11 and her successor shall each be randomly assigned 25% of the Juvenile Delinquency and FINS cases. The Circuit Judges elected to Divisions 5 and 7 shall be randomly assigned 35% of the Dependency-Neglect cases. The Circuit Judge elected to Division 2 shall be randomly assigned 44% of the Juvenile Delinquency and FINS cases. The Circuit Judge initially appointed to Division 11 and her successor shall be randomly assigned 30% of the Dependency-Neglect cases. All matters connected with a pending or supplemental proceeding shall be heard by the judge to whom the matter was originally assigned.

C) Eleven (11) circuit judges shall be assigned to the Criminal and Civil Divisions. These circuit judges shall be randomly assigned all Criminal and Civil Division cases as described in subsection IV. CIVIL AND CRIMINAL ASSIGNMENTS. The Circuit Judges assigned to the Juvenile Division (Divisions 2, 7 and 11) shall have a reduced Criminal and Civil Division caseload because of their Juvenile Division caseload. The Circuit Judges elected to Divisions 1,4 and 10 shall have a reduced Criminal and Civil Division caseload because of their Domestic Relations and Probate Divisions caseload.

D) This assignment of the respective Circuit Judges to a particular division shall not preclude any Circuit Judge from hearing any and all routine and uncontested matters irrespective of the division assignments. Motions for continuance and motions to be relieved as counsel are to be heard by the judge to whom the case is assigned.

IV. CIVIL AND CRIMINAL DIVISION ASSIGNMENTS

The Circuit Clerks of the respective counties will be responsible for the random assignment of civil, juvenile and criminal cases pursuant to this

plan. Pending development of the computer program referred to in paragraph 2.b.(2) of Administrative Order No. 14, this random assignment shall be accomplished by the clerk placing into a container eighteen (18) chips for civil division cases and twenty-four (24) chips for criminal division cases. These chips shall be marked with the appropriate division number for the respective judges who will be assigned cases within that county and for that subject matter division. There shall be an equal number of chips for each judge assigned to hear cases within that county (or district in the case of dual county seats). As each case is filed, the Clerk shall draw a chip. The case shall be assigned to the Judge whose chip is drawn. The chip shall then be placed into a second container. Once the first container's chips are entirely used, the process shall begin anew with the chips in the second container. All matters connected with a pending or supplemental proceeding shall be automatically assigned by the clerk to the Judge to whom the matter was originally assigned. In such a case, the clerk shall manually retrieve a chip for the assigned judge and transfer it to the used chip box.

In the Eastern District of Clay County, all criminal and civil cases shall be assigned to judges elected to Divisions 1 and 9. In the Western District of Clay County, all criminal and civil cases shall be assigned to judges elected to Divisions 5 and 10.

In the Western District of Craighead County, all criminal cases shall be assigned to judges elected to Divisions 2, 6 and 8 and to that judge initially appointed to Division 11 and her successor. All civil cases filed in this district shall be assigned to judges elected to Divisions 3, 8 and 9. All cases referred to drug court for disposition shall then be reassigned to the judge elected to Division 9.

Because of the comparatively small caseload in the Eastern District of Craighead County and in view of speedy trial considerations and judicial efficiency, all civil and criminal cases will be assigned to a single Circuit Judge within that district. All civil and criminal cases shall be assigned to the judge elected to Division 9.

In Crittenden County, all criminal cases shall be assigned to judges elected to Divisions 3, 5 and 8. All civil cases filed in Crittenden County shall be assigned to judges elected to Divisions 1, 6 and 9. All cases referred to drug court for disposition shall then be reassigned to that judge initially appointed to Division 11 and her successor.

In Greene County, all criminal cases shall be assigned to judges elected to Divisions 3, 7 and 9. All cases referred to drug court for disposition shall then be reassigned to the judge elected to Division 7. All civil cases filed in Greene County shall be assigned to judges elected to Divisions 6 and 8.

In Poinsett County, all criminal cases shall be assigned to judges elected to Divisions 3,6 and 9. All civil cases filed in Poinsett County shall be assigned to judges elected to Divisions 5 and 8.

In the Chickasawba District of Mississippi County, all criminal cases shall be assigned to judges elected to Divisions 5 and 7 and to that judge initially appointed to Division 11 and her successor. All civil cases filed in the Chickasawba District of Mississippi County shall be assigned to judges elected to Divisions 3, 6 and 8.

In the Osceola District of Mississippi County, all criminal cases shall be assigned to judges elected to Divisions 6 and 9. All civil cases filed in the Osceola District of Mississippi County shall be assigned to judges elected to Divisions 2 and 4.

V. DOMESTIC RELATIONS AND PROBATE DIVISION ASSIGNMENTS

For the purposes of this plan, "Domestic Relations" shall mean cases relating to divorce, annulment, separate maintenance, child custody, visitation, child support, paternity and domestic abuse. "Probate" means cases relating to decedent's estates, trust administration, adoption, guardianship, conservatorship, commitment, change of name and adult protective custody. All cases filed in the Domestic Relations and Probate Divisions of the Circuit Court of the various counties within the 2nd Judicial District shall be assigned to the Judges elected to Divisions 1,3,4, 5, 6 and 7 and to that judge initially appointed to Division 11 and her successor. Case assignment in the Domestic Relations and Probate Divisions shall be randomly done and assigned in the following percentages:

Division 1 - 24.6%
Division 2 - 1.2%
Division 3 - 2.0%
Division 4 - 29.6%
Division 5 - 7.9%
Division 6 - 1.7%
Division 7 - 2.9%
Division 10 - 28.4%
Division 11 - 1.7%

The Clerks of the Circuit Court shall, on a monthly basis, prepare and forward to a case coordinator designated for that purpose, a list of cases filed

complete with the case numbers assigned and the name and address of the attorneys and/or pro se litigants filing any pleading in such case, if known. Case assignment is to be made by the Clerks of the Court on a random basis. The initial temporary hearing can be heard by any Circuit Judge at a regularly scheduled Domestic Relations/Probate Chambers Day. Thereafter, all communication regarding such case shall be forwarded to the judge to whom the case is assigned, or to his/her case coordinator as may be needed or necessary. All matters connected with a pending or supplemental proceeding shall be heard by the judge to whom the matter was originally assigned, excepting those matters which previously have been adjudicated on the merits, *and subsequent proceedings to modify or to enforce the decree have been filed.*

VI. CASELOAD ESTIMATES

The judges of the 2nd Judicial Circuit, in developing this plan, relied on caseload statistics prepared by the AOC for the calendar years 2004, 2005 and 2006. The Judges elected to divisions 1,3,4, 5, 6 and 10 would have a caseload of approximately 1982 cases per judge. The Judge elected to Division 2 would have a caseload of approximately 1998 cases and the Judge elected to Division 8 would have a caseload of approximately 2049 cases. The three (3) judges (Divisions 7, 9 and 11) assigned to "drug court," in addition to their other assignments, would have caseloads of approximately 1924, 1929 and 1925 cases respectively. This reduced caseload is in recognition of the time intensive nature of drug court. In the event this assignment system results in a workload imbalance which adversely affects the judge or the judicial circuit, the AJ shall take steps to correct this imbalance by proposing an amended plan to correct any problem.

VII. CONCLUSION

The Judges of the 2nd Judicial Circuit recognize that they are required to submit their administrative plan to the Supreme Court on or before July 1, 2007. The 2nd Judicial Circuit consists of six (6) counties and nine (9) courthouses. It includes the larger cities of Jonesboro, West Memphis, Blytheville and Paragould. This district has approximately 250 attorneys living in this judicial circuit who practice in its courts. Prior to the legislature authorizing an eleventh circuit judge effective July 1, 2007, this judicial circuit had one of the heaviest caseloads per judge in the State. The Judges of the 2nd Judicial Circuit submit that this plan provides an efficient method

judicial circuit had one of the heaviest caseloads per judge in the State. The Judges of the 2nd Judicial Circuit submit that this plan provides an efficient method for the administration of justice in the 2nd Judicial Circuit, taking into consideration the size of this judicial district, the number of courthouses, speedy trial considerations in criminal cases, the need to provide numerous opportunities in each county for judges assigned to hear civil cases in that courthouse and Administrative Order No. 14 as amended.

Dated this 3rd day of June, 2007.

HON. DAVID BURNETT

HON. RICE VANAUSDALL

HON. RALPH WILSON

HON. JOHN N. FOGLEMAN

HON. VICTOR HILL

HON. DAVID LASER

HON. LEE FERGUS

HON. PAM HONEYCUTT

HON. LARRY BOLING

HON. BARBARA HALSEY

HON. CINDY THYER