IN THE 16TH JUDICIAL CIRCUIT
FULTON COUNTY, ARKANSAS CIRCUIT COURT

IN THE MATTER OF
THE SHARP COUNTY DISTRICT COURT
ADMINISTRATIVE PLAN

APPROVAL OF PLAN

On this 10th day of February, 2013, the Sharp County District Court Administrative Plan is approved by John Dan Kemp, the Administrative Judge of the 16th Judicial Circuit.

Approval is obtained because a portion of the cases heard in Division Two (Cherokee Village) in Sharp County District Court are criminal cases and cases involving moving violations occurring in that part of Cherokee Village located in Fulton County, Arkansas, one of the counties comprising the 16th Judicial Circuit.

WITNESS my hand on this 10th day of February, 2013.

John Dan Kemp, Circuit Judge
Administrative Judge of the 16th Judicial Circuit

SHARP COUNTY DISTRICT COURT ADMINISTRATIVE PLAN

I, Mark R. Johnson, am the elected local District Judge of Sharp County, Arkansas. Pursuant to Arkansas law as codified in Ark. Code Ann. §16-17-925, said District Court operates two venues. The first venue (i.e., Department One) being the Sharp County District Court that handles all cases which come under the District Court's jurisdiction issued outside of Cherokee Village city limits. The second venue (i.e., Department Two) being those cases which stem from charges, either criminal or traffic, issued within the city limits of Cherokee Village, Sharp County, Arkansas.

Department One, which is generally referred to as Sharp County District Court, holds court in the city of Ash Flat for traffic and criminal division on the first Thursday of each month from 9:00a.m. until completed, and the third Thursday of each month beginning at 9:00a.m. until completed. Said District Court also hears small claims and civil division cases filed in the Sharp County District Clerk's office on the first Friday of each month beginning at 9:00a.m. until completed.

Department Two is the Cherokee Village department, which holds court on the third Friday of each month beginning at 9:00a.m. until completed.

The Third Judicial District Prosecutor, Henry Boyce, has appointed his Deputy Prosecutor, Joe Grider of Randolph County, Pocahontas, as the Sharp County District Court Prosecutor of both Department One and Department Two.

Relative to Department Two, commonly referred to as Cherokee Village Department of Sharp County District Court, holds court, as stated above, on the third Friday of each month and the situs for said court is located at the Cherokee Village City Hall, #2 Santee Drive, Cherokee Village, Arkansas.

Relative also to the Cherokee Village situs, the city of Cherokee Village has approximately one-half (½) of its land mass located in Sharp County, Arkansas, and one-half (½) of its land mass located in the contiguous county of Fulton County, Arkansas. Fulton County is a part of the Sixteenth Judicial District.

Cherokee Village has its own police department, and the Chief of Police is Ricky Crook. Cherokee Village also has an animal control officer and an animal control facility, commonly referred to Cherokee Village Animal Control, and said facility is located in Fulton County, Arkansas at 1531 Hwy. 289 North, Cherokee Village, Arkansas. Cherokee Village also has a community service program whereby individuals charged with offenses may be given specific sentences including a certain amount of day(s) of community service or, at the option of the court and community service worker, allow individuals to pay a portion of their fine by doing community service. Community service representatives for Cherokee Village are Lloyd Caves and Mike Eash.

Even though a large portion (i.e., approximately ½) of the land mass of Cherokee Village is located in Fulton County, only approximately twenty percent (20%) of its population is located or reside in the Fulton County portion of Cherokee Village. Because Cherokee Village has its own police force and for other logistic reasons, by agreement with the District Court of Fulton County, Arkansas, Honorable Jim Short presiding, those criminal and traffic offenses occurring in Cherokee Village, Fulton County, Arkansas are heard by myself, Mark R. Johnson District Judge of Sharp County, Arkansas on the third Friday of each month.

Sharp County District Courts, both Department One and Department Two, operate a community service program whereby individuals charged with a criminal offense or traffic offense are often given the option of paying a portion or part of their fine by doing community service. The Sharp County Department One District Court community service supervisor is Bob Gott. The Cherokee Village Department of Sharp County District Court, Department Two, community service supervisor is Lloyd Caves.

Both Department One and Department Two also have a Probation Officer. The Probation Officer is a certified police officer and also is certified with training as a bailiff. She serves a dual position for Sharp County, in that she is the bailiff for

Circuit and District Court, as well as the Probation Officer for Sharp County District Court Departments One and Two. The present Probation Officer is Mary Wanley. The Sharp County District Clerk's office Department One is manned by two Deputy Clerks, Jane Powell and Barbara Wakeham, and one District Clerk, Amanda Brewer. The Cherokee Village Department of District Court of Sharp County, Division Two, has one clerk, as well as numerous volunteers who volunteer on court dates. The clerk's name is Catherine Williamson.

Conflicts Date: I, Mark R. Johnson, have practiced in the Sharp County area for approximately thirty (30) years, furthermore, my and my wife's family have resided in the Sharp County area since before the Great War of Northern Aggression (i.e., the Civil War). Therefore, I have many relatives within the third degree of consanguinity. Therefore, a yearly conflicts date is scheduled on the first Friday in April. Cases in which I detect a conflict or a conflict is brought to my attention I recuse, and the case is automatically rescheduled for the first Friday in April. At the Ash Flat Sharp County Courthouse, whether said original case is filed in Department One or Department Two.

This plan is submitted as the Sharp County District Court Plan pursuant to Administrative Order Number 18, subsection 9. entitled *Administrative Plan*, in that said District Court operates multiple venues in the district. Those being the Sharp County Department One and the Sharp County Department Two being the Cherokee Village Department.

Mark R. Johnson
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February 6, 2013

Honorable Phil Smith
101 E. Broadway
Pocahontas, AR 72455

Honorable John Dan Kemp
107 W. Main St., #G
Mountain View, AR 72560-9610

RE: Sharp County District Court Administrative Plan

Dear Judge Smith and Judge Kemp:

Pursuant to the Per Curiam opinion delivered December 13, 2012, relative to the Administrative Orders Numbers 14 and 18 and, more specifically Order Number 18 entitled Administration of District Courts, 9. *Administrative Plan*. I, Mark R. Johnson, as the local District Court Judge of Sharp County, Arkansas, do hereby submit the following to the Administrative Circuit Judge of the Third Judicial District, Honorable Phil Smith, and the Circuit Judge of the Sixteenth Judicial District, Honorable John Dan Kemp.

A district court administrative plan must be approved by the Third Judicial District Circuit Court when ". . . the district court has multiple venues in the district."

A district court administrative plan may need to be approved by the Sixteenth Judicial District Circuit Court because a portion of the cases heard in Department Two (Cherokee Village) are criminal and moving violations occurring in that portion of Cherokee Village located in Fulton County.

If you approve of this administrative plan, please advise and pursuant to paragraph 9 of Administrative Order Number 18, see attached, I will cause the administrative plan to be filed with the Sharp County and Fulton County District Clerks.

Sincerely,

Mark R. Johnson
Attorney at Law

MRJ/ldl

Enclosure

cc: Jim Short

cc: Fulton County District Clerk

cc: Sharp County District Clerk

cc: Cherokee Village District Clerk