

# District Court Administrative Plans 2016

This document has links in it. To use the links click on the name of the District Court to be taken to their Administrative Plan.

<b>Circuit</b>	<b>District Court</b>	<b>Specialty Program</b>
1	Monroe County	
	Phillips County	
	St. Francis County	
	Woodruff County	
2	Clay County	
	Craighead County	DWI
	Crittenden County	
	Greene County	
	Mississippi County	
	Poinsett County	
3	Jackson County	
4	Springdale	
	Prairie Grove	
	West Fork	
5	Pope County	
6	Little Rock	
	North Little Rock	
	Pulaski County	
	Sherwood	DWI
	Maumelle	
	Jacksonville	
	Wrightsville/Cammack Village	
	Perry County	
8S	Lafayette County	
	Miller County	
9E	Clark County	Adult Drug/DWI
11E	South Arkansas County	
11W	Lincoln County	
	Jefferson County	DWI/Veteran

<b>Circuit</b>	<b>District Court</b>	<b>Specialty Program</b>
12	Fort Smith Greenwood	
13	Calhoun/Cleveland/Dallas Counties Columbia County Ouachita County	
14	Baxter County Boone County Marion County	DWI
15	Conway County South Logan County	
16	Cleburne County Fulton/Sharp Counties Independence County Izard County	DWI
17	Prairie County White County	
18E	Garland County	Domestic Violence/DWI/Drug/Veteran
19E	Carroll County	
19W	Benton County	DWI
20	9th (Faulkner/Van Buren Counties)	DWI/Domestic Violence
21	Crawford County	DWI
22	Saline County	DWI

Circuit	District Court	Specialty Program
23	North Lonoke County	DWI
	Lonoke County	

**1<sup>st</sup> Circuit  
District Court  
Administrative  
Plans**

**DISTRICT COURT ADMINISTRATIVE PLAN  
MONROE COUNTY DISTRICT COURT  
CLARENDON DIVISION**

1. JUDGES: The Monroe District Court, Clarendon Division is served by one local district judge. The judge serve in the designated departments of the court as follows:

T. David Carruth	Clarendon Division, Clarendon Department	Clarendon
T. David Carruth	Clarendon Division, Holly Grove Department	Holly Grove

2. COURT: Sessions of court are generally scheduled on:

<u>Clarendon Division</u>	<u>city</u>	<u>days</u>	<u>time</u>
Clarendon Department Arraignment: 9:00 a.m.	Clarendon	1 <sup>st</sup> and 3 <sup>rd</sup> Thursdays	Trials: 1:00 p.m.
<u>Clarendon Division</u>	<u>city</u>	<u>days</u>	<u>time</u>
Holly Grove Department	Holly Grove	4 <sup>th</sup> Tuesdays	5:30 p.m.

3. TYPES OF CASES: The following cases are heard at these locations:

Clarendon Department:	Clarendon	traffic, ordinance violations, criminal, Game and Fish Commission violations, civil and small claims
-----------------------	-----------	--

Holly Grove Department	Holly Grove	traffic, criminal, ordinance violations.
------------------------	-------------	--

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

None

DATE: July 24, 2015

/s/ T. David Carruth  
T. David Carruth

**IN THE DISTRICT COURT OF PHILLIPS, COUNTY ARKANSAS**

Pursuant to the Supreme Court's Administrative Order No. 18

**DISTRICT COURT ADMINISTRATION PLAN**

Phillips County District Court, Phillips County, Arkansas

1. JUDGE: The Phillips County District Court is served by two part time district judges. The judges serve in the designated departments of the court as follows:

Jesse E Porter Position One (1)  
Durwood W. King Position Two (2)

Judges alternate Dockets and Departments on a Three month, Quarterly, Schedule

2. COURT: Sessions of court are generally scheduled on:

Phillips County Department      Friday – Plea Day

Position One - 2<sup>nd</sup> and 4<sup>th</sup> Fridays 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Fridays 2<sup>nd</sup> and 4<sup>th</sup> Quarter  
Position Two - 1<sup>st</sup>, 3<sup>rd</sup>, and 5<sup>th</sup> Fridays 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
2<sup>nd</sup> and 4<sup>th</sup> Fridays 2<sup>nd</sup> and 4<sup>th</sup> Quarter

Thursday – Trial Day

Traffic Docket – 9:00 a.m.  
Position One – 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
Position Two – 2<sup>nd</sup> and 4<sup>th</sup> Quarter

Misdemeanor Docket – 1:30 p.m.  
Position One – 2<sup>nd</sup> and 4<sup>th</sup> Quarter  
Position Two – 1<sup>st</sup> and 3<sup>rd</sup> Quarter

Civil Docket  
1<sup>st</sup> and 3<sup>rd</sup> Wednesday – 9:00 a.m.  
Position One – 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
Position Two – 2<sup>nd</sup> and 4<sup>th</sup> Quarter

Helena – West Helena Department – Same as Phillips County Department

Marvell Department      2<sup>nd</sup> and 4<sup>th</sup> Wednesday – 9:30 a.m.  
Position One – 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
Position Two – 2<sup>nd</sup> and 4<sup>th</sup> Quarter

Lakeview Department 2<sup>nd</sup> Tuesday of Odd numbered months – 9:30 a.m.  
Position One – 1<sup>st</sup> and 3<sup>rd</sup> Quarter  
Position Two – 2<sup>nd</sup> and 4<sup>th</sup> Quarter

Elaine Department 1<sup>st</sup> Tuesday of each month – 9:30 a.m.  
Position One – 2<sup>nd</sup> and 4<sup>th</sup> Quarter  
Position Two – 1<sup>st</sup> and 3<sup>rd</sup> Quarter

3. TYPES OF CASES: The following cases are heard at these locations:

Phillips County Department and  
Helena-West Helena Department traffic offenses, criminal offenses, small claims  
cases, and civil cases.

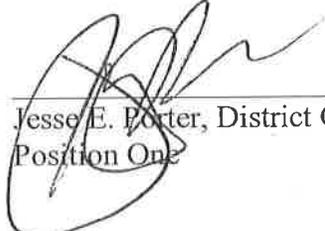
Marvell Department traffic offenses and criminal cases that occur  
within Marvell.

Lakeview Department traffic offenses and criminal cases that occur  
within Lakeview.

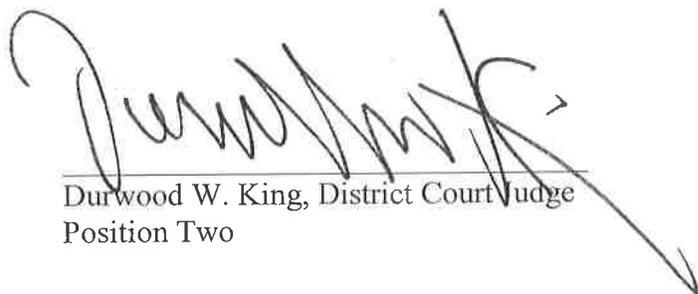
Elaine Department traffic offenses and criminal cases that occur  
within Elaine.

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

Date: 6/30/2015

  
\_\_\_\_\_  
Jesse E. Porter, District Court Judge  
Position One

Date: 26 June 2015

  
\_\_\_\_\_  
Durwood W. King, District Court Judge  
Position Two

C

ST. FRANCIS COUNTY  
DISTRICT COURT ADMINISTRATIVE PLAN

DISTRICT COURT, ST. FRANCIS COUNTY, ARKANSAS

1. JUDGES: The St. Francis County District Court is served by one state district judge. The judge serve(s) in the designated departments of the court as follows:

<u>Department</u>	<u>Location:</u>
Forrest City/St. Francis County	Forrest City, AR
Madison	Forrest City, AR
Palestine	Forrest City, AR

2. COURT: Sessions of court are generally scheduled on:

<u>Department</u>	<u>Time/Day of Court</u>
Forrest City	Mondays 9:00 a.m. 2nd/4th - Tuesdays 9:00 a.m. Wednesday 9:00 a.m. Thursdays 1:00 p.m.
Madison	Third Tuesday 9:00 a.m.
Palestine	First Tuesday 9:00 a.m.

3. TYPES OF CASES: the following cases are heard at these locations:

<u>Department</u>	<u>Type of Cases</u>
Forrest City	Criminal/Civil/Traffic
Madison	Criminal/Traffic
Palestine	Criminal/Traffic

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

\_\_\_\_\_ N/A \_\_\_\_\_, at \_\_\_\_\_ N/A \_\_\_\_\_ (locations(s)).

For each program, provide the following information:

- a. Type of program and description: N/A
- b. Statutory or legal authority on which it is based: N/A
- c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments; N/A
- d. Use of court resources: {Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.}

DATE: 8/24/2015

Steve Routon

Steve Routon  
District Judge

# Eldridge & Eldridge, P. A.

Attorneys at Law

RIVER BUILDING

128 First Street

P. O. Box 479

Augusta, Arkansas 72006

June 30, 2015

Phone 870-347-2521

Fax 870-347-5084

E-Mail riverbldg@centurylink.net

John D. (Jay) Eldridge III

John D. Eldridge (1909-2002)

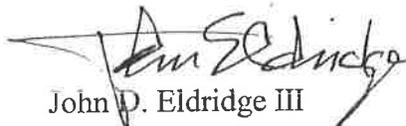
Mr. Larry Brady  
Court Services Director  
Administrative Office of the Courts  
625 Marshall Street  
Little Rock, AR 72201

Dear Mr. Brady:

Enclosed is my Administrative Plan for the Woodruff County Court, which I was instructed by my Circuit Court Administrative Judge, Chris Morledge, to submit to your office.

If there is anything else I need to do or documentation to supply, please let me know.

Sincerely,



John D. Eldridge III

JDEIII/bsg

cc: Judge Christopher Morledge  
P. O. Box 1225  
Forrest City, AR 72336

WOODRUFF COUNTY  
DISTRICT COURT ADMINISTRATIVE PLAN

1. JUDGES: The Woodruff County District Court is served by one part-time District Judge, serving in the following designated departments:

<u>Department</u>	<u>Location</u>
Augusta, Woodruff County	Augusta, Arkansas
Cotton Plant	Cotton Plant, Arkansas
Patterson	Augusta, Arkansas
McCrary	McCrary, Arkansas

2. COURT: Sessions of court are generally scheduled on:

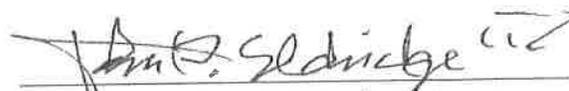
<u>Department</u>	<u>Time/Day of Court</u>
Augusta	3 <sup>rd</sup> Tuesday of a month: Civil & Criminal Pleas 9:A. M. Criminal Trials 1:30 P. M.
Cotton Plant	1 <sup>st</sup> Tuesday at 9:00 A. M.
McCrary	1 <sup>st</sup> Tuesday 1:30 P. M.
Patterson	3 <sup>rd</sup> Tuesday 11:00 A. M.

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Department</u>	<u>Type of Cases</u>
Augusta	Criminal/Civil/Traffic
McCrary	Criminal/Traffic
Cotton Plant	Criminal/Traffic
Patterson	Criminal/Traffic

4. SPECIALITY PROGRAMS: None.

6/29/15  
Date

  
John D. Eldridge III, Woodruff County  
District Judge

**2<sup>nd</sup> Circuit  
District Court  
Administrative  
Plans**

**DISTRICT COURT ADMINISTRATIVE PLAN**

Clay County District Court, Clay County, Arkansas

1. JUDGES: The Clay County District Court is served by one local District Judge. The Clay County District Judge has Court in the towns of Piggott, Rector, and Corning, Arkansas.

Name: Clay County District Court                      Division: Piggott                      City: Piggott

Name: Clay County District Court                      Division: Corning                      City: Corning

Name: Clay County District Court                      Division: Rector                      City: Rector

2. COURT: Sessions of court are generally scheduled on:

Piggott District Court in Piggott, Arkansas on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month at 12:00 p.m.

Rector District Court in Rector, Arkansas on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of each month at 9:00 a.m.

Corning District Court in Corning, Arkansas on 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month at 9:00 a.m.

3. TYPES OF CASES: The following cases are heard at these locations:

Misdemeanor criminal cases and traffic cases, probable cause hearings on felonies, and civil cases with a jurisdictional limit of \$5,000.00, small claims cases where Attorneys are not present.

4. SPECIALTY PROGRAMS: There are no specialty programs.

DATE: 6-23-15

  
\_\_\_\_\_  
Judge David Copelin

**ADMINISTRATIVE PLAN OF CRAIGHEAD COUNTY DISTRICT COURT**  
**Judges Keith Blackman and Curt Huckaby presiding**

**I. Introduction**

The District Judges of the Craighead County District Court 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 Craighead County District Court.

This county's jurisdiction boundaries include all of the area contained in Craighead County Arkansas.

Keith Blackman and Curt Huckaby are the regularly elected state court judges of the Court.

The Court is divided into four divisions, namely: criminal, traffic, civil and small claims. Keith Blackman administers a DWI Court and an addendum is attached.

**II. Case assignment, allocation and administration**

Regular court days are held on Monday through Friday each week at Jonesboro, Arkansas, and each Thursday at Lake City, Arkansas.

The judges also handle felony probable cause cases daily, along with warrants and other similar matters on an "as-needed" basis. The judges normally hold court for the Circuit Court in Jonesboro each Monday morning to handle uncontested matters and orders, which allows the Circuit Judges to expedite contested cases. The judge's alternate court days and court assignments to equalize the caseload as nearly as possible.

The case management and administrative procedure to be used within the Craighead County District Court to administer this plan and any subsequent plan will be determined by consensus of the judges of the court.

This Plan, if approved by the Supreme Court, will take effect January 1, 2016, and be effective until replaced by any subsequently approved plan.

**III. Caseload Estimates**

The total case number for 2014 exceeded 63,000 cases. Each judge will handle approximately one-half of all cases filed as circumstances may require.

**IV. Other Provisions**

- A. Recusals.** Consistent with the requirements of Administrative Order No. 16 the District judges for the Craighead County Court will notify the District Court Clerk and he/she shall seek a district judge from another court, a special judge election, or shall request the assignment of a judge by the Supreme Court as may be deemed appropriate.

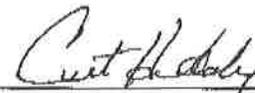
### V. Conclusion

The Craighead County District Court covers all of Craighead County. Prior to 2013 it was served by only one judge. Now two judges serve the court. Previously it had the greatest caseload per judge in the state. Now, although the caseload is cut in half, it is believed that the judges of the court are still the district judges in the state with some of the heaviest caseloads. The second judge has greatly alleviated the problems which the single judge had in attempting to maintain such a huge docket. The plan now in place has greatly enhanced the ability of the court to provide better and timelier justice, and has allowed the Court to expand and provide greater service to the legal system in Craighead County.

Dated this 30<sup>th</sup> day of June, 2015



Hon. Keith Blackman



Hon. Curt Huckaby

**ADDENDUM TO 2<sup>ND</sup> JUDICIAL CIRCUIT****CRAIGHEAD COUNTY DWI COURT****Judge Keith Blackman Presiding**

a. Potential participants are Craighead County District Court defendants who face DWI III charges. If it is determined that the person has an alcohol or a drug addiction or dependency that is treatable, then he/she will enter a plea in district court to the misdemeanors. Upon the entry of the plea, treatment begins immediately. There are intensive and daily group and/or individual counseling sessions. The participants must meet with their probation officers and submit to alcohol/drug screening as well. The team members assist with arranging benefits, acquiring housing, budgeting, employment, etc. The program is normally for one year. It could be longer or shorter depending on the progress of the participant. There are four (4) phases that must be completed before the person is eligible for graduation. They must remain drug free and alcohol free, pay fines, court costs and treatment costs (unless they have been waived), keep a curfew and call in regularly to their probation officer. Those who decide not to complete the program, or who are removed because of serious or repeated violations will be sentenced. They may be sentenced to jail, probation or suspended imposition of sentence.

b. I find the statutory authority for this program at Arkansas Code Annotated Sections 5-4-303 (a), (c), (d), (e), (f), and (j).

c. I certify that the program conforms to all applicable sentencing laws, including fines, court costs, and probation assessments to the very best of my knowledge and belief.

d. We have staffing sessions at 5:15 p.m. on Thursdays in the Jonesboro District Courtroom. These are held with the team members present, which might consist of the mental health counselors, a prosecutor, defense counsel, a clerk, a probation officer, law enforcement officers, and the district judge. We discuss the progress of the participants, whether the court needs to address any infractions of the rules, or to give reminders as to what the rules require of them. We also discuss other referrals. Court begins immediately following staffing.

e. The program training was initially funded by a grant from the National Center for DWI Courts. We proceed now with the resources available to us.

CRITTENDEN COUNTY DISTRICT COURT ADMINISTRATIVE PLAN  
CRITTENDEN COUNTY, ARKANSAS

1. JUDGES: The Crittenden County District Court is served by **one (1) district judge.**

The designated divisions of the court are as follows:

- a. West Memphis, Arkansas
- b. Marion, Arkansas
- c. Earle, Arkansas
- d. Turrell, Arkansas
- e. Jericho, Arkansas

2. COURT: Sessions of court are generally scheduled as follows:

'SEE ATTACHED COURT SCHEDULE'

3. TYPES OF CASES:

- a. West Memphis: Traffic, Misdemeanor, Small Claims and Civil
- b. Marion: Traffic and Misdemeanors
- c. Earle, Traffic and Misdemeanors
- d. Turrell: Traffic and Misdemeanors
- e. Jericho: Traffic and Misdemeanors

4. SPECIALITY PROGRAMS: None. However, every Wednesday from 8:30 a.m. til 9:30 a.m., the District Court hears uncontested and default cases, concerning domestic, probate, and civil issues , in the Circuit Court of Crittenden County, Arkansas, Courthouse, Marion, Arkansas. SEE ATTACHED ORDER AND ATTACHED SCHEDULE.

Dated: June 20, 2015

  
Fred Thorne, Crittenden County  
District Judge

DISTRICT COURT SCHEDULE AS OF 01/01/15

1. MONDAY: WEST MEMPHIS COURT: 8:30 A.M.- CITY DOCKET  
9:30 A.M.-STATE DOCKET  
1:30 P.M. TRIALS (CITY AND STATE ALTERNATE)
  
2. TUESDAY: 1<sup>ST</sup> TUESDAY OF MONTH: WEST MEMPHIS TRIALS: 8:30 A.M. STATE  
1:30 P.M. CITY  
  
2<sup>ND</sup> TUESDAY OF MONTH: EARLE: 9:00 A.M.  
TURRELL: 2:00 P.M. (1:00 p.m. effective August, 2015)  
JERICHO: 3:00 P.M. (2:00 p.m. effective August, 2015)  
  
3<sup>RD</sup> TUESDAY OF MONTH: WEST MEMPHIS TRIALS: 8:30 A.M. STATE  
1:30 P.M. CITY  
  
4<sup>TH</sup> TUESDAY OF MONTH: EARLE: 9:00 A.M.  
WMPS 1:30 P.M. CITY/STATE TRIALS  
  
5<sup>TH</sup> TUESDAY OF MONTH ( IF APPROPRIATE): OPEN
  
3. WEDNESDAY: EACH WEDNESDAY: CIRCUIT COURT: 8:30-9:30 A.M. UNCONTESTED MATTERS  
  
WEDNESDAY 1<sup>ST</sup> WEDNESDAY: WEST MEMPHIS COURT 1:30 P.M. FELONY (BO) & MISD JAIL  
  
2<sup>ND</sup> WEDNESDAY: WEST MEMPHIS COURT: 10:00 A.M. SMALL CLAIMS  
11:00 A.M. CIVIL  
1:30 P.M. FELONY (BO) & MISD JAIL  
  
CASES  
CASES  
  
3<sup>RD</sup> WEDNESDAY: WEST MEMPHIS COURT: 1:30 P.M. FELONY (BO) & MISD JAIL  
  
4<sup>TH</sup> WEDNESDAY: WEST MEMPHIS COURT: 10:00 A.M. SMALL CLAIMS  
11:00 A.M. CIVIL  
1:30 P.M. FELONY (BO) & MISD JAIL  
  
5<sup>TH</sup> WEDNESDAY: WEST MEMPHIS COURT: 1:30 P.M. FELONY (BO) & MISD JAIL
  
4. THURSDAY: MARION COURT 8:30 A.M. CITY TRIALS  
9:30 P.M. STATE DOCKET  
1:30 P.M. STATE/CITY TRIALS DOCKET
  
5. FRIDAY: WEST MEMPHIS COURT: 8:30A.M. CITY DOCKET  
9:30 A.M. STATE DOCKET

IN THE DISTRICT COURT OF PARAGOULD, GREENE COUNTY ARKANSAS

Pursuant to the Supreme Court's Administrative Order No. 18

DISTRICT COURT ADMINISTRATIVE PLAN

1. JUDGE: The Greene County District Court is served by one state district judge. The judge serves in the designated departments of the court as follows:

Dan Stidham	Paragould/Greene County Division	Paragould, Arkansas
Dan Stidham	Marmaduke Division	Paragould, Arkansas
Dan Stidham	Oak Grove Division	Paragould, Arkansas

2. COURT: Sessions of court are generally scheduled on:

Paragould/Greene County Division	Monday, Wednesday, Thursday
Marmaduke Division	Fourth Wednesday of each month
Oak Grove Division	Fourth Wednesday of each month

3. TYPES OF CASES: The following cases are heard at these locations:

Paragould/Greene Co. Div.	Felony first appearances, traffic offenses, criminal offenses, small claims cases, and civil cases.
Marmaduke Division	Traffic offenses and criminal offenses that occur within the City of Marmaduke.
Oak Grove Division	Traffic offenses and criminal offenses that occur within the City of Oak Grove.

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

5. UNCONTESTED CIRCUIT

COURT MATTERS:

Uncontested Circuit Court matters, matters assigned to me, and Ex parte Orders of Protection are heard pursuant to the Administrative Plan of the Second Judicial Circuit via Standing Order signed by all the Circuit Judges in the Circuit.

Date: 10-3-2013

  
\_\_\_\_\_  
Dan Stidham, District Court Judge

MISSISSIPPI COUNTY DISTRICT COURT-CHICKASAWBA DISTRICT

FOR 2016

1. JUDGES : The Mississippi County District Court – Chickasawba District is served by one State District Judge. The Judge travels to each City and serves the designated divisions of the Court as Follows:

Mississippi County District Court- Chickasawba Division – Blytheville, AR.

Mississippi County District Court – Gosnell Division – Gosnell, AR.

Mississippi County District Court – Manila Division – Manila Court comes to Blytheville and utilizes the court room facilities in Blytheville.

Mississippi County District Court - Leachville Division – Leachville, AR.

Mississippi County District Court – Dell Division – Dell, AR.

2. COURT: Sessions of Court are scheduled as follows:

Court is held Monday through Thursday in Blytheville with the other Courts being scheduled on alternate afternoons as shown below.

3. TYPES OF CASES: The following cases are heard at these locations:

Mississippi County District Court – Chickasawba Division in Blytheville, Ar.  
Court begins at 9:00 a.m. Monday through Thursday. Monday is plea day, Tuesday through Thursday are trial days for Traffic, Criminal Misdemeanor and Violations of Local Ordinances. Civil Cases under \$25,000.00 and Small Claims cases are heard on Tuesday. Felony First Appearance and Uncontested Circuit Court Cases are handled every day.

Mississippi County District Court- Gosnell Division  
Court is held at 1:30 p.m. on the first and third Mondays of the month. Criminal Misdemeanor and Traffic cases are heard. Uncontested Circuit Court Cases are heard at this location on the attorney's request.

Mississippi County District Court – Manila Division  
Court is held at 1:30 p.m. on the second and 2<sup>nd</sup> and forth Tuesdays of the month. Criminal Misdemeanor and Traffic cases are heard. Uncontested Circuit Cases are heard at this location on the request of any attorney.

Mississippi County District Court – Leachville Division  
Court is held at 1:30 p.m. on the first and third Wednesdays of the month. Criminal Misdemeanor and Traffic cases are heard. Uncontested Circuit Cases are heard at this location on the request of any attorney.

Mississippi County District Court – Dell Division

Court is held at 1:30 p.m. on the second Monday of the month. Criminal Misdemeanor and Traffic cases are heard. Uncontested Circuit Court Cases are heard at this location on the on the request of any attorney.

Conflict cases are set on a date certain per an agreement with another District Judge to exchange jurisdiction for a day, or on a Friday if necessary.

4. SPECIALTY PROGRAMS: None at this time.

a. Type of program and description of its operation.  
N/A

b. Statutory or legal authority on which it is based.  
N/A

c. Certification of compliance with all applicable laws, including fines, fees, court costs and probation assessments.  
N/A

d. Use of Court resources.  
N/A

e. Sources of funding.  
N/A

DATE: 14<sup>th</sup> day of July, 2015.



Judge C. Shannon Langston

## DISTRICT COURT ADMINISTRATIVE PLAN

Poinsett County District Court, Poinsett County, Arkansas

1. JUDGES: The Poinsett County District Court is served by one state district judge. The judge serves in the designated divisions of the court as follows:

Poinsett Co. District Court – Harrisburg Division in Harrisburg, AR

Poinsett Co. District Court – Trumann Division in Trumann, AR

Poinsett Co. District Court – Lepanto Division in Lepanto, AR

Poinsett Co. District Court – Marked Tree Division in Marked Tree, AR

Poinsett Co. District Court – Weiner Division in Weiner, AR

Poinsett Co. District Court – Tyronza Division in Tyronza, AR

2. COURT: Sessions of court are generally scheduled as follows: Monday is Trumann Division Court and a brief session at the Detention Center. Tuesday is Harrisburg Division District and Weiner Division. Wednesday is Tyronza Division once per month and Trumann the rest of the Month. A brief session is held at the Detention Center. Thursdays are split between Lepanto and Marked Tree Divisions. Friday is Trumann and Harrisburg (jail docket).

3. TYPES OF CASES: The following cases are heard at these locations:

Harrisburg Division in Harrisburg, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

Trumann Division in Trumann, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

Marked Tree Division in Marked Tree, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

Lepanto Division in Lepanto, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

Weiner Division in Weiner, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

Tyronza Division in Tyronza, AR – Criminal Misdemeanor/Civil under \$5000.00/\$25,000.00/Uncontested Domestic (Circuit)/Uncontested Probate (Circuit)/Uncontested Civil (Circuit)/Domestic Abuse (Circuit)/Felony First Appearances

4. SPECIALTY PROGRAMS: None at this time.

a. Type of program and description of its operation.

N/A

b. Statutory or legal authority on which it is based.

N/A

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

N/A

d. Use of court resources.

N/A

e. Sources of funding.

N/A

DATE: June 26, 2015

  
\_\_\_\_\_  
Judge Ron Hunter

**3<sup>rd</sup> Circuit  
District Court  
Administrative  
Plans**

**JACKSON COUNTY DISTRICT COURT**  
**ADMINISTRATIVE PLAN**

**Jackson County District Court, Jackson County, Arkansas**

1. JUDGES: The Jackson County District Court is served by one local district judge. The judge serves in the designated divisions of the court as follows:

Name: Barbara Ann Griffin	Division #1	City: Newport
	Division #2	City: Diaz
	Division #3	City: Tuckerman
	Division #4	City: Swifton

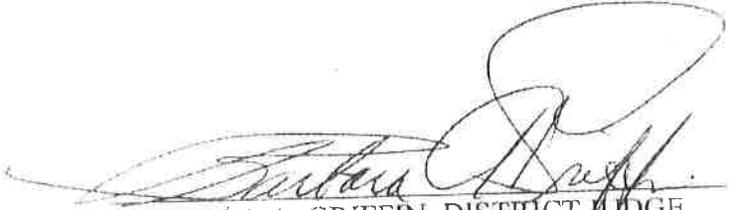
2. COURT: Sessions of court are generally scheduled on:

Division #1: Newport	Wednesdays	9:00 a.m.
Division #2: Diaz	1 <sup>st</sup> Monday of the Month	6:00 p.m.
Division #3: Tuckerman	3 <sup>rd</sup> Tuesday of the Month	6:00 p.m.
Division #4: Swifton	3 <sup>rd</sup> Thursday of the Month	6:00 p.m.

3. TYPES OF CASES: The following cases are heard at these locations:

Division #1: Newport	Traffic, Criminal & Civil
Division #2: Diaz	Traffic & Criminal
Division #3: Tuckerman	Traffic & Criminal
Division #4: Swifton	Traffic & Criminal

4. SPECIALTY PROGRAMS: There are no specialty programs provided by any of the Divisions of the Jackson County District Court.



BARBARA A. GRIFFIN, DISTRICT JUDGE  
JACKSON COUNTY DISTRICT COURT

DATE: 10-12-15

**4<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

## DISTRICT COURT ADMINISTRATIVE PLAN

### Springdale District Court, Washington County, Arkansas

1. JUDGES: The Springdale District Court is served by one local district judge. The judge serves in the designated departments of the court as follows:

<u>Name</u>	<u>Department</u>	<u>City</u>
Jeff Harper	Springdale	Springdale
Jeff Harper	Elm Springs	Elm Springs
Jeff Harper	Johnson	Johnson

2. COURT: Sessions of court are generally scheduled on:

<u>Department</u>	<u>City</u>	<u>Days</u>	<u>Time</u>
Springdale	Springdale	Monday-Friday	8:30 A.M.

Small claims cases are usually set on the first and third Wednesday of the month at 1:00 P.M. and civil cases are usually set at 1:00 P.M. on Monday or Wednesday. Scheduled arraignments are Monday through Wednesday at 8:30 A.M., and prisoners are arraigned Monday through Friday. Trial dates are scheduled for City of Springdale cases on each Thursday at 8:30 A.M. Trial dates for City of Tontitown cases are set on the second Monday of each month at 1:30 P.M. Trial dates for Washington County cases are set on the fourth Monday at 1:30 P.M. in the months of January, March, June, August, October, and November. Video arraignments from the Washington County Jail are held on each Tuesday at 1:30 P.M. and each Friday at 10:30 A.M.

Elm Springs	Elm Springs	2nd Wednesday	12:30 P.M.
-------------	-------------	---------------	------------

Video arraignments for prisoners in the the Washington County Jail are held at 12:30 P.M. Arraignments in the courtroom follow at 1:00 P.M. and trials are scheduled for 2:30 P.M.

Johnson

Johnson

1<sup>st</sup> & 3<sup>rd</sup> Monday for arraignments 12:30 P.M.; trials are set for the 3<sup>rd</sup> Wednesday 11:00 A.M.

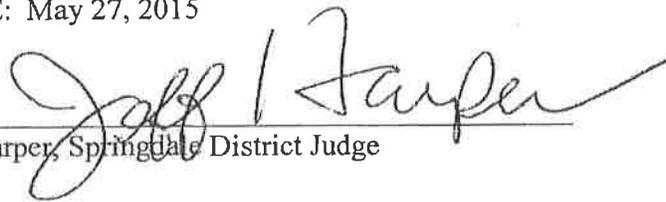
Video arraignments for prisoners in the Washington County Jail are held at 12:30 P.M. on the first and third Monday of each month, with arraignments in the Courtroom following at 1:30 P.M. Trials are scheduled on the third Wednesday of each month at 11:00 A.M.

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Department</u>	<u>City</u>	<u>Types of cases</u>
Springdale	Springdale	Criminal and traffic offenses that are misdemeanors or violations under Ark. Code Ann., county and city ordinance violations, civil cases, and small claims cases.
Elm Springs	Elm Springs	Criminal and traffic offenses that are misdemeanors or violations under Ark. Code Ann., and city ordinance violations.
Johnson	Johnson	Criminal and traffic offenses that are misdemeanors or violations under Ark. Code Ann., and city ordinance violations.

4. SPECIALTY PROGRAMS: The Springdale District Court does not have any specialty court programs.

DATE: May 27, 2015



Jeff Harper, Springdale District Judge

### DISTRICT COURT ADMINISTRATIVE PLAN

#### Prairie Grove District Court, Washington County, Arkansas

- JUDGES: The Prairie Grove District Court is served by one local district judge. The judge serves in the designated departments of the court as follows:

<u>Name: Graham Nations</u>	<u>Department: Prairie Grove</u>	<u>City: Prairie Grove</u>
<u>Name: Graham Nations</u>	<u>Department: Farmington</u>	<u>City: Farmington</u>
<u>Name: Graham Nations</u>	<u>Department: Lincoln</u>	<u>City: Lincoln</u>

- COURT: Sessions of court are generally scheduled on:

<u>Department: Prairie Grove</u>	<u>City: Prairie Grove</u>	<u>Days: 1<sup>st</sup> &amp; 3<sup>rd</sup> Tuesdays</u>	<u>Time: 1<sup>st</sup> &amp; 3<sup>rd</sup> - 8:30 to 4:30</u>
		<u>Days: 2<sup>nd</sup> &amp; 4<sup>th</sup> Tuesdays</u>	<u>Time: 2<sup>nd</sup> &amp; 4<sup>th</sup> - 8:30 to 12:00</u>
<u>Department: Farmington</u>	<u>City: Farmington</u>	<u>Days: 2<sup>nd</sup> &amp; 3<sup>rd</sup> Wednesdays</u>	<u>Time: 1<sup>st</sup> &amp; 3<sup>rd</sup> - 10:00</u>
<u>Department: Lincoln</u>	<u>City: Lincoln</u>	<u>Days: 2<sup>nd</sup> &amp; 4<sup>th</sup> Tuesdays</u>	<u>Time: 2<sup>nd</sup> &amp; 4<sup>th</sup> - 1:30</u>

- TYPES OF CASES: The following cases are heard at these locations:

<u>Department: Prairie Grove</u>	<u>City: Prairie Grove</u>	<u>Type of Cases: Criminal/Traffic/Civil/Small Claims</u>
<u>Department: Farmington</u>	<u>City: Farmington</u>	<u>Type of Cases: Criminal/Traffic</u>
<u>Department: Lincoln</u>	<u>City: Lincoln</u>	<u>Type of Cases: Criminal/Traffic</u>

- SPECIALTY PROGRAMS: The following specialty programs are provided:

NONE

DATE:

5-27-15

Graham H. Nations - District Judge

**IN THE DISTRICT COURT OF WASHINGTON COUNTY, ARKANSAS  
West Fork District**

Pursuant to the Supreme Court's Administrative Order No. 18

**DISTRICT COURT ADMINISTRATIVE PLAN**

West Fork District Court, Washington County, Arkansas

**1. JUDGE:** The West Fork District Court is served by one state district judge. The judge serves in the designated departments of the court as follows:

Clinton (Casey) Jones	West Fork Department	West Fork, Arkansas
Clinton (Casey) Jones	Greenland Department	Greenland, Arkansas

**2. COURT:** Sessions of court are generally scheduled on:

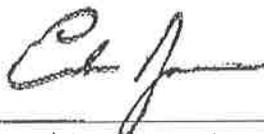
West Fork Department	Tuesday and second Monday 8.1 hearing via video every Friday
Greenland Department	third Monday of each month

**3. TYPES OF CASES:** The following cases are heard at these locations:

West Fork Department	traffic offenses, criminal offenses, small claims and civil cases.
Greenland Department	traffic offenses and criminal offenses that occur within Greenland.

**4. SPECIALTY PROGRAMS:** There are currently no specialty courts in the district.

DATE: 6-1-2015

  
\_\_\_\_\_  
Clinton (Casey) Jones, District Court Judge

**5<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

## **DISTRICT COURT ADMINISTRATIVE PLAN**

### **Pope County District Court**

- 1. The Pope County District Court is served by one state district judge. The judge serves in the designated departments of the court as follows :**

<b>Pope County Department:</b>	8:30 AM (pleas) 10:00 AM (trials) each Tuesday at the District Court building in Russellville AR
<b>Russellville Department :</b>	2:00 PM (pleas) each Tuesday 9:30 AM and 1:00 PM (trials) each Wednesday at the District Court building in Russellville AR
<b>Dover Department :</b>	4:00 PM (pleas and trials) on the 1 <sup>st</sup> Monday of each month, at the Dover City Hall Building
<b>Atkins Department :</b>	5:00 PM (pleas and trials) on the 4 <sup>th</sup> Monday of each month, at the Atkins City Hall Building
<b>London Department :</b>	5:00 PM (pleas and trials) on the 2 <sup>nd</sup> Monday of each month at the London City Hall Building.
<b>Pottsville Department :</b>	3:00 PM (pleas and trials) on the 2 <sup>nd</sup> Thursday of each month, at the Pottsville City Hall Building

**Traffic tickets and criminal cases are heard at each department. Civil and Small claims cases are only heard at the Russellville / Pope County Department location, in the county seat, on Mondays and Thursdays at 1:30 PM.**

**The following Circuit Court matters are referred to the State District Court, Pope County:**

**It is expected that the Pope County District Judge shall conduct felony bond hearings (pursuant to Rules 8.1, 8.2, 8.3, 8.4, 8.5, 9.1, 9.3, 9.4 of the Arkansas Rules of Criminal Procedure) every Monday, Wednesday, and Friday morning. The hearings are held in a small courtroom inside the Pope County Jail. The District court Judge shall conduct these hearings unless arrangements are made for the hearings to be held by one of the Circuit Judges.**

**Further, the "Criminal Matters" referred to in §6(b)(5) of Arkansas Supreme Court Administrative Order 18 shall be performed by the Pope County District Court Judge on an "as needed" basis.**

**Probation revocation preliminary hearings are to be held by the District Court Judge each Friday morning in accordance with ACA § 16-93-307.**

**The Pope County District Court has no Specialty Programs.**

A handwritten signature in black ink, appearing to read 'D. Bourne', written over a horizontal line.

**DON W. BOURNE, DISTRICT COURT JUDGE  
POPE COUNTY**

**6<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**2016 Case Plans for District Courts**

**Little Rock District Court**

**North Little Rock District Court**

**Pulaski County District Court**

**Sherwood District Court**

**Maumelle District Court**

**Jacksonville District Court**

**Wrightsville/Cammack Village District Courts**

**Perry County District Court**

## DISTRICT COURT ADMINISTRATIVE PLAN

Little Rock District Court, Pulaski County, Arkansas

1. JUDGES: The Little Rock District Court is served by three local district judge(s). The judge(s) serve in the designated departments of the court as follows:

<u>Alice F. Lightle</u>	<u>Department # 1</u>	<u>Little Rock</u>
<u>Vic Fleming</u>	<u>Department # 2</u>	Little Rock
<u>Mark Leverett</u>	<u>Department # 3</u>	Little Rock

2. COURT: Sessions of court are generally scheduled on:

<u>Division # 1</u>	Little Rock	<u>M-F</u>	<u>9 a.m.-12 p.m.</u>
<u>Division # 2</u>	Little Rock	<u>M, T, TH, F</u> Wed:	<u>8:30 a.m.</u> <u>12:30 p.m.</u>
<u>Division # 3</u>	Little Rock	<u>M, W, Th</u> Tues: 1:30p.m.	<u>1:00 p.m.</u>

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Division # 1</u>	<u>Little Rock</u>	<u>type of cases: Criminal</u>
<u>Division # 2</u>	Little Rock	<u>type of cases: Traffic</u>
<u>Division # 3</u>	Little Rock	<u>type of cases: Environmental, Civil, Small Claims</u>

4. SPECIALTY PROGRAMS: The following specialty programs are provided:  
\_\_\_\_\_, at \_\_\_\_\_ (location(s)).

*Little Rock District Courts have no specialty programs at this time.*

(For each program, provide, the following information:)

a. Type of program and description of its operation.

b. Statutory or legal authority on which it is based.

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

d. Use of court resources. *[Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*

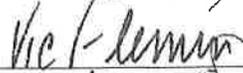
e. Sources of funding.

DATE: June 22, 2015

*[all judges must sign]*



[Alice F. Lightle]



[Vic Fleming]



[Mark Leverett]

*[When completed, the administrative plan should be submitted to the administrative judge of the circuit, and it will be appended to the circuit court's administrative plan for submission to the Supreme Court for its approval. (See Administrative Order Number 18)]*

6-16-15

First Division District Court of North Little Rock Administrative Plan

Sunday: Warrants (search and arrest)

Monday: Sign affidavits, civil filings, search warrants and returns  
1<sup>st</sup>. & 3<sup>rd</sup>. Mondays Circuit Court Hearings

Tuesday: 9:00-until complete Criminal court (every week)  
Sign affidavits, civil filings, search warrants and returns  
Administrative office duties

Wednesday 9:00-1:30 Criminal court (every week)  
Sign affidavits, civil filings, search warrants and returns  
Administrative office duties

Thursday 9:00-12:00 Criminal court- every Thursday Game & Fish cases  
Sign affidavits, civil filings, search warrants and returns  
1:00-until complete Civil and Small Claims (every third Thursday)

Friday Probable Cause, Bonds  
Sign affidavits, civil filings, search warrants and returns  
Administrative office duties

Saturday Pulaski County Jail (every 10<sup>th</sup>. Saturday)  
Warrants (search & arrest) Judge is always available every day  
of the week to sign warrants.

2014 Filings

Criminal 13,021

Civil 602

Small Claims 92

June 16, 2015

Second Division District Court of North Little Rock

Sunday: Warrants (search and arrest)

Monday: 8:30 am – until completed Plea and Arraignment  
Including Jail Video Plea Docket

Staff from Family Service Agency present for DWI Screenings

Staff from Protrac present for Probation assessments

Tuesday: (1<sup>st</sup> - 3<sup>rd</sup>) 1:30 until completed Trials, Hearings, Reports, Sentencing, Jail Video

Wednesday: (1<sup>st</sup> - 3<sup>rd</sup>) 1:30 until completed Trials, Hearings, Reports, Sentencing, Jail Video

4<sup>th</sup> Tuesday: 1:30 until completed Public Defender Trials, Hearings, Sentencing, Jail Video

4<sup>th</sup> Wednesday: 1:30 until completed Spanish Docket Pleas, Trials, Hearing, Sentencing, Jail Video

2<sup>nd</sup> and 4<sup>th</sup> Wednesday: 9:00 am until completed Child Support Hearings at Pulaski Co. Circuit Court

AOC certified Interpreter is present for court ( also includes other nationalities)

Thursday (2<sup>nd</sup>): 1:30 until completed Animal Control Pleas, Trials, Reports, Sentencing

Thursday (3<sup>rd</sup>): 1:30 until completed Code Enforcement Pleas, Trials, Reports, Sentencing

All Cases are prosecuted by NLR Assistant City Attorney, Bill Brown

Friday: Judge is available every day for signing of warrants (search and arrest)

Saturday: Pulaski County Jail (every 10<sup>th</sup> Sunday)

2014 FILINGS	NLR PD	15,529	PULASKI TECH	225
	NLR ANIMAL CONTROL	1,190	OTHER	187
	NLR CODE ENFORCEMENT	584	SHERIFF'S OFFICE	10
	ASP	8,754	RAILROAD	25
	AHP	1,606		

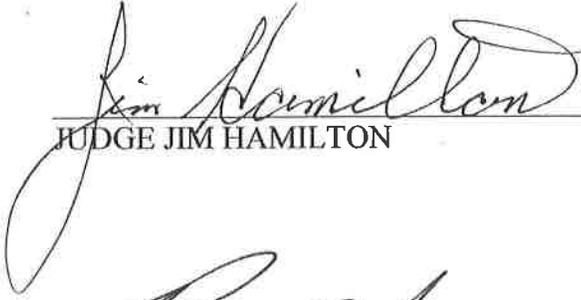
TRAFFIC CASES 26,336

ANIMAL CONTROL 1,190

CODE ENFORCEMENT 584

TOTAL 28,110

DATE: 6-30-2015

  
\_\_\_\_\_  
JUDGE JIM HAMILTON

  
\_\_\_\_\_  
JUDGE RANDY MORLEY

PULASKI COUNTY DISTRICT COURT  
3001 West Roosevelt Road, Little Rock, AR 72204  
Pulaski County, AR

ADMINISTRATIVE PLAN  
2015

**JUDGE:** The Pulaski County District Court is designated as a State District Court, served by one (1) state district judge. Judge Wayne A. Gruber presides, hearing all subject matter designated for Pulaski County District Court.

1. Pulaski County District Court has subject matter jurisdiction over the following misdemeanors and violations of state law and local ordinances;
  - a. criminal cases,
  - b. traffic cases, and
  - c. game and fish regulations
  - d. preliminary felony cases – “jail docket” (plea/arraignment – setting bonds);
  - e. civil cases ;
  - f. small claims ;

2. **COURT:** Court sessions are conducted daily (Monday – Friday)\*

\*See schedule attached

3. **TYPES OF CASES:** All cases are heard at the court location, 3001 West Roosevelt Road, Little Rock, AR.

4. **SPECIALTY PROGRAMS:** Pulaski County District Court is currently working toward establishing a DWI (Sobriety) Court. Plans are to have the team in place and training completed by December, 2015. Implementation should take place early 2016. Once the program has been fully implemented, it will become one (1) of only twelve (12) DWI (Sobriety) District Courts in the state.

DATE: \_\_\_\_\_

6/15/15

JUDGE: \_\_\_\_\_

Wayne A. Gruber

**PULASKI COUNTY DISTRICT COURT  
2015 CALENDAR**

\*(In addition to the schedule below, video arraignment, "jail docket", is held Monday – Friday)

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
(1 <sup>ST</sup> )	AM Felony Pass to File Docket	Arraignments	AM Circuit Court PM DWI Trials	AM Reviews/Pay Docket PM Traffic Trials	AM Community Service Requests
(2 <sup>ND</sup> )	AM Small Claims PM Small Claims	Arraignments	AM Criminal/Traffic Trials PM Criminal/Traffic Trials	AM PM Civil Trials	SAME AS ABOVE
(3 <sup>RD</sup> )	AM Civil Trials PM Civil Trials	Arraignments	AM Circuit Court PM DWI Trials	AM Traffic Trials PM Traffic Trials	SAME AS ABOVE
(4 <sup>TH</sup> )	AM Small Claims PM Small Claims	Arraignments	AM Criminal/Traffic Trials PM Criminal/Traffic Trials	AM Civil Trials PM Civil Trials	SAME AS ABOVE
(5 <sup>TH</sup> )	(Designated for overflow Civil and Traffic Trials)	(Designated for overflow Civil and Traffic Trials)	(Designated for overflow Civil and Traffic Trials)	(Designated for overflow Civil and Traffic Trials)	

**THE DISTRICT COURT OF SHERWOOD**

2201 East Kiehl Avenue  
Sherwood, Arkansas 72127-6256

---

TELEPHONE: (501) 835-3693  
FACSIMILE: (501) 835-8918

Milas H. Hale III, Judge

Barbara Collier, Chief Clerk

June 15, 2015

Honorable Vann Smith  
CIRCUIT JUDGE  
Pulaski County Circuit Court  
Fourteenth Division  
401 West Markham  
Little Rock, AR 72201

Re: Sherwood DWI Administrative Plan

Dear Judge Smith:

Per Administrative Order 18 please consider this the administrative plan for the specialty court known as the Sherwood DWI Court.

a) Describe the program and how it operates:

The Sherwood DWI Court focuses on hardcore drunk drivers, which are individuals with a 3<sup>rd</sup> offense DWI charge, or 2<sup>nd</sup> offense with a high BAC (.18 or above). After a plea of guilty they enter a one-year, 4 phase program of extensive group and individual therapy sessions, probation with alcohol testing, and constant court monitoring. They are required to appear in court every two weeks where we review, with them, reports on their compliance. This is the same model used by Drug Courts.

b) Provide the statutory and legal authority on which it is based:

A.C.A 16-98-303, and Administrative Orders 14 & 18.

c) Certify that the program conforms to all applicable sentencing laws, including fines, courts fees, and probation assessments.

I certify that the program conforms to all applicable sentencing laws, including fines, court fees, and probation assessments.

- d) Describe the program's use of court resources, including without limitation, prosecuting attorneys or public defenders, and the availability of such resources and how they will be provided.

The Court members are: Judge Milas "Butch" Hale III, Stephen Cobb (Prosecutor), Tjuana Byrd (Public Defender), Capt. Jim Bedwell (Police), William Beasley Jr., (Chief Clerk), Jay Blaylock (Probation), and Chris Hart with Family Services Agency as the treatment provider. Most sessions are fully staffed.

- e) Provide the source of funding for the program:

Funding is provided from grants from the Arkansas State Police-Highway Safety Office. We are in compliance with all reporting requirements. After the initial start-up costs were met the funding now goes to education of the team members to stay current on the best practices for the court. Additionally, the City of Sherwood provides some funding to cover travel expenses incurred for team training. Defendants are expected to pay the costs associated with their treatment and probation since I suspend the payment of fines upon compliance. Some Defendants qualify for ADAP funding for treatment. That assessment is made when they enter the program.

This program has been one of the most effective programs that I have seen in dealing with hardcore drunk drivers. Before being exposed to it, I would commit the offender to a 90 day jail sentence, often times suspend that, and move to the next case. But hearing the testimonies of those who have completed the program are inspiring. It changes lives and stops people from drinking and driving.

Please let me know if you need any further information.

Sincerely,



Milas H. "Butch" Hale, III  
MHIII/kh

**DISTRICT COURT ADMINISTRATIVE PLAN**  
**Maumelle District Court, Pulaski County, Arkansas**

1. **JUDGES:** The Maumelle District Court is served by one district judge. The judge serves in the designated divisions of the court as follows:

Maumelle District Court	Traffic Division ) Criminal Division) Civil Division)	Maumelle
-------------------------	---	----------

2. **COURT:** Sessions of the court are generally scheduled as follows:

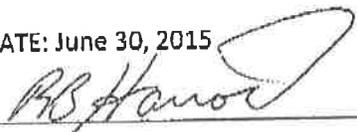
Traffic Division) Criminal Division) Plea & Arraignment) Video Arraignment)	Maumelle	Tuesday 1:30 p.m.
Probable Cause and Bond Hearings)	Maumelle	As Required
Saturday Court	Pulaski Co Jail 8:00 A.M.	Shared responsibility with other Pulaski County district judges: Sit approx. once every 10 weeks
Civil/Small Claims	Maumelle	Every 3 <sup>rd</sup> Thursday 4:00 p.m.

3. **TYPES OF CASES:** The following cases are heard by the court:

Traffic Division	Maumelle	Moving, Non-Moving, DWI
Criminal Division	Maumelle	Criminal
Plea & Arraignment	Maumelle	Traffic & Criminal
Civil/Small Claims	Maumelle	Civil

4. **SPECIALTY PROGRAMS:** Maumelle District Court has no specialty programs.

DATE: June 30, 2015

  
 [Roger Harrod]

DISTRICT COURT ADMINISTRATIVE PLAN

JACKSONVILLE DISTRICT COURT, PULASKI COUNTY, ARKANSAS

- 1. **JUDGES:** The Jacksonville District Court is served by one state district judge. The judge serves in the designated divisions of the court as follows:

Jacksonville District Court	Traffic Division Criminal Division Civil Division	Jacksonville
-----------------------------	---	--------------

- 2. **COURT:** Sessions of court are generally scheduled on :

Traffic Division	Jacksonville	Tuesday	9:00 A.M.
Criminal Division	Jacksonville	Wednesday	1:30 P.M.
Civil/Small Claims	Jacksonville	Wednesday	10:30 A.M.
Plea & Arraignment	Jacksonville	Thursday	9:30 A.M.
Video Arraignment	Jacksonville	Monday, Wednesday, Friday	9:00 A.M.
Bond Hearings	Jacksonville	Wednesday	1:30 P.M.
Saturday Court(probable cause) Little Rock		every 6 weeks	8:30 A.M.

\*Subject to change: District Court will hear child support cases at Pulaski County Courthouse On the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month.

- 3. **TYPES OF CASES:** The following cases are heard at these locations:

Traffic Division	Jacksonville	Moving, Non Moving, DWI
Criminal Division	Jacksonville	Criminal
Civil/Small Claims	Jacksonville	Civil/Small Claims
Plea & Arraignment	Jacksonville	Traffic & Criminal

- 4. **SPECIALTY PROGRAMS:** We do not have any specialty programs

DATE: 6/30/15

*Robert B. Patton*  
 JACKSONVILLE DISTRICT JUDGE



**Rita F. Bailey**  
District Judge

**Helen A. Skipper**  
Chief Clerk

**WRIGHTSVILLE DISTRICT COURT  
ADMINISTRATIVE PLAN  
District Court, Pulaski County, Arkansas**

Pursuant to Administrative Order Number 18, Section 9, the District Court of Wrightsville, Arkansas Pulaski County hereby submits the following administrative Plan:

➤ **Local District Court Judge**

Wrightsville District Court is served by one local District Court Judge, the Hon. Rita F. Bailey.

➤ **Court Sessions**

Wrightsville's court schedule is every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the month.

Traffic Division      1<sup>st</sup> & 3<sup>rd</sup> Tuesday each month      1:00 p.m.  
(1<sup>st</sup> Tuesdays – Plea & Arraignments / 2<sup>nd</sup> Tuesdays - Traffic Trials  
Location Wrightsville City Hall

Civil Division      1<sup>st</sup> & 3<sup>rd</sup> Tuesday each month      1:00 p.m.  
(Civil & Small Claims hearings & trials)

➤ **Types of Cases**

Civil, Small Claims & Traffic

➤ **Specialty Programs**

There are no specialty programs for Wrightsville District Court

Date: \_\_\_\_\_

\_\_\_\_\_  
Rita F. Bailey, Wrightsville District Court Judge

**Cammack Village**

**District Court**

2710 North McKinley  
Cammack Village, AR 72207  
(501)663-4593  
FAX (501)664-4376

**CAMMACK VILLAGE  
DISTRICT COURT ADMINISTRATIVE PLAN**

District Court, Pulaski County, Arkansas

1. JUDGES: The Cammack Village District Court in Cammack Village, AR is served by one local district judge, Judge Rita Bailey
2. COURT: Sessions of Cammack Village District Court are generally scheduled on the first and third Tuesday every other month at 4:30 PM at Cammack Village City Hall. Plea and Arraignments are held on the first Tuesday while the third Tuesday is limited to trails only.
3. TYPES OF CASES: The following cases are heard at these locations: Traffic and local ordinances violations.
4. SPECIALTY PROGRAMS: There are no specialty programs for Cammack Village District Court.

DATE:

6/29/15  
Rita F. Bailey

Rita F. Bailey, Cammack Village District Court Judge

**2015-2016 DISTRICT COURT ADMINISTRATIVE PLAN**  
**PERRY COUNTY DISTRICT COURT, PERRY COUNTY, ARKANSAS**

**1. JUDGES:** The Perry County District Court is served by one local district judge. The judge presides over the following dockets:

- Perry County Criminal / Traffic Court
- City of Perryville Criminal / Traffic Court
- Perry County Small Claims
- Perry County Civil Division

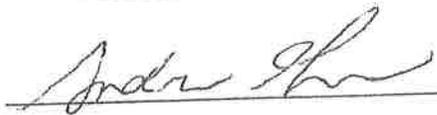
**2. COURT:** Sessions of the court are generally scheduled on:

Criminal / Traffic Trials (Sheriff's Dept)	1 <sup>st</sup> Thursday each month at 9:00 am
Criminal / Traffic Trials (State and City)	1 <sup>st</sup> Thursday each month at 1:00 pm
Civil / Small Claims	2 <sup>nd</sup> Thursday each month at 9:00 am
Probation Review	2 <sup>nd</sup> and 4 <sup>th</sup> Thursday each month at 1:00 pm
Criminal / Traffic Plea and Arraignment	3 <sup>rd</sup> Thursday each month at 9:00 am
Felony Call Backs / Probation Review	3 <sup>rd</sup> Thursday each month at 1:00 pm
Bond Hearings	Tuesday, Thursday and Saturday at 7:30 am

All cases are heard at the Perry County Courts Building, except for bond hearing, which are held at the Perry County Detention Center.

We do not currently have any specialty programs.

DATE: 6-23-15

  
\_\_\_\_\_

Perry County District Judge

**8<sup>th</sup> S. Circuit  
District Court  
Administrative  
Plans**

## DISTRICT COURT ADMINISTRATIVE PLAN

Lafayette County District Court  
Lafayette County, Arkansas

1. JUDGES: The Lafayette County District Court is served by one local district judge, Edward F. Cochran.
2. COURT: Sessions of court are generally scheduled on:

<u>Division</u>	<u>City</u>	<u>Days</u>	<u>Time</u>
Lafayette County	Lewisville	Thursdays	1:00 P.M.
City of Lewisville	Lewisville	Thursdays	9:30 A.M.
Civil	Lewisville	4 <sup>th</sup> Wednesdays	1:00 P.M.
Small Claims	Lewisville	4 <sup>th</sup> Wednesdays	1:00 P.M.

(District Court sessions in Lewisville are held at the Lafayette County Office Building, 110 E. 4<sup>th</sup> St., Lewisville.)

Stamps Dept.	Stamps	1 <sup>st</sup> & 3 <sup>rd</sup> Tuesdays	1:00 P.M.
--------------	--------	--	-----------

(District Court sessions in Stamps are held at the Stamps City Hall.)

Bradley Dept.	Bradley	2 <sup>nd</sup> & 4 <sup>th</sup> Tuesdays	2:00 P.M.
---------------	---------	--	-----------

(District Court sessions in Bradley are held at the Bradley City Hall.)

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Division</u>	<u>City</u>	<u>Types of Cases</u>
Lafayette County	Lewisville	Misdemeanor
City of Lewisville	Lewisville	Misdemeanor
Civil	Lewisville	Civil
Small Claims	Lewisville	Small Claims
Stamps Dept.	Stamps	Misdemeanor
Bradley Dept.	Bradley	Misdemeanor

4. SPECIALTY PROGRAMS: The following specialty programs are provided: None.

*Edward F. Cochran*  
Edward F. Cochran

DATE: 6-11 2015



FILED ON THIS 11 DAY  
OF June 2015  
*[Signature]*  
Cass County, District Court Clerk

DISTRICT COURT ADMINISTRATIVE PLAN

Miller County/Texarkana, AR District Court, Miller County, Arkansas

- 1. JUDGES: The Miller County District Court is served by one state district judge. The judge serves in the designated departments of the court as follows:

Texarkana, AR District Court 100 N. Stateline, Box 2 Texarkana, AR 75501
Miller County District Court 2300 East Street Texarkana, AR 71854

- 2. COURT: Sessions of court are generally scheduled on:

Criminal Division-City Texarkana, AR Tuesday & Thursday 1pm
Criminal Division-County Miller County, AR Monday 1pm
Criminal Division-County Miller County, AR Wednesday & Friday 1:30pm
Civil Division Texarkana, AR 1st Thursday 9am
Small Claim Division Texarkana, AR 1st Friday 9am

- 3. TYPES OF CASES: The following cases are heard at these locations:

Criminal Division-City Texarkana, AR Misdemeanors, Traffic
Criminal Division-County Miller County, AR Misdemeanors, Traffic, Felony & Misdemeanors 1st appearances, Criminal Evictions, Hot Checks
Civil Division Texarkana, AR up to \$25,000
Small Claim Division Texarkana, AR up to \$5,000

- 4. SPECIALTY PROGRAMS: The following specialty programs are provided:

We have no Specialty Programs in the Texarkana, AR or Miller County District Courts.

DATE:

4/16/15

Wren Autrey

[Handwritten signature]

([judge@cityofmountainhome.com](mailto:judge@cityofmountainhome.com))" <[judge@cityofmountainhome.com](mailto:judge@cityofmountainhome.com)>, "VIC FLEMING ([vicfleming@att.net](mailto:vicfleming@att.net))" <[vicfleming@att.net](mailto:vicfleming@att.net)>, "VICTOR HARPER ([rvictorharper@seark.com](mailto:rvictorharper@seark.com))" <[rvictorharper@seark.com](mailto:rvictorharper@seark.com)>, "WAYNE GRUBER ([waynegruber@comcast.net](mailto:waynegruber@comcast.net))" <[waynegruber@comcast.net](mailto:waynegruber@comcast.net)>, "Whit Fowlkes ([wwfowlkes@mvtel.net](mailto:wwfowlkes@mvtel.net))" <[wwfowlkes@mvtel.net](mailto:wwfowlkes@mvtel.net)>, "WILLIAM McKIMM - DISTRICT COURT JUDGE ([wmckimm@windstream.net](mailto:wmckimm@windstream.net))" <[wmckimm@windstream.net](mailto:wmckimm@windstream.net)>, "WILLIAM STOREY ([wstorey@fayetteville-ar.gov](mailto:wstorey@fayetteville-ar.gov))" <[wstorey@fayetteville-ar.gov](mailto:wstorey@fayetteville-ar.gov)>, "WREN AUTREY ([lwautrey@cs.com](mailto:lwautrey@cs.com))" <[lwautrey@cs.com](mailto:lwautrey@cs.com)>  
Cc: Larry Brady <[Larry.Brady@arkansas.gov](mailto:Larry.Brady@arkansas.gov)>  
Subject: District Court Administrative Plans

Judge:

Just a reminder that District Court Administrative Plans are due July 1, 2015.

Forward your plan to your administrative circuit judge who will submit it to the Supreme Court. You don't send your plan directly to me.

Circuit court administrative plans are to be submitted by July 1, of the year following the year of circuit judge elections. Though the requirement for district court administrative plans is new, AO14 has consistently been interpreted in the past to require submission of Administrative Plans every two years. This is because somewhere in the state there is a circuit judgeship up for election each two year election cycle. A complete new plan is not required; if nothing has changed, just change the date and submit the existing plan as the current plan. All district judges, unlike circuit judges, are elected every four years. This was an accommodation in Amendment 80. Those four year terms do not affect the submission date for the administrative plan

This email is sent to all district judges, however, there will be some judges who are not required to submit a plan. Let me know if more information is needed.

See copied portion of Administrative Order No. 18 below.

#### 9. Administrative Plan.

(a) A state district court or a local district court shall prepare an administrative plan when the court operates a specialty court program (see section 10 of this administrative order) or when multiple judges preside in the district or the court has multiple venues in the district. With regard to the latter, the plan shall describe the types of cases assigned to the respective judges and the types of cases heard at the respective sites.

(b) The plan shall be forwarded to the administrative judge of the circuit court and appended to the circuit court's administrative plan for submission to the supreme court. District court plans follow the time lines set out in Administrative Order Number 14. Circuit court administrative plans are to be submitted to the supreme court by July 1 to be effective the following January 1 (see Administrative Order Number 14, section 4). Until a subsequent plan is submitted to and approved, any plan currently in effect shall remain in full force. Judges who are appointed or elected to fill a vacancy shall follow the plan until such time a new plan is required or the original plan is amended. Upon approval, the administrative plan shall be the same as that for the plan's initial adoption.

#### 10. Specialty Dockets or Programs.

If a local district court or a state district court conducts a specialty docket or program, such as "DWI court," "drug court," "mental health court," "veterans court," "Hope court," "smarter sentencing court," and "swift court," the program must be described in the district court's administrative plan and approved by the supreme court. The plan shall (a) describe the program and how it is operated; (b) provide the statutory or legal authority on which it is based; (c) certify that the program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments; (d) describe the program's use of court resources, including without limitation, prosecuting attorneys or public defenders, and the availability of such resources and how they will be provided; and (e) provide the source of funding for the program.

Keith Caviness  
Staff Attorney  
Administrative Office of the Courts  
Justice Building  
625 Marshall Street  
Little Rock, AR 72201  
Tel. 501-682-9400  
Fax 501-682-9410  
[keith.caviness@arkansas.gov](mailto:keith.caviness@arkansas.gov)

**9<sup>th</sup> E. Circuit  
District Court  
Administrative  
Plans**

## IN THE DISTRICT COURT OF CLARK COUNTY, ARKANSAS

Pursuant to the Supreme Court's Administrative Order No. 18

### DISTRICT COURT ADMINISTRATIVE PLAN

Clark County District Court

1. JUDGE: The Clark County District Court is served by one state district judge, Judge Randy L. Hill. The judge serves in the designated departments of the court as follows:

Clark County Sheriff's Office - Arkadelphia, AR  
Arkadelphia Police Department - Arkadelphia, AR  
Gurdon Police Department - Gurdon, AR  
Caddo Valley Police Department - Caddo Valley, AR  
Amity Police Department - Amity, AR

2. COURT: Sessions of court are generally scheduled on:

Clark County Sheriff's Office - 2<sup>nd</sup> and 4<sup>th</sup> Wednesday  
Arkadelphia Police Department - 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays  
Gurdon Police Department - every other month on 3<sup>rd</sup> Thursday morning  
Amity Police Department - every other month on 2<sup>nd</sup> Tuesday morning  
Caddo Valley Police Department - every month on 3<sup>rd</sup> Tuesday  
Civil/Small Claims for entire county - 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 1:00 PM

3. TYPES OF CASES: The following cases are heard at these locations:

Traffic and criminal offenses filed thru the Clark County Sheriff's Office are adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

Traffic and criminal offenses filed thru the Arkadelphia Police Department are adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

All civil and small claims adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

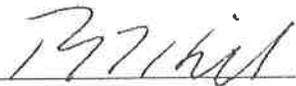
Traffic and criminal offenses filed thru the Amity Police Department are adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

Traffic and criminal offenses filed thru the Gurdon Police Department are adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

Traffic and criminal offenses filed thru the Caddo Valley Police Department are adjudicated in the Clark County District Courtroom in Arkadelphia, AR.

4. SPECIALTY PROGRAMS: The following specialty programs are provided: DWI/DRUG Court each 2<sup>nd</sup> Thursday afternoon of each month at 1:00 PM.
- a. This is a post-adjudication program that is strictly voluntary and allows offenders to be more closely monitored with a tailored review of progress with a goal of recovery.
  - b. The DWI/Drug Court is provided and based on Arkansas Statute 5-4-322.
  - c. Upon completion of the Drug/DWI court program, the probation team will certify the terms of compliance of the offender to the court and they will receive a graduation certificate.
  - d. When court is in session, there are members of the probation team, court staff, prosecuting attorney, public defender, private attorneys and local law enforcement.
  - e. There are no outside sources of funding for the DWI/Drug Court.

DATE: July 1, 2015



Randy L. Hill

**11<sup>th</sup> E. Circuit  
District Court  
Administrative  
Plans**

3-20-1995 7:44AM

FROM

**ADMINISTRATIVE PLAN  
SOUTH ARKANSAS COUNTY DISTRICT COURT  
(Effective January 1, 2015)**

The District Judge for the South Arkansas County District Court purposes the following plan pursuant to Arkansas Supreme Court Administrative Order No. 18:

**ADMINISTRATIVE PLAN**

The Judge shall meet periodically with the District Court Clerk and shall consider case management, administrative procedures, forms, calendars, etc. Any modification of the plan shall be decided by the Judge and shall be submitted for approval. Each year a calendar shall be printed and published indicating the court assignments and court dates.

The South Arkansas County District Court is served by one district judge. The judge serves in the designated departments of the court as follows:

- |                       |                        |                       |
|-----------------------|------------------------|-----------------------|
| B. Park Eldridge, Jr. | DeWitt Department      | DeWitt, Arkansas      |
| B. Park Eldridge, Jr. | Gillett Department     | Gillett, Arkansas     |
| B. Park Eldridge, Jr. | St. Charles Department | St. Charles, Arkansas |

**COURT SESSIONS:** Sessions of the Court are generally scheduled as follows:

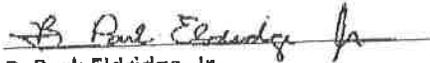
- |                         |                                    |
|-------------------------|------------------------------------|
| DeWitt Department:      | 1st and 3rd Tuesday of each Month. |
| Gillett Department:     | 1st Tuesday of each Month          |
| St. Charles Department: | 3rd Tuesday of each Month          |

**CASE ALLOCATION**

- |                         |  |
|-------------------------|--|
| DeWitt Department:      | Criminal Cases, Civil Cases, Small Claims, and Traffic Cases                           |
| Gillett Department:     | Criminal Cases and Traffic Cases generated in the City Limits of Gillett, Arkansas.    |
| St. Charles Department: | Criminal Cases and Traffic Cases generated in the City Limits of St. Charles, Arkansas |

**SPECIAL PROGRAMS:** There are no specialty courts in the district.

DATED: 6/29/15

  
B. Park Eldridge, Jr.  
District Court Judge  
South Arkansas County District Court

**11<sup>th</sup> W. Circuit  
District Court  
Administrative  
Plans**

## DISTRICT COURT ADMINISTRATIVE PLAN

District Court, Lincoln County, Arkansas

1. JUDGES: The Lincoln County District Court is served by one local district judge. The judge serves in the designated divisions of the court as follows:

<u>name</u>	Lincoln County	<u>Division #</u>	Lincoln County	<u>city</u>	Star City
<u>name</u>		<u>Division #</u>	Star City	<u>city</u>	Star City
<u>name</u>		<u>Division #</u>	Gould	<u>city</u>	Gould
<u>name</u>		<u>Division #</u>	Grady	<u>city</u>	Grady

2. COURT: Sessions of court are generally scheduled on:

<u>Division #</u>	Lincoln County	<u>city</u>	Star City	<u>days</u>	3 <sup>rd</sup> Wednesday	<u>time</u>	9:00 a.m.
<u>Division #</u>	Star City	<u>city</u>	Star City	<u>days</u>	4 <sup>th</sup> Wednesday	<u>time</u>	9:00 a.m.
<u>Division #</u>	Gould	<u>city</u>	Gould	<u>days</u>	1 <sup>st</sup> Wednesday	<u>time</u>	9:00 a.m.
<u>Division #</u>	Grady	<u>city</u>	Grady	<u>days</u>	1 <sup>st</sup> Wednesday	<u>time</u>	9:00 a.m.

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Division #</u>	Lincoln County	<u>city</u>	Star City	<u>type of cases</u>	traffic / criminal
<u>Division #</u>	Star City	<u>city</u>	Star City	<u>type of cases</u>	traffic /criminal /small claims
<u>Division #</u>	Gould	<u>city</u>	Gould	<u>type cases</u>	traffic / criminal
<u>Division #</u>	Grady	<u>city</u>	Grady	<u>type of cases</u>	traffic / criminal

4. SPECIALTY PROGRAMS: The following specialty programs are provided

NOT APPLICABLE at  
(location(s)).

*(For each program, provide the following information:)*

a. Type of program and description of its operation.

b. Statutory or legal authority on which it is based

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

d. Use of court resources. *[Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*

e. Sources of funding

DATE:

10-8-15

R. V.

arper

*[When completed, the administrative plan should be submitted to the administrative judge of the circuit, and it will be appended to the circuit court's administrative plan for submission to the Supreme Court for its approval. (See Administrative Order Number 18).]*



**KIMBERLY C. BRIDGFORTH**  
DISTRICT JUDGE

**DEBBIE DRAKE**  
DISTRICT CLERK

OFFICE OF THE  
**DISTRICT COURT OF JEFFERSON COUNTY**  
223 East 3rd Avenue • P. O. Box 8747  
Pine Bluff, Arkansas 71611  
Phone (870) 541-4646

July 24, 2015

Honorable Judge Rob Wyatt  
Second Division  
Jefferson County Circuit Court  
101 West Barraque  
Pine Bluff, Arkansas 71601

Dear Judge Wyatt:

Please find enclosed, a copy of the District Court Plan to be incorporated into our Judicial Plan.

This was faxed to the Administrative Office of the Courts on July 27, 2015.

Sincerely,

Kimberly C. Bridgforth  
Jefferson County District Judge

Cc: Mr. Keith Caviness, Staff Attorney  
Administrative Office of the Courts  
Justice Building  
625 Marshall Street  
Little Rock, Arkansas 72201

**IN THE DISTRICT COURT OF JEFFERSON COUNTY, ARKANSAS  
PINE BLUFF DEPARTMENT**

Pursuant to the Supreme Court's Administrative Order No. 18

**DISTRICT COURT ADMINISTRATION PLAN**

Jefferson County District Court, Jefferson County, Arkansas

1. **JUDGE:** The Jefferson County District Court is served by one state District Judge. The Judge serves in the designated departments of the Court as follows:

Kimberly C. Bridgforth	Pine Bluff Department	Pine Bluff, Arkansas
Kimberly C. Bridgforth	Pine Bluff Department	Altheimer, Arkansas
Kimberly C. Bridgforth	Pine Bluff Department	Humphrey, Arkansas
Kimberly C. Bridgforth	Pine Bluff Department	Redfield, Arkansas
Kimberly C. Bridgforth	Pine Bluff Department	Wabaseka, Arkansas
Kimberly C. Bridgforth	Pine Bluff Department	White Hall, Arkansas

2. **COURT:** Sessions of Court are generally scheduled on:

Pine Bluff Department	Monday, Tuesday, Wednesday, Thursday, and Friday
Altheimer Department	Fourth Wednesday each month
Humphrey Department	Second Tuesday every other month (Approved by Humphrey City Council)
Redfield Department	Second Wednesday each month
Wabaseka	Second Tuesday each month
White Hall	First and Third Wednesday each month

Jefferson County District Court  
Administrative Plan Continued

3. TYPES OF CASES: The following cases are heard at these locations:

- Pine Bluff Department Traffic Offenses, Criminal Offenses, Civil and Small Claims Cases and Felony First Appearances
- Altheimer Department Traffic and Criminal Cases that occur within Altheimer, AR
- Humphrey Department Traffic and Criminal Cases that occur within Humphrey, AR
- Redfield Department Traffic and Criminal Cases that occur within Redfield, AR
- Wabbaseka Department Traffic and Criminal Cases that occur within Wabbaseka, AR
- White Hall Department Traffic and Criminal Cases that occur within White Hall, AR

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

DWI Court at Jefferson County District Court, Pine Bluff Department

DWI Court meets with multiple DWI Offenders on a weekly basis. They are tested, Personal issues are addressed along with compliance issues.

DWI Team Members consist of the Judge and Court Personnel, Prosecuting Attorney, Public Defender, Treatment Professionals, and Law Enforcement. Defendants are seen by the Court each Tuesday.

The DWI Court is funded by court budget, personal donations, and the Court Administration of Justice Fund.

VA Court at Jefferson County District Court, Pine Bluff Department

VA Court meets once a month and helps members with personal issues (counseling, Medical, housing, etc.). It is funded by the VA.

DATE: \_\_\_\_\_

7/28/15



Kimberly C. Bridgforth  
Jefferson County District Judge

## INTRODUCTION

Welcome to the Jefferson County District Court-D.W.I. Court. The Jefferson County District Court-D.W.I. Court is a 12-month post adjudication program designed primarily for people who have incurred multiple drunk driving offenses. You enter the program by pleading guilty and being sentenced to D.W.I. Court. You will receive little or no jail time then, but the maximum jail time may be imposed if you fail in the program and you can be billed for the cost of your incarceration in addition to the fine, costs, restitution, cost of counseling/treatment and probation monitoring. Arkansas Driver Control imposes drivers' license sanctions.

For a person to be eligible, they cannot have a history of violent crimes or sexual offenses, they must reside within Jefferson County, they cannot have any other pending charges and the Prosecuting Attorney must have no objections to their candidacy.

This handbook is provided to help you understand the services the Program provides, the Program's rules, expectations of behavior and your rights as a recipient of substance abuse services. If you have any questions concerning the Program, or need clarification on any of the items found in this handbook, please feel free to contact your assigned counselor, probation officer or Court staff.

During your participation in this program, you are expected to:

**REFRAIN FROM ALL USE OF ALCOHOL AND/OR DRUGS.**

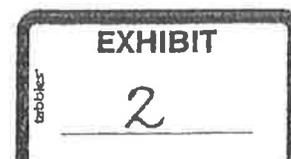
**BE HONEST.** We can work through almost any problem together if you are completely truthful with us.

**NOT COMPLAIN.** This program is about accountability and personal responsibility. Sobriety does not come easy for anyone. Anything in life worth having requires some sacrifice.

**SHOW UP ON TIME FOR APPOINTMENTS, HEARINGS AND TESTING.** Ultimately, this program is about self-respect and respect for others. Show respect for the time of others by appearing on time.

## COST OF THE PROGRAM

A payment plan can be established with the Court until all fines, costs and restitution are paid in full, if applicable. However, you will be expected to pay for breath tests and drug tests/urine screens at the time of testing. Treatment cost will vary depending on your income and the agency providing your treatment. There are also costs associated for probation monitoring that will vary depending on what *Phase* you are in within the program. You will be expected to pay all fees as you progress from one phase to the next.



## TREATMENT

D.W.I. Court participants must undergo a substance abuse assessment before entering the program. The assessment determines the proper level of treatment. There is very little tolerance for missed counseling appointments. If you do not believe you need treatment, you do not belong in D.W.I. Court. The Court will be communicating on a regular basis with your counselor to discuss progress and attendance. The D.W.I. Court reserves the right to modify your treatment to better suit your needs as may be necessary.

## THE D.W.I. COURT TEAM

The key to your success is the TEAM approach. The D.W.I. Court Team consists of the Judge, Prosecutor, Defense Attorney, Probation Officer(s), Law Enforcement, Treatment Providers, D.W.I. Court Graduates, Drug Testing Facilitators, and YOU. You are the main player. The rest of us are here to support you. Each case is reviewed on a regular basis by the team members prior to review hearings:

## REVIEW HEARINGS

Participants in D.W.I. Court are required to attend Review Hearings every one to four weeks. The Judge, Prosecutor, Defense Attorney, Law Enforcement, Probation Officers, Treatment Providers, other D.W.I. Court participants, family members and friends are invited to attend these hour-long hearings. The Judge will review your progress with your treatment providers and your probation officer, and determine what rewards, sanctions or adjustments may be appropriate for you.

You are encouraged to ask questions and voice any concerns you may have about your treatment program. You will be given notice of your next report day and the next review hearing. It is your responsibility to keep track of your court dates and testing schedule, as you will have many appointments and meetings to attend, particularly in the early phases.

## REPORT DAYS

D.W.I. Court participants are expected to report to their Probation Officer on their assigned report day and on time. You should come prepared with proof of 12-step meeting attendance and any other verification that is requested. If you have changes in your life such as address, phone number, roommates, employment, etc. you need to inform your Probation Officer of those changes on report day.

## EMPLOYMENT AND/OR SCHOOL

The Judge may require you to obtain/maintain employment or enroll in a vocational/educational program. D.W.I. Court requires that participants without a high school diploma pursue a General Equivalency Diploma (G.E.D.) or complete high school. If you are enrolled in a vocational/educational program, you will be required to attend classes and present documentation of course and/or program completion. Your employment and/or enrollment in an educational program may be verified by the Probation Officer appearing at your place of employment or the educational institution.

If you lose your job while in the program, you will be given a time frame in which to secure other employment. While searching for employment, you may be required to participate in job training or community service.

D.W.I. Court staff will routinely verify your employment and/or educational program through phone contact with the employer or educational institution, through copies of paycheck stubs, grade reports, class attendance records, etc. We strongly encourage you to notify your employer of your participation in the D.W.I. Court Program including required court appearances and treatment sessions.

## PBTs AND URINE SCREENS

D.W.I. Court participants are expected to undergo frequent PBTs, possibly daily, and random urine screens for the first 120 days of the program. Thereafter, testing may decrease depending on your success in the program.

If you miss a PBT or urine screen, it is mandatory that you call your Probation Officer. Missed PBTs or urine screens are considered a positive result and subject to immediate sanction(s), and will be dealt with further at the next Review Hearing.

If you attempt to tamper with a test sample, or engage in any type of falsification of a submitted sample, or seek to have another do so, you will be subject to sanction(s) and/or termination from the program.

**NOTE:** If you believe you may test positive, you should notify your Probation Officer before you test.

**NOTE:** At any time during the program, you may be tested for drugs and/or alcohol at any time by the Probation Officer, Law Enforcement, or a drug testing facility. Testing may include a drug test, breathalyzer, or any other form of testing deemed appropriate.

## REWARDS & SANCTIONS

In order to help encourage positive change, the program will utilize rewards and sanctions. This may include time spent in phases, increased or decreased appearances in court, and the imposition or suspension of community service, Electronic home detention and jail time.

## TERMINATION

You may be terminated from the program for a variety of reasons including:

- You petition the Court for voluntary termination;
- You exhibit violent behavior or threats of violent behavior toward yourself or others;
- You display inappropriate, disruptive or non-compliant behavior;
- You refuse to satisfactorily participate in program requirements;
- You are charged with another criminal offense;
- You fail to appear for review hearings or report days;
- Repeated violation of program rules;
- Repeated dilute, missed or positive drug screens/PBT's.

## RESIDENCE

In order to participate in D.W.I. Court, you must be a resident of Jefferson County. Your place of residence must be verified. If you attempt to falsify your place of residence, you may be subject to sanction(s) and/or termination from the program. You may not leave the area without obtaining permission from the D.W.I. Court Team or your Probation Officer.

Your Probation Officer may appear at your place of residence at any time of the day or night to conduct a drug and/or alcohol test on you. As part of your participation in D.W.I. Court, you agree to allow the officer to conduct the test. If you are not present at your residence, and you are not working or at school, or do not otherwise have a legitimate, verifiable reason for not being home, you may be subject to sanction(s) and/or termination from the program.

## D.W.I. COURT PROGRAM DESCRIPTION

Listed below are the general requirements for each phase. Please keep in mind that each participant in the D.W.I. Court program has different needs: You may be required to participate in one or more activities that are not on this list. Ultimately the D.W.I. Team will determine what program best fits your individual needs.

### PHASE I

- Frequent, possibly daily, PBTs for a least 90 days.
- Weekly random urine drug/alcohol screens (1 to 3 times per week).
- Contact with Probation Officer a minimum of twice per week.
- Maintain a personal log/diary daily.
- Review Hearing attendance at least once per week.
- 90 A.A./N.A. meetings within 90 days (one per day) followed by a minimum of 3 per week, with verification.
- Obtain A.A./N.A. sponsor with verification and actively work a 12-step program.
- Meet with Treatment Provider, enroll in counseling as recommended by substance abuse assessment, with verification, no unexcused absences.
- Random home/employer visits by Probation/Law Enforcement.
- Regular payments toward fines/costs
- Minimum of 90 days sobriety to move to *Phase II*.

### PHASE II

- Random PBTs
- Random urine drug/alcohol screens (minimum once per week).
- Contact with probation officer minimum of once per week.
- Review Hearing attendance at least once every two weeks.
- Attendance at a minimum of (3) three 12-Step meetings per week with verification.
- Random home visits by Probation/Law Enforcement.
- Continued recommended treatment sessions with treatment provider.
- Continued compliance with payment schedule. A minimum of half fines and costs must be paid prior to moving into *Phase III*.

### PHASE III

- Random PBTs.
- Random urine screens (minimum 2 times per month).
- Contact with Probation Officer minimum once every 2 weeks.
- Review Hearings attendance every 2 weeks.
- Continued participation at 12-Step meetings with verification (minimum of two (2) per week).
- Random home visits by Probation/Law Enforcement.
- Fines and costs paid in full.
- Written narrative describing lifestyle changes.
- Continued recommended treatment sessions with treatment provider.
- Complete Community Service before moving to *Phase IV*.

### PHASE IV

- Random PBTs.
- Random urine screens (minimum once per month).
- Contact with Probation Officer minimum once per month.
- Review Hearing attendance at least once per month.
- Continued treatment/counseling & 12 step meeting medal/plaque.

### GRADUATION

You will be eligible for graduation from the program when each of the following conditions have been met:

- You successfully complete each phase of the program (minimum 12 months);
- You have demonstrated sobriety for at least 120 consecutive days;  
&
- The D.W.I. Court Team determines you are suitable for graduation.

## CONFIDENTIALITY

Federal law requires that drug court participants' identities and privacy be protected. In response to these regulations, the D.W.I. Court has developed policies and procedures that guard your privacy. Upon entry into D.W.I. Court, you will be asked to sign a *Consent for Disclosure and Exchange of Confidential Substance Abuse and Mental Health Information*. This disclosure of information gives the D.W.I. Court permission to obtain prior and current substance abuse treatment information and allows the D.W.I. Court teams to discuss your progress. You will be expected to allow the Teams' access to medical and other records of care and services (as necessary, and with your full knowledge) that may impact your participation in the program.

## D.W.I. COURT RULES OF ETIQUETTE

Here is a listing of rules regarding conduct from each participant for when appearing before the D.W.I. Court Team:

- Be quiet in Court and when it is your turn to talk to the Judge, call her "Judge" or "Your Honor".
- Turn off your cell phone.
- No chewing gum.
- Dress appropriately for court: a shirt or blouse, pants, dress or skirt of reasonable length; shoes must be worn at all times; clothing bearing violent, racist, sexist, drug or alcohol-related themes or promoting or advertising alcohol or drug use is considered inappropriate. No shorts, no gang attire, no tank tops or halter tops.
- No hats.
- Be prepared! Have any reports regarding A.A./N.A. meetings, diary, proof of employment, etc... with you.
- Most importantly, be on time! A pattern of late arrivals may result in a sanction.

Important telephone numbers:

Jefferson County District Court.....(870) 541-4646  
Protract Development (probation supervision).....(870) 850-6843  
Alcoholics Anonymous (Grace Episcopal Church).....(870) 535-3852  
Family Service Agency..... (501) 372.4242

If you have any questions or concerns at any time, call one of the numbers above. You have many people supporting your efforts to succeed in this program. Your success is our success!



# MEMORANDUM OF UNDERSTANDING

between

Central Arkansas Veterans Healthcare System (CAVHS)

and

Dept. of Veterans Affairs Regional Office (VARO)

and

Jefferson County District Courts, Division I and II

**Background:** Each year many Veterans are charged with misdemeanor offenses in Jefferson County, Arkansas. Many of these Veterans have medical, mental health, substance abuse and other problems, including those which are related to their military service. These Veterans are often unable to access rehabilitative services except through the Department of Veterans Affairs (VA). The Jefferson County District Courts, Division I and II, have agreed to establish a Veterans Treatment Court with the VA to divert select members of the Veteran population, who are charged with qualifying offenses, and who have underlying substance abuse, or a co-occurring substance abuse and mental health issues, away from jail and into appropriate rehabilitative programs. The Veterans Treatment court will operate as an exceptional sub-set of the existing Jefferson County District Courts, Division I and II.

**Purpose :** The purpose of this Memorandum of Understanding (MOU) between Central Arkansas Veterans Healthcare System (CAVHS), the Dept. of Veterans Affairs Regional Office (VARO) and the Jefferson County District Courts, Division I and II, is to establish the Jefferson County Veterans Treatment Court (VTC). This VTC will provide the opportunity for interested Veterans to be diverted from jail and into appropriate rehabilitative services. It is the mission of the VTC program to promote recovery and rehabilitation from addiction, to provide reasonable access to appropriate mental health services, to reduce recidivism from criminal activity, and to return and reintegrate the offender to productive functioning within the community.

**Parties to this MOU agree as follows:**

1. The VTC will include representatives from the Jefferson County District Courts, Division I and II, the Pine Bluff City Attorney, Jefferson County Prosecutor's Office, Jefferson County Public Defender's Office, District Court Probation Office, the Department of Veterans Affairs Regional Office (VARO) (by telephone or special request), the Veterans Treatment Court Mentor Program, and the Central Arkansas Veterans Healthcare System (CAVHS).
2. Current qualifying misdemeanor criminal charges.
3. The VTC is a voluntary program, which requires Veterans charged with qualifying offenses to agree to participation, in writing, prior to entry into the VTC.

J.B



4. The VTC will provide all necessary participation forms. This will include a release of information form which will allow communication between the VA and the court regarding the participating Veterans' treatment, criminal history and charges and other specified information. The parties understand and agree that only the information specified on the release of information signed by the Veteran can be discussed as it relates to the Veterans participation in the VTC. The parties understand and agree that if the consent to release information is revoked by the Veteran/defendant, at any time, the VA will be unable to provide any information to the VTC pursuant to federal privacy laws.
5. The CAVHS will provide a Veterans Treatment Court Liaison whose responsibilities will include:
  - a. Obtain and scan into the VA's Computerized Patient Record System (CPRS) consents for Release of information between the VA and the VTC for each Veteran/defendant and verifying validity of the same prior to any disclosure.
  - b. Appear at the VTC docket on a monthly basis to respond to court inquires and assist with scheduling of treatment appointments.
  - c. Provide treatment plans and status to VTC on a regular basis.
  - d. Assist in the assessment and treatment planning and placement for Veteran/defendants.
  - e. Provide assistance with VA enrollment and eligibility determinations.
6. The VARO will provide one Veterans Treatment Court Liaison whose responsibilities shall include:
  - a. Obtain and file consents for Release of Information between the VARO and the VTC on behalf of each Veteran/defendant and verify eligibility of said claims prior to any disclosure.
  - b. Appear at the VTC docket , or be available by telephone on an as needed basis.
  - c. Provide assistance to Veterans/defendants regarding VA benefits and program eligibility determinations as needed.
7. The CAVHS agrees to adopt the treatment recommendations proposed by the VTC on a regular basis as long as the treatment is consistent with the CAVHS's standard of care. If the CAVHS is unwilling to adopt the treatment recommendation proposed by the VTC, the parties shall attempt to reach an agreement as to the proposed level of treatment to be provided by the CAVHS; however, in the absence of such an agreement, the VTC will seek alternative treatment options existing within the community.
8. The parties understand and agree that the CAVHS may provide an assessment of a Veteran/defendant in the case that the VTC evaluator is unable to do so; however, under no circumstances can the VA provide treatment to a Veteran/defendant while the Veteran/defendant is in custody. Pursuant to 38 U.S.C. § 1717(h); 38 C.F.R. § 17.38(c) (5), VA will not furnish hospital and outpatient care to a Veteran-defendant who is an inmate of an institution of another governmental agency if that agency has the duty to give the care and services.

9. The VTC agrees that the referral for treatment shall be general as to the level of treatment and it is within the discretion of the CAVHS to develop a specific treatment plan for each Veteran/defendant. The VA shall provide treatment to the degree and duration needed in accordance with the CAVHS standard of care.
10. The parties understand and agree that the CAVHS may only provide treatment through programs and services the CAVHS has available and to which a Veteran is eligible and entitled to receive under federal law. Also, that the CAVHS may be limited in its treatment options due to budget and availability of providers.
11. The parties understand and agree that Veteran/defendants participating in the VTC program may not receive priority over Veterans who are not participating in the VTC.
12. The Veterans Treatment Court Mentor Program will be the responsibility of the Jefferson County District Courts, Division I and II.
13. CAVHS's authority to pay for care for a Veteran/defendant at non-VA facilities is limited to those specific situations as set forth in 38 U.S.C. § 1703.
14. In order to assist in treatment planning, the VTC agrees to provide the VA with the Veteran/defendant's criminal history and current charges at the time of referral to the VA .
15. The parties shall not make any statements, representations or commitments of any kind, to bind another party except as expressly provided herein or otherwise agreed to by the parties in writing.

**Confidentiality of Identifiable Health Information:**

- A. Medical Records produced or maintained by the VA shall be and remain the property of the VA and shall not be removed or transferred from the VA except in accordance with 5 U.S.C. § 552a (Privacy Act), 38 U.S.C. § 5701 (Confidentiality of Claimants Records), 5 U.S.C. § 552 (Freedom of Information Act), 38 U.S.C. § 5705 (Confidentiality of Medical Quality Assurance Records), 38 U.S.C. § 7332 (Confidentiality of Certain Medical Records) and federal laws, rules and regulations. Subject to applicable federal confidentiality and privacy laws, Veteran/defendant's and their properly designated representatives, the VTC designated representatives , and designated representative of the federal regulatory agencies with jurisdiction, upon written request, may, during normal business hours have access to the Veteran/defendant's information from the VA records.

All individually identifiable health information shall be treated as confidential by the parties in accordance with all applicable federal, state, and local laws, rules and regulations governing the confidentiality and privacy of individually identifiable health information, including, but without limitation, the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

B. Mutual Responsibility Regarding Use of Disclosure of Contractor's responsibilities Regarding Use and Disclosure of Protected Health Information (PHI) as defined in 45 CFR § 160.103 or Electronic Protected Health Information (E PHI)

(1) **General:** The parties agree to be bound by all applicable Federal and State of Arkansas licensing authorities' laws, rules and regulations regarding records and governmental records, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, the HIPAA regulations (codified at 45 CFR Parts 160 and 164). Where federal law conflicts with State of Arkansas Law, federal law prevails.

(2) **Representations:** Each party represents that it is familiar with the Privacy and Security Requirements and with Federal and Arkansas requirements governing information relating to HIV/AIDS, mental health, and drugs and alcohol treatment or referral.

(3) **Specific:** Each party agrees to:

- a. Nondisclosure of PHI: Not to use or disclose PHI received from the other party or created, compiled, or used by the other party pursuant to this Agreement other than as permitted or required by this Agreement, or as otherwise required by law.
- b. Limitation on Further Use or Disclosure: Not to further use or disclose PHI received from the other party or created, compiled, or used by the other party pursuant to this Agreement in a manner that would be prohibited by the Privacy and Security Requirements if disclosure was made by another party, or if either party is otherwise prohibited from making such disclosure by any present or future Arkansas or Federal law, regulation, or rule.
- c. Safeguarding PHI: To use appropriate safeguards to prevent use or disclosure of PHI other than as provided for by this Agreement or as required by Arkansas or Federal law, regulation or rule.
- d. Reporting Unauthorized Disclosures: To report to the other party any use or disclosure of PHI that is not authorized by this Agreement immediately upon becoming aware of such unauthorized use of disclosure.

- e. Safeguarding EPHI: To implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of EPHI.
- f. EPHI Subcontractors and Agents: To ensure that any agent to whom the party provides EPHI, including a subcontractor, agrees to implement reasonable and appropriate safeguards to protect such EPHI.
- g. Reporting EPHI Incidents: To report to the other party any security incident.
- h. Subcontractors and Agents: To make all reasonable efforts to ensure that any subcontractor or agent, to whom, a party provides PHI pursuant to this Agreement, agrees to the same restrictions and conditions that apply to the party with respect to such PHI.
- i. Mitigation: To mitigate, to the extent practicable, any harmful effect that is known to the party of a use or disclosure of PHI or EPHI by the party or by its subcontractor or agent resulting from a violation of this agreement.
- j. Notice-Access by Individual: To notify the other party in writing of any request by an individual for access to the individual's PHI and, upon receipt of such a request, provide access to the degree required or permitted by law, or, if the other party maintains the requested records, to direct the individual to the other party for access to the individual's PHI.
- k. Notice-Request for Amendment: To notify the other party in writing of any request by an individual for amendment to the individual's PHI and, upon receipt of such request from the individual, make such amendments as required or permitted by law, or if the other party maintains the records, to direct the individual to the other party to request amendment of the individual's PHI.
- l. Notice-Request for Accounting: Upon receipt of any request from an individual for an accounting of disclosures made of the individual's PHI, to provide such an accounting as required or permitted by law, and to notify the other party in writing of any such request; or if the other party maintains the records, direct the individual to the other party for an accounting of the disclosures of the individual's PHI. Pursuant to 45 CFR 164.528(a) an individual has a right to receive an accounting of certain disclosures of PHI in the six years prior to the date on which the accounting is requested.
- m. Document of Disclosures: To document disclosure of PHI and information related to such disclosures as is necessary for either party to respond to a request by an individual

for an accounting of disclosures of PHI in accordance with 45 CFR § 164.528, as amended.

- n. **Termination Procedures:** Upon termination of this agreement for any reason, to transfer to the other party the PHI received from the other party or created, compiled, or used for the other party pursuant to this Agreement, or, is specially requested to do so by other party in writing, destroy all PHI of the other party. If a party determines that transferring or destroying the PHI is infeasible, the party shall: (i) provide to the requesting party a notification of the conditions that make transfer or destruction infeasible; (ii) extend the protections of this agreement to such PHI; and (iii) limit any further uses and disclosures of such PHI to those purposes that make infeasible the return, or transfer, or destruction.
- o. **Notice-Termination:** Upon written notice to the other party, a party may terminate any portion of this agreement under which the other party maintains, compiles, or has access to PHI or EPHI. Additionally, upon written notice, a party may terminate the entire agreement if it determines that the other party has repeatedly violated a Privacy or Security Requirement.
- p. **Survival of Privacy Provisions:** obligations with regard to PHI and EPHI shall survive termination of this Agreement.
- q. **Amendment Related to Privacy and Security Requirements:** The parties agree to take such action as is necessary to amend this agreement if necessary to comply with the Privacy and Security requirements, or any other law or regulation effecting the use or disclosure of PHI or EPHI. Any ambiguity in this Agreement shall be resolved to permit the parties to comply with applicable Federal and Arkansas law.

Independent Contractors and Sub-contractors: For the purposes of this MOU, the relationship of the parties shall not be construed or interpreted to be a partnership, association, joint venture, or agency. The relationship of the parties is an independent contractor relationship and not agents, representatives, or employees of the other party. No party shall have the authority to make any statements, representations, or commitments of any kind or to take action that shall be binding on another party, except as may be expressly provided for herein or authorized in writing.

Liability: Each party shall retain the rights and remedies available under applicable Federal and State laws. Each party shall be responsible and liable for the errors and omissions of their employees, agents and representatives. VA employees performing under this MOU are covered by the Federal Tort Claims Act and do not carry separate insurance.

Modifications: This agreement may require future modifications. Any party may propose changes to this MOU during its term. All modifications shall be in writing and except for cancellations have the written consent of all parties. Changes shall be in the form of an amendment and shall become effective upon signature by all of the parties. Only those individuals signing below may approve binding modifications to this agreement.

Notices: Any notices required or resulting from this MOU shall be in writing and made to the following:

Dr. Margie Scott, Acting Director  
Central Arkansas Veterans Healthcare System  
2200 Ft. Roots Dr.  
North Little Rock, AR 72114

Lisa C. Breun, Director  
Dept. of Veterans Affairs Regional Office  
2200 Ft. Roots Dr., Building 65  
North Little Rock, AR 72114

Honorable Judge Kim Bridgforth, Division I  
Jefferson County District Court, Division I  
200 East 8<sup>th</sup> Street  
Pine Bluff, AR 71601

Honorable Judge John Kearney, Division II  
Jefferson County District Court, Division II  
200 East 8th Street  
Pine Bluff, AR 71601

Terms of Agreement: The term of this MOU is one (1) year commencing on October 21, 2014 2014. Thereafter, for all parties who do not opt out by written notification to all parties, it will automatically renew for consecutive one (1) year terms commencing on the anniversary date, of each year until amended. Any party may terminate its participation in this MOU at any time by providing written notice to all other parties not less than thirty (30) days prior to the effective date of such termination. If a party terminates its participation in the MOU, the parties agree to honor any and all agreements entered into with participating Veteran/defendants until the conclusion of their criminal case.

IN WITNESS WHEREOF, this instrument has been executed on behalf of the Central Arkansas Veterans Healthcare System, the Department of Veterans Affairs Regional Office, and the

Jefferson County District Courts, Division I and II, by a duly authorized representative of the same:

Accepted for Central Arkansas Veterans Healthcare System:

\_\_\_\_\_  
Dr. Margie Scott, Acting Director

\_\_\_\_\_  
Date

Accepted for the Dept of Veterans Affairs Regional Office:

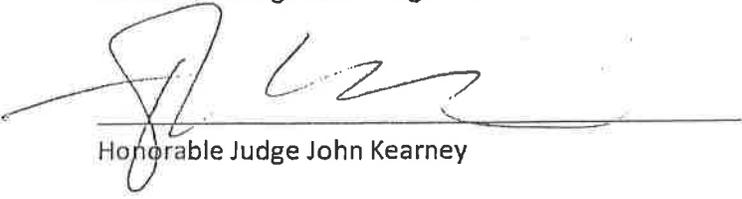
\_\_\_\_\_  
Lisa Breun, Director

\_\_\_\_\_  
Date

Accepted for Jefferson County District Court, Division I and II:

\_\_\_\_\_  
Honorable Judge Kim Bridgforth

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Honorable Judge John Kearney

\_\_\_\_\_  
Date

10-27-14

**12<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**DISTRICT COURT OF SEBASTIAN COUNTY FORT SMITH DIVISION  
ADMINISTRATIVE PLAN**

1. JUDGES: The Fort Smith District Court is served by three state district judges. The judges are, for election purposes, designated by divisions of the court as follows:

David P. Saxon	Division # 1	Fort Smith, AR.
Ben Beland	Division # 2	Fort Smith, AR.
Claire Borengasser	Division # 3	Fort Smith, AR.

2. COURT: The Fort Smith District Court has three designated divisions, city, state and civil/small claims. Each of the three judges presides over one of the divisions on a specific day:

City Division	4 days a week	M, T, W, Th	9:00 am to noon & 1:30 pm to end
State Division	3 days a week	M, T, Th	9:00 am to noon & 1:30 pm to end
Civil	1 day a week	W	9:00 am to end
Small Claims	1 <sup>st</sup> and 3 <sup>rd</sup> week of the month	W	1:30 pm to end

\* See judges schedule attached as #1

3. TYPES OF CASES: The following cases are heard in these sessions:

City Division	City of Fort Smith	misdemeanors filed by the City of Fort Smith Fort Smith Prosecuting Attorney, traffic, city ordinances, environmental code enforcement
State Division	Sebastian County	misdemeanors filed by the Sebastian County Prosecuting Attorney, traffic issued by county officers, domestic battery cases, all drug cases, all charges of a sexual nature filed by the county prosecuting attorney are handled in the state division of district court. The district court conducts first appearances and preliminary hearings in felony cases filed by the county prosecuting attorney

with the exception of those filed directly to circuit court. The former is the general rule.

In addition, to comply with Riverside County, California v. McLaughlin and Rule 8.1, *et seq*, of the Arkansas Rules of Criminal Procedure, on Saturday of each week, one of the six circuit court judges or four district judges conducts a review of all arrests made with the last 72 hours to determine if probable cause existed for the arrest and to set bonds if established or release if no probable cause existed for the arrest. This process is adjusted for extended holiday periods.

Small Claims/Civil Division	Fort Smith District of Sebastian County	Small claims up to \$5000.00
		Civil cases up to \$25,000.00 Jurisdiction per Adm. Order #18

The Small Claims Division has experienced an increase in the number of civil evictions over the past few years. Sixty-eight (68) evictions were processed from June 25, 2012 through December 2012. One hundred forty eight (148) processed in 2013, two hundred thirteen (213) in 2014 and one hundred eight processed from January 1, 2015 through May 29, 2015. Landlords have opted to use the Affidavit of eviction through the court rather than obtaining a Notice to Quit through the sheriff's office.

The Affidavit of Eviction process is very effective and less time consuming because the court, after processing the request and preparing the Order to Vacate or Show Cause, schedules the matter for hearing within 10 days of the filing of the order whereas the Notice to Quit process requires 10 day notice at the end of which, if the renter has not moved, the landlord must file an affidavit with the prosecuting attorney, who must ask that a warrant or summons be issued by the court, the defendant must be arrested, arraigned, set for trial and tried. The latter process can take three to four times longer than the Affidavit of Eviction process.

4. **SPECIALTY PROGRAMS:** The following specialty programs are provided:

Environmental/Code Enforcement Court is a part of the city division of the Court.

a. The environmental court is tasked with the enforcement of the city's property maintenance code which applies to the maintenance of all commercial and residential structures. The code covers such areas as plumbing, mechanical and electrical, safety, exterior and interior condition of a structure, accumulation of rubbish and garbage, etc. The Court is also tasked with the enforcement of the city's regulations for the parking of commercial vehicles on residential streets and properties. Also included is the enforcement of parking regulations as they pertain to residential parking.

**IN THE SIXTH JUDICIAL DISTRICT COURT OF SEBASTIAN, COUNTY  
ARKANSAS  
GREENWOOD DISTRICT**

Pursuant to the Supreme Court's Administrative Order

SEBASTIAN COUNTY  
DISTRICT COURT  
FEB 25 2015  
4:45 PM  
GREENWOOD  
DIVISION

**DISTRICT COURT ADMINISTRATIVE PLAN**

Greenwood District, Sebastian County, Arkansas

1. JUDGE: The Sixth Judicial District Court, Greenwood District is served by one state district judge. The judge serves in the designated departments of the court as follows:

Michael Wagoner	Greenwood Department	Greenwood, Arkansas
Michael Wagoner	Barling Department	Barling, Arkansas
Michael Wagoner	Central City Department	Central City, Arkansas

2. COURT: Sessions of court are generally scheduled on:

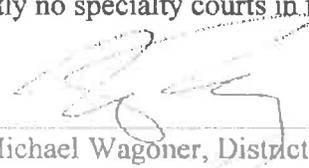
Greenwood Department	Monday, Wednesday, Thursday
Barling Department	First and third Friday of each month
Central City Department	Fourth Tuesday of each month

3. TYPES OF CASES: The following cases are heard at these locations:

Greenwood Department	traffic offenses, criminal offenses, small claims cases, and civil cases.
Barling Department	traffic offenses and criminal offenses that occur within Barling.
Central City Department	traffic offenses and criminal offenses that occur within Central City.

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

Date: 2-25-2015

  
Michael Wagoner, District Court Judge

b. The International Property Code 2003 edition was adopted by city Ordinance 48-04, 2007 and is codified in Chapter 6 section 6-401, Fort Smith Municipal Code. The parking regulations were adopted by the City in Ordinance 28-08 and codified in Chapter 14 of the Fort Smith Municipal Code.

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

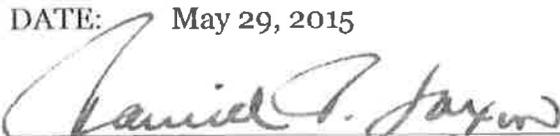
d. The sessions of this court are held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month. The sessions begin at 9:00 a.m. and adjourn when the docket has been completed. The City is represented by the city prosecutor.

\* See attached Court schedule #2

e. Sources of funding. N/A

5. The District Court of Sebastian County, Fort Smith Division, except for first appearances and preliminary hearings as discussed in paragraph three above, has not been requested to provide any support to the Sebastian County Circuit Court.

DATE: May 29, 2015

  
\_\_\_\_\_  
DAVID P. SAXON

  
\_\_\_\_\_  
BEN BELAND

  
\_\_\_\_\_  
CLAIRE BORENGASSER

**13<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**IN THE 34TH STATE DISTRICT COURT  
CALHOUN, CLEVELAND AND DALLAS COUNTIES, ARKANSAS**

Pursuant to the Supreme Court's Administrative Order No. 18

**DISTRICT COURT ADMINISTRATIVE PLAN**

34th State District Court, Calhoun, Cleveland and Dallas Counties, Arkansas

1. JUDGE: The 34th State District Court is served by one state district judge. The judge serves in the designated departments of the court as follows:

Ronnie A. Phillips	Fordyce Department	Fordyce, Arkansas
Ronnie A. Phillips	Hampton Department	Hampton, Arkansas
Ronnie A. Phillips	Rison Department	Rison, Arkansas
Ronnie A. Phillips	Sparkman Department	Sparkman, Arkansas

2. COURT: Sessions of court are generally scheduled on:

Fordyce Department	Second and fourth Thursday of each month
Hampton Department	Second and fourth Tuesday of each month
Rison Department	First and Third Wednesday of each month
Sparkman Department	Third Tuesday of each month
All Departments	Mondays and Fridays are reserved for special hearings and trials

3. TYPES OF CASES: The following cases are heard at these locations:

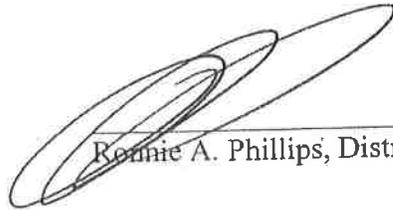
Fordyce Department	traffic offenses, criminal offenses, small claims cases, and civil cases.
Hampton Department	traffic offenses, criminal offenses, small claims cases, and civil cases.
Rison Department	traffic offenses, criminal offenses, small claims cases, and civil cases.

Sparkman Department

traffic offenses, criminal offenses, small claims cases, and civil cases.

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

Date: June 23, 2015

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Rennie A. Phillips, District Court Judge

# IN THE DISTRICT COURT OF COLUMBIA COUNTY ARKANSAS

Pursuant to the Supreme Court's Administrative Order No. 18

## DISTRICT COURT ADMINISTRATIVE PLAN

District Court, Columbia County, Arkansas

1. JUDGE: The Columbia County Court is served by one district judge. The judge serves in the designated divisions of the court as follows:

Michael G. Epley	County Division	Magnolia, Arkansas
Michael G. Epley	Magnolia Division	Magnolia, Arkansas
Michael G. Epley	Waldo Division	Waldo, Arkansas

2. COURT: Sessions of court are generally scheduled on:

County Division	Each Tuesday at 1:30 PM
Magnolia Division	Each Tuesday at 9:00 AM
Waldo Division	2 <sup>nd</sup> Wednesday each month at 1:30 PM
Civil & Small Claims	2 <sup>nd</sup> Wednesday each month at 9:00 AM

3. TYPES OF CASES: The following cases are heard at these locations:

County Division	Traffic offenses and criminal offenses that occur within Columbia County but outside Magnolia and Waldo.
Magnolia Division	Traffic offenses and criminal offenses that occur within Magnolia
Waldo Division	Traffic offenses and criminal offenses that occur within Waldo.
Civil & Small Claims	All civil and small claims cases

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

Date:

7-28-15

  
Michael G. Epley, District Court Judge

**IN THE DISTRICT COURT OF OUACHITA, COUNTY ARKANSAS  
OUACHITA COUNTY DISTRICT DIVISION 2**

**Pursuant to the Supreme Court's Administrative Order No. 18**

**OUACHITA COUNTY DISTRICT COURT DIISION 2 ADMINISTRATIVE PLAN**

1. JUDGES: The Ouachita County # 2 District Court is served by one district judge(s). The judge(s) serve(s) in the designated (departments)(and/or)(divisions) of the court as follows:

<u>Dan Ives</u>	<u>Division #</u>	2	East Camden
Dan Ives	Division #	2	Bearden
Dan Ives	Division #	2	Stephens
Dan Ives	Division #	2	Chidester

2. COURT: Sessions of court are generally scheduled on:

<u>Division # 2</u>	<u>East Camden</u>	<u>3<sup>rd</sup> Monday</u>	<u>3:00 p.m.</u>
<u>Division # 2</u>	<u>Bearden</u>	<u>3<sup>rd</sup> Thursday</u>	<u>3:00 p.m.</u>
<u>Division #2</u>	<u>Stephens</u>	<u>3<sup>rd</sup> Wednesday</u>	<u>9:30 a.m.</u>
Division # 2	Chidester	3 <sup>rd</sup> Monday	9:30 a.m.

3. TYPES OF CASES: The following cases are heard at these locations:

Division # 2	East Camden	Traffic offenses, and criminal offenses that occur within East Camden
Division # 2	Bearden	Traffic offenses, and criminal offenses that occur within Bearden
Division #2	Stephens	Traffic offenses, and criminal offenses that occur within Stephens
Division # 2	Chidester	Traffic offenses, and criminal offenses that occur within Chidester

4. SPECIALTY PROGRAMS: There are currently no specialty courts in Division 2.

DATE: June 30, 2015

  
Daniel D. Ives. Ouachita County District Court Division 2

*[When completed, the administrative plan should be submitted to the administrative judge of the circuit, and it will be appended to the circuit court's administrative plan for submission to the Supreme Court for its approval. (See Administrative Order Number 18)]*

**14<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

# BAXTER COUNTY DISTRICT COURT



301 E. Sixth Street, Suite 130  
Mountain Home, Arkansas 72653  
Office: (870) 425-3140  
FAX: (870) 425-8470  
Email: [judge@cityofmountainhome.com](mailto:judge@cityofmountainhome.com)

**Van Gearhart**  
District Judge

**Kim Vinson**  
Chief Clerk

May 12, 2015

## **District Court Of Baxter County, Arkansas**

### **Administrative Plan**

Pursuant to Administrative Order Number 18, Section 9, the District Court of Baxter County, Arkansas hereby submits the following Administrative Plan:

### **State District Judge**

Van A. Gearhart is the elected State District Judge of the District Court of Baxter County.

### **Court Departments**

The Baxter County District Court has 7 Departments:

Mountain Home, Cotter, Gassville, Norfolk, Briarcliff, Salesville and Lakeview.

## District Court Jurisdiction

The jurisdiction of the Baxter County District Court is countywide. The court hears traffic and misdemeanor criminal cases in all Court Departments. The Court also hears Civil and Small Claims cases in the Mountain Home Department. This includes the civil jurisdiction set out in Administrative Order Number 18, Section 6 (a). Circuit Court cases are discussed below.

### Court Sessions

Sessions of Court can vary, but generally are scheduled as follows:

- Monday:** 9 AM: Small Claims trials  
10:30 AM: Prisoner arraignments  
1 PM: Lakeview arraignments and trials on 1<sup>st</sup> Monday of each month  
1 PM: Gassville arraignments on 2<sup>nd</sup> Monday of each month and trials on 4<sup>th</sup> Mondays.  
1 PM: Cotter arraignments and trials on 3<sup>rd</sup> Monday of each month
- Tuesday:** 8:30 AM: City arraignments  
1 PM: City trials and prisoner arraignments
- Wednesday:** 9 AM: Civil trials  
1 PM: Circuit Court Order of Protection hearings  
1 PM: Norfolk & Briarcliff arraignments and trials on 2<sup>nd</sup> Wednesday
- Thursday:** 8:30 AM: County arraignments  
1 PM: County trials and prisoner arraignments
- Friday:** 10 AM and 1 PM: Circuit Court Order of Protection hearings

**Note:** Salesville cases are scheduled on an as needed basis.

Circuit Court uncontested matters are heard in chambers prior to or after Court sessions.

## Circuit Court Cases

Pursuant to the Administrative Plan of the 14<sup>th</sup> Judicial Circuit and Administrative Order Number 18, State District Judge Van A. Gearhart is authorized to hear the following cases:

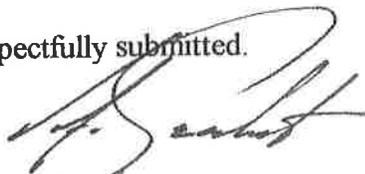
1. Consent jurisdiction. Matters filed in the civil, domestic relations or probate division of Circuit Court upon the consent authorized by Administrative Order 18, Section 6 (b) (1) and Section 6 (d); and
2. Protective Orders. Ark. Code Ann. 9-15-201-217; and
3. Forcible Entry and Detainers and Unlawful Detainer. Ark. Code Ann. 18-60-301-312; and
4. Other Matters. Matters of an emergency or uncontested nature pending in the civil, domestic relations or probate division of Circuit Court including *ex parte* emergency, involuntary commitments, decedent's estate administration, uncontested divorces and defaults under guidelines and procedures set out in the 14<sup>th</sup> Judicial Circuit Administrative Plan; and
5. Criminal Matters. Pursuant to Administrative Order 18, Section 6 (b) (5).

## Compliance with Administrative Order 4

The District Court of Baxter County hereby certifies that it utilizes the digital audio recording equipment and procedures mandated by Administrative Order 4 and the Guidelines issued by the Administrative Office of the Courts.

WHEREFORE, the undersigned agrees to the above Administrative Plan and respectfully petitions the 14<sup>th</sup> Judicial Circuit Judges and the Supreme Court of Arkansas to approve said Plan.

Respectfully submitted.



Van A. Gearhart

State District Judge, Baxter County District Court



## **BOONE COUNTY DISTRICT COURT**

P.O. Box 968  
201 N. MAIN • OLD FEDERAL BLDG.  
HARRISON, ARKANSAS 72602-0968  
PHONE (870) 741-2788  
FAX (870) 741-4329

**FRED KIRKPATRICK**  
JUDGE

**SANDY WRIGHT**  
CHIEF CLERK

**TERESA DIXON**  
CHIEF DEPUTY CLERK  
SMALL CLAIMS/CIVIL

June 15, 2015

### **DISTRICT COURT OF BOONE COUNTY, ARKANSAS**

#### **ADMINISTRATIVE PLAN**

Pursuant to Administrative Order Number 18, Section 9, the District Court of Boone County, Arkansas, hereby submits the following Administrative Plan:

#### **STATE DISTRICT JUDGE**

Fred Kirkpatrick is the elected State District Judge of Boone County.

#### **COURT DEPARTMENTS**

The Boone County District Court has two (2) Departments: Harrison and Alpena.

#### **DISTRICT COURT JURISDICTION**

The jurisdiction of the Boone County District Court is countywide. The Court hears traffic and misdemeanor cases in both Court Departments. The Court also hears Civil and Small Claims cases in the Harrison Department. This includes the Civil jurisdiction set out in Administrative Order Number 18, Section 6 (a). Circuit Court cases are discussed below.

#### **COURT SESSIONS**

Sessions of Court can vary, but generally are scheduled as follows:

Monday: 9:00 a.m. Prisoner 8.1 video first appearances.

10:00 a.m. Small Claims trials and Circuit Court Order of Protection hearings.

1:00 p.m. Circuit Court Order of Protection hearings.

5:00 p.m. Alpena arraignments and trials on the 2<sup>nd</sup> Monday of each Month.

Tuesday: Office day: Judge Deanna S. Evans uses Courtroom.

Wednesday: 9:00 a.m. County trials 1<sup>st</sup>, 3<sup>rd</sup> & 5<sup>th</sup> Wednesdays of each month.  
City trials 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month.

12:00 p.m. DWI Court staffing each Wednesday.

1:30 p.m. Civil trials 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays.

3:30 p.m. DWI Court every Wednesday.

Thursday: 8:30 a.m. County and City arraignments

1:00 p.m. County and City Warrant arraignments

Friday: 10:00 a.m. Civil trials if needed.  
Circuit Court Order of Protection hearings if needed.

Circuit Court uncontested matters are heard in chambers prior to or after Court sessions.

## DWI COURT

In 2012, a special docket was created, as a subdivision of the criminal docket, namely the Boone County DWI Court, a voluntary program which is conducted every Wednesday at 3:30 p.m., with staffing every Wednesday at 12:00 noon. The Boone County DWI Court special docket is geared toward repeat impaired driving offenders, that is, individuals who face a 2<sup>nd</sup> or 3<sup>rd</sup> DWI charge. The Boone County DWI Court is a highly intensive monitoring program combined with treatment and patterned on the Drug Court model.

**Statutory or Legal Authority:** Arkansas Supreme Court Administrative Orders 14 and 18, A.C.A. No. 5-65-103 et seq. and/or A.C.A. No. 16-98-303 et seq. I hereby certify that the Boone County DWI Court operates in compliance with all applicable laws, including fines, court costs, fees and probation assessments.

**Use of Court Resources:** The DWI Court team consists of a Judge, County Prosecutor, two (2) probation officers/case managers, evaluator, treatment providers, coordinator, three (3) law enforcement members, one each from the Harrison Police Department, Boone County Sheriff's Office, and Arkansas State Police. The Public Defender also has input. Team members have attended training programs offered by the National Center for DWI Courts (NCDC) in collaboration with the National Association of Drug Court Professionals (NADCP) and the National Highway Traffic Safety Administration (NHTSA). The Boone County DWI Court was implemented and operates according to NCDC's Ten Guiding Principles and Arkansas Law.

**Source of Funding:** The Boone County DWI Court is funded from the general budgets of the Boone County District Court and the Boone County Probation Department.

### CIRCUIT COURT CASES

Pursuant to the Administrative Plan of the 14<sup>th</sup> Judicial Circuit and Administrative Order Number 18, State District Judge Fred Kirkpatrick is authorized to hear the following cases:

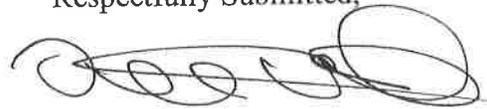
1. Consent Jurisdiction. Matters filed in the Civil, Domestic Relations or Probate Division of Circuit Court upon the consent authorized by Administrative Order 18, Section 6 (b)(1) and Section 6(d); and
2. Protective Orders. A.C.A. 9-15-201-217; and
3. Forcible Entry and Detainers and Unlawful Detainer. A.C.A. 18-60-301-312; and
4. Other Matters. Matters of an emergency or uncontested nature pending in the Civil, Domestic Relations or Probate Division of Circuit Court including *ex parte* emergency, involuntary commitments, decedent's estates administration uncontested divorces and defaults under guidelines and procedures set out in the 14<sup>th</sup> Judicial Circuit Administrative Plan; and
5. Criminal Matters pursuant to Administrative Order Number 18, Section 6(b)(5).

### COMPLIANCE WITH ADMINISTRATIVE ORDER 4

The District Court of Boone County hereby certifies that it utilizes the digital audio recording equipment and procedures mandated by Administrative Order 4 and the Guidelines issued by the Administrative Office of the Courts.

WHEREFORE, the undersigned agrees to the above Administrative Plan and respectfully Petitions the 14<sup>th</sup> Judicial Circuit Judges and the Supreme Court of Arkansas to approve said Plan.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Fred Kirkpatrick", written in a cursive style.

Fred Kirkpatrick  
State District Judge  
Boone County District Court

## **DISTRICT COURT ADMINISTRATIVE PLAN**

Marion County District Court, Marion County, Arkansas

1. **JUDGES:** The Marion County District Court is served by one local district judge. The judge serves in the designated divisions of the court as follows:

Marion County District Court	Yellville
Marion County District Court, Yellville Division	Yellville
Marion County District Court, Flippin Division	Flippin
Marion County District Court, Bull Shoals Division	Bull Shoals

2. **COURT:** Sessions of court are generally scheduled on:

Marion County District Court typically holds court in Yellville on the first four Mondays of each month.

Marion County District Court, Yellville Division, typically holds court in Yellville on the first four Mondays of each month.

Marion County District Court, Flippin Division, typically holds court in Flippin on the fourth Tuesday of each month.

Marion County District Court, Bull Shoals Division, typically holds court in Bull Shoals on the second Tuesday of each month.

3. **TYPES OF CASES:** The following cases are heard at these locations:

Marion County District Court hears criminal, civil and small claims cases at the Yellville location.

Marion County District Court, Yellville Division, hears only criminal cases at the Yellville location.

Marion County District Court, Flippin Division, hears only criminal cases at the Flippin location.

Marion County District Court, Bull Shoals Division, hears only criminal cases at the Bull Shoals location.

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

None.

a. Type of program and description of its operation.

N/A.

b. Statutory or legal authority on which it is based.

N/A.

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

N/A.

d. Use of court resources.

N/A.

e. Sources of funding.

N/A.

  
\_\_\_\_\_  
Jason Duffy, Marion County District Judge

6-24-15  
\_\_\_\_\_  
Date

**15<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**DISTRICT COURT ADMINISTRATIVE PLAN  
CONWAY COUNTY, ARKANSAS**

**Conway County District Court**

**1. JUDGE: The Conway County District Court is served by one local district judge. The judge serves in the designated departments and/or divisions of the court as follows:**

<u>Name</u>	<u>Division #</u>	<u>City</u>
Jeannie L. Denniston	Conway County	Morrilton, AR
Jeannie L. Denniston	City of Morrilton	Morrilton, AR
Jeannie L. Denniston	Town of Oppelo	Oppelo, AR
Jeannie L. Denniston	Town of Menifee	Menifee, AR
Jeannie L. Denniston	Town of Plumerville	Plumerville, AR

**2. COURT: Sessions of Court are generally scheduled on:**

<u>Division #</u>	<u>City</u>	<u>Days</u>	<u>Time</u>
Conway County	Morrilton	2 <sup>nd</sup> Monday	8:30 a.m.
Conway County Civil	Morrilton	1 <sup>st</sup> Tuesday (January, March, May, July, September, November)	1:00 p.m.
City of Morrilton	Morrilton	4 <sup>th</sup> Monday	8:30 a.m.
Town of Oppelo	Oppelo	1 <sup>st</sup> Monday	6:00 p.m.
Town of Menifee	Menifee	2 <sup>nd</sup> Thursday	8:00 a.m.
Town of Plumerville	Plumerville	2 <sup>nd</sup> Thursday	9:00 a.m.

**3. TYPES OF CASES: The following cases are heard at these locations:**

<u>Division #</u>	<u>City</u>	<u>Types of Cases</u>
Conway County	Morrilton	Traffic, Game & Fish, Criminal
Conway County Civil	Morrilton	Small Claims, Civil
City of Morrilton	Morrilton	Traffic, City Ordinances, Criminal
Town of Oppelo	Oppelo	Traffic, Criminal
Town of Menifee	Menifee	Traffic, Criminal
Town of Plumerville	Plumerville	Traffic, Criminal

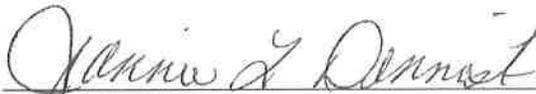
**4. SPECIAL PROGRAMS: The following speciality programs are provided: None**

\_\_\_\_\_ at \_\_\_\_\_ (location(s)).

*(For each program, provide the following information:)*

- a. Type of program and description of its operation.
- b. Statutory or legal authority on which it is based.
- c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.
- d. Use of court resources. *[Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operations; scheduling has been coordinated; and the necessary resources are available.]*
- e. Sources of funding.

DATE: 7/31/2015

  
Jeannie L. Denniston, Conway County District Judge

*[When completed, the administrative plan should be submitted to the administrative judge of the circuit, and it will be appended to the circuit court's administrative plan for submission to the Supreme Court for its approval. (See Administrative Order Number 18)]*

## Danielson Law Firm, PLLC

P.O. Box 1150  
4 Village Loop  
Booneville, Arkansas 72927  
Phone (479) 935-8060  
Fax (479) 439-8167

Erik P. Danielson  
*Also Licensed in Oklahoma and Texas*

Erik.Danielson@DanielsonLawFirm.com

Elizabeth "Betsy" Danielson

Betsy.Danielson@DanielsonLawFirm.com

David Danielson  
*Also Licensed in Florida and D.C.*

David.Danielson@DanielsonLawFirm.com

Richard "Kyle" Lippard

Kyle.Lippard@DanielsonLawFirm.com

Fayetteville Office:  
2195 N. College Ave  
Fayetteville, AR 72703  
(479) 935-8313

Please Reply to Booneville Office

June 15, 2015

Judge Jerry Don Ramey  
117 South Moose, Suite 303  
Morrilton, Ar. 72110

Dear Judge Ramey:

Enclosed please find my *Administrative Plan for the District Court of South Logan County*. It is my understanding that I was to get this to you so that it could be filed prior to **July 1, 2015**.

Sincerely,



Betsy Danielson  
Betsy.Danielson@DanielsonLawFirm.com

EWD/cc  
Enclosure

FILE COPY

**DISTRICT COURT ADMINISTRATIVE PLAN**

**BOONEVILLE DISTRICT COURT, SOUTH LOGAN COUNTY, ARKANSAS**

1. JUDGES: The SOUTH LOGAN COUNTY DISTRICT COURT is served by one local district judge. The judge serves in the designated division of the court as follows:

Elizabeth Danielson	Criminal Division	Booneville/Magazine
Elizabeth Danielson	Civil Division	Booneville/Magazine
Elizabeth Danielson	Small Claims Division	Booneville/Magazine

2. COURT: Sessions of court are generally scheduled on:

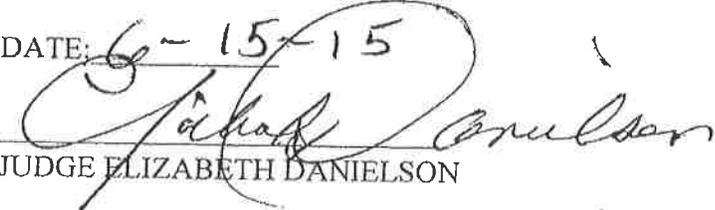
Criminal Division	Booneville	Thursdays	9:30AM
Civil Division	Booneville	Thursdays	9:30AM
Small Claims Division	Booneville	Thursdays	9:30AM

3. TYPES OF CASES: The following cases are heard at these locations:

Criminal Division	Booneville	Criminal Cases
Civil Division	Booneville	Civil Cases
Small Claims Divisions	Booneville	Small Claims

4. SPECIALTY PROGRAMS: The following specialty programs are provided:  
NONE, at Booneville.

DATE: 6-15-15

  
JUDGE ELIZABETH DANIELSON

**16<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**IN THE SUPREME COURT OF ARKANSAS**  
ADMINISTRATIVE PLAN OF  
13TH JUDICIAL DISTRICT COURT DIVISION OF ARKANSAS  
(CLEBURNE COUNTY)  
*PART OF THE ADMINISTRATIVE PLAN*  
*OF THE 16TH JUDICIAL DISTRICT*

The Administrative Plan for the 13th Judicial District Court covers all district court proceedings within Cleburne County.

The State District Court Judge is Lance Wright whose office is located at the Cleburne County Court Building, 922 South 9th Street, Heber Springs, Arkansas 72543.

The Cleburne County District Court consists of five (5) departments, which are: Cleburne County, Heber Springs, Greers Ferry, Concord and Quitman.

The Heber Springs, Greers Ferry, Concord and Quitman Departments will hear criminal and traffic dockets for matters referred to these Departments.

The Cleburne County Department will hear all civil and small claims dockets for the district and will hear criminal and traffic docket for matters referred to this Department.

The Cleburne County Department's and Heber Springs Department's proceedings will be held at Courtroom One (1st floor courtroom) of the Cleburne County Court Building, located at 922 South 9th Street, Heber Springs, Arkansas 72543, or other location designated by the Court Clerk.

The Greer Ferry Department's proceedings will be held at the Greers Ferry City Hall located at 8739 Edgemont Road, Greers Ferry, Arkansas 72067, or other location designated by the Greers Ferry Department's Court Clerk.

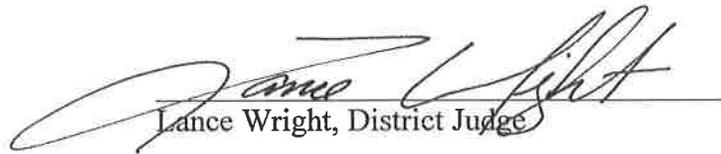
The Concord Department's proceeding will be held at the Concord Community Center located at 10460 Heber Spring Road North, Concord, Arkansas 72523, or other location designated by the Concord Department's Court Clerk. The Concord Court Clerk's office is located at Concord City Hall, 75 Central Avenue, Concord, Arkansas.

The Quitman Department's proceedings will be held at the Quitman City Hall located at #5 2nd Street, Quitman, Arkansas 72131, or other location designated by the Quitman Department's Court Clerk.

All correspondence or filings shall be filed with the Clerk in the respective department where the case is assigned or filed. The Court's calendar is available on the Court's website [www.cleburnecountydistrictcourt.com](http://www.cleburnecountydistrictcourt.com) and the Clerks' Offices.

The undersigned state district judge believes that the plan outlined herein will maximize efficiencies of case administration and will utilize the judicial resources available here effectively.

WHEREFORE, this plan is submitted to the 16th Judicial District Circuit Court and the Arkansas Supreme Court and shall remain in effect until amended or suspended.

  
Lance Wright, District Judge

Date 5/6/15

**Mark R. Johnson**  
**Attorney at Law**  
**2423-A, Hwy. 62/412**  
**Hardy, AR 72542**  
**(870) 856-3211**  
**johnsonlawyer@centurytel.net**

---

April 20, 2015

Honorable John Kemp  
Division I  
P.O. Box 329  
Mountain View, AR 72560

Re: Sharp County District Court Administration Plan

Dear Judge Kemp,

Please find enclosed the Sharp County District Court Administration Plan. If you have any questions please contact my office.

Thank you for your kind attention in this matter.

Sincerely,



Mark R. Johnson  
District Judge of Sharp County

MRJ/tls

Enclosures

## SHARP COUNTY DISTRICT COURT ADMINISTRATIVE PLAN

2  
3 I, Mark R. Johnson, am the elected local District Judge of Sharp County,  
4 Arkansas. Pursuant to Arkansas law as codified in Ark. Code Ann. §16-17-925, said  
5 District Court operates two venues. The first venue (i.e., Department One) being the  
6 Sharp County District Court that handles all cases which come under the District  
7 Court's jurisdiction issued outside of Cherokee Village city limits. The second venue  
8 (i.e., Department Two) being those cases which stem from charges, either criminal  
9 or traffic, issued within the city limits of Cherokee Village, Sharp County, Arkansas.

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

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

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

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

25 Relative also to the Cherokee Village situs, the city of Cherokee Village has  
26 approximately one-half (1/2) of its land mass located in Sharp County, Arkansas, and  
27 one-half (1/2) of its land mass located in the contiguous county of Fulton County,  
28 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 representative for Cherokee Village is Steve Penney.

Even though a large portion (i.e., approximately 1/2) 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 Phil 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

1 Court Departments One and Two. The present Probation Officer is Mary Wanley.  
2 The Sharp County District Clerk's office Department One is manned by two Deputy  
3 Clerks, Jane Powell and Barbara Wakeham, and one District Clerk, Amanda Brewer.  
4 The Cherokee Village Department of District Court of Sharp County, Division Two,  
5 has one clerk, as well as numerous volunteers who volunteer on court dates. The  
6 clerk's name is Sandy Elliott.

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

16 This plan is submitted as the Sharp County District Court Plan pursuant to  
17 Administrative Order Number 18, subsection 9. entitled *Administrative Plan*, in that  
18 said District Court operates multiple venues in the district. Those being the Sharp  
19 County Department One and the Sharp County Department Two being the Cherokee  
20 Village Department.  
21  
22  
23  
24  
25  
26  
27  
28

2 Contact information for persons relative to this plan include:

3  
4 **Division I District Court - Department 1 and Department 2**

5 **Department 1:**

6 Sharp County District Court

7 Amanda Brewer, Court Clerk

8 Bob Gott, Community Service Supervisor

9 Mary Wanley, Probation Officer

10 P.O. Box 2

11 Ash Flat, AR 72513

12 (870) 994-7109

13 **Department 2:**

14 Cherokee Village District Court

15 Sandy Elliott, Court Clerk

16 Phil Caves, Community Service Supervisor

17 Mary Wanley, Probation Officer

18 P.O. Box 129

19 #2 Santee Drive

20 Cherokee Village, AR 72525

21 (870) 257-5522

22 Cherokee Police Department

23 Rickey Crook, Chief of Police

24 P.O. Box 129

25 #2 Santee Drive

26 Cherokee Village, AR 72525

27 (870) 257-5225

28

**INDEPENDENCE COUNTY DISTRICT COURT  
ADMINISTRATIVE PLAN  
2015-2016**

A. **Jurisdiction and location**. Independence County District Court is a State District court having county-wide jurisdiction with one site at 549 W. Main Street, Batesville, AR 72501 and one State District Judge, Chaney Taylor, Jr.

B. **Divisions**. Independence County District Court has four divisions: small claims, civil, traffic and criminal. Judge Taylor presides over all four divisions.

Court sessions are held per the following schedule:

1. Criminal & traffic plea & arraignment: Every Wednesday 9am to 12pm;
2. Criminal & traffic trials: Every Wednesday 1pm until finished;
3. Civil & Small Claims: Last Wednesday of every month, 9am until finished;
4. Bond hearings, Rule 8.1 hearings, extradition hearings: Business hours, Monday through Friday, as required;
5. Circuit Court Orders of Protection: Every other Thursday, 9:30 a.m. until finished; these proceedings are conducted in accordance with AOC Provisional Guidelines for Digital Audio Recording in State District Courts promulgated pursuant to Arkansas Supreme Court Administrative Order 4; and,
6. In 2009, a special docket was created, as a subdivision of the criminal docket, namely the Independence County DWI Court (ICDC), a voluntary program which is conducted every Wednesday at twelve noon. The ICDC special docket is geared toward repeat impaired driving offenders, that is,

individuals who face a 2<sup>nd</sup> or 3<sup>rd</sup> DWI charge. The ICDC is a highly intensive monitoring program combined with treatment and patterned on the drug court model.

**Statutory or Legal Authority:** Arkansas Supreme Court Administrative Orders 14 and 18, A.C.A. § 5-65-103 et seq. and/or A.C.A § 16-98-303 et seq. I hereby certify that the Independence County DWI Court operates in compliance with all applicable laws, including fines, court costs, fees and probation assessments.

**Use of Court resources:** The DWI Court Team includes a judge, county prosecutor, city prosecutor, public defender, probation officer/case manager, evaluator, treatment provider and coordinator. Team members have attended training programs offered by the National Center for DWI Courts (NCDC) in collaboration with the National Association of Drug Court Professionals (NADCP) and the National Highway Traffic Safety Administration (NHTSA). The ICDC was implemented and operates according to NCDC's Ten Guiding Principles and Arkansas law.

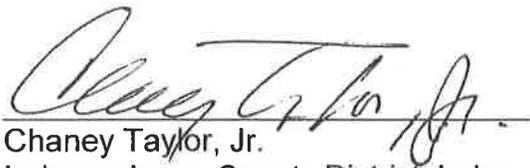
**Sources of funding:** The ICDC is funded by a grant from the Arkansas State Police Highway Safety Office in conjunction with NHTSA.

C. **Circuit Court cases.** The Independence County District Judge may from time to time preside over circuit court cases pursuant to Sections 6 and 7 of Amendment 80 to the Arkansas Constitution, the 16<sup>th</sup> Judicial Administrative Plan and/or Act 1137 of 2011, and subject to the approval of the Arkansas Supreme Court, including, but not by way of limitation: circuit judge recusals and transfers; cases authorized per Arkansas Supreme Court Administrative

Rule No. 18, including evictions and unlawful detainer actions; 16<sup>th</sup> Judicial District SWIFT Court Pilot Program cases; Independence County drug court; and probation revocation or parole proceedings, subject at all times to the coordination and superintending control of the Administrative Judge of the 16<sup>th</sup> Judicial District.

- D. **Conclusion.** The undersigned district judge believes the procedures set forth hereinabove when implemented with the provisions of Arkansas Supreme Court Administrative Rules 4 and 18, Amendment 80 to the Arkansas Constitution, the 16<sup>th</sup> Judicial District Administrative Plan and applicable law, will maximize efficiencies of case administration and disposition, avoid duplication and utilize available judicial resources here economically and effectively.

**WHEREFORE**, the undersigned being the duly elected and serving State District Judge of the 14<sup>th</sup> Judicial District of Independence County respectfully petitions the Supreme Court of Arkansas to approve same for implementation upon approval until such time as it may be superseded.

  
Chaney Taylor, Jr.  
Independence County District Judge

**IZARD COUNTY DISTRICT COURT  
DAVID E. MILLER  
DISTRICT JUDGE**

**P.O. Box 337, Melbourne, AR 72556  
870-368-4390 (Phone) 870-368-2267 (Fax)**

April 20, 2015

Honorable John Dan Kemp  
P.O. Box 329  
Mountain View, AR 72560

Dear Judge Kemp:

An administrative plan for IZard County District Court, made up of IZard County, Melbourne, and Horseshoe Bend divisions, will be implemented as follows:

For the calendar year 2016 and 2017, the IZard County District Court, Melbourne and County divisions will meet 2 or 3 times per month. Court days are set for 8:30 a.m. on Thursdays in the courtroom at the IZard County Detention Center. As of this date, specific dates have not been scheduled. For further information, please contact Amber Lee at the above address or phone number.

For the calendar year 2016 and 2017 the IZard County District Court, Horseshoe Bend division will meet one time each month. Court days are set on Tuesday with court scheduled to begin at 1:30 p.m. at the Horseshoe Bend Municipal office building. Specific dates for 2016 and 2017 have not yet been determined. For any other information, please contact Michelle Grabowski at 704 W. Commerce Street, Horseshoe Bend, AR 72512 or 870-670-5113.

Sincerely,

  
David E. Miller

**17<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**IN THE DISTRICT COURT OF PRAIRIE, COUNTY ARKANSAS  
SOUTHERN DISTRICT**

Pursuant to the Supreme Court's Administrative Order No. 18  
**DISTRICT COURT ADMINISTRATIVE PLAN**  
Prairie County Southern District Court, Prairie County, Arkansas

1. JUDGE: The Prairie County Southern District Court is served by one district judge. The judge serves in the designated departments of the court as follows:

James R. Rhodes	Hazen Department	Hazen, Arkansas
James R. Rhodes	DeValls Bluff Department	DeValls Bluff, Arkansas
James R. Rhodes	Biscoe Department	Biscoe, Arkansas

2. COURT: Sessions of court are generally scheduled on:

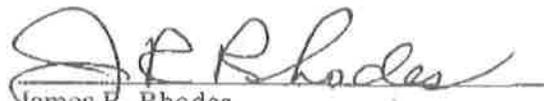
Hazen Department	Every Tuesday of each month at 1:00 p.m. and Fourth Wednesday of each month at 1:00 p.m.
DeValls Bluff Department	First and third Tuesday of each month at 2:30 p.m. and Fourth Wednesday of every other month beginning with February at 9:00 a.m.
Biscoe Department	Same schedule as DeValls Bluff Department

3. TYPES OF CASES: The following cases are heard at these locations:

Hazen Department	traffic offenses, criminal offenses, small claims cases, and civil cases.
DeValls Bluff Department	traffic offenses and criminal offenses that occur within DeValls Bluff jurisdiction
Biscoe Department	traffic offenses and criminal offenses that occur within Biscoe jurisdiction

4. SPECIALTY PROGRAMS: There are currently no specialty courts in the district.

Date: 8-17-15

  
James R. Rhodes  
Southern District Court Judge

## DISTRICT COURT ADMINISTRATIVE PLAN For the year of 2015

### White County District Court, White County, Arkansas

1. JUDGES: The White County District Court is served by two state district judges. The judges serve in the designated divisions and departments of the court as follows:

<u>name</u>	<u>Division #</u>	<u>city</u>
Mark Pate	1	Searcy
<u>name</u>	<u>Division #</u>	<u>city</u>
Mark Derrick	2	Bald Knob, Beebe, Bradford, Kensett, Judsonia, McRae, Pangburn, & Rose Bud

2. COURT: Sessions of court are generally scheduled on:

<u>Division #</u>	<u>city</u>	<u>days</u>	<u>time</u>
1	Searcy	1 <sup>st</sup> Tuesday	11:00 a.m.
		1 <sup>st</sup> or 2 <sup>nd</sup> Wednesday	10:00 a.m.
		1 <sup>st</sup> Thursday	10:00 a.m. & 1:30 p.m.
		2 <sup>nd</sup> Tuesday	10:00 a.m. & 1:30 p.m.
		3 <sup>rd</sup> or 4 <sup>th</sup> Wednesday	10:00 a.m.
		2 <sup>nd</sup> Thursday	10:00 a.m. & 1:30 p.m.
		3 <sup>rd</sup> Tuesday	11:00 a.m. or 1:30 p.m.
		3 <sup>rd</sup> Thursday	10:00 a.m. & 1:30 p.m.
		4 <sup>th</sup> Tuesday	1:30 p.m.
		4 <sup>th</sup> Thursday	1:30 p.m.

<u>Division #</u>	<u>city</u>	<u>days</u>	<u>time</u>
2	Beebe	1 <sup>st</sup> Wednesday	9:00 a.m.
		2 <sup>nd</sup> & 3 <sup>rd</sup> Wednesday	9:00 a.m.
		2 <sup>nd</sup> & 3 <sup>rd</sup> Thursday	9:00 a.m.
	McRae	2 <sup>nd</sup> Monday	2:00 p.m.
	Pangburn	2 <sup>nd</sup> Tuesday	10:00 a.m.
	Bald Knob	2 <sup>nd</sup> Tuesday	2:00 p.m.
		4 <sup>th</sup> Tuesday	2:00 p.m.
	Bradford	3 <sup>rd</sup> Tuesday	9:00 a.m.
	Judsonia	3 <sup>rd</sup> Wednesday	2:00 p.m.
	Rose Bud	3 <sup>rd</sup> Friday	10:00 a.m.
	Kensett	4 <sup>th</sup> Tuesday	10:00 a.m.

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Division #</u>	<u>city</u>	<u>types of cases</u>
1	Searcy	Criminal, Traffic, Civil, Environmental, & Small Claims

Judge Pate also hears most of the first appearances at the White County Law Enforcement Center in Searcy at 9:00 a.m. on Mondays, Wednesdays, and Fridays; however Judge Derrick shares in this responsibility when and as requested by Judge Pate.

<u>Division #</u>	<u>city</u>	<u>types of cases</u>
2	Beebe	Criminal, Traffic, Civil, Environmental, & Small Claims
	Bald Knob	Criminal, Traffic, & Environmental
	Bradford	Criminal, Traffic, & Environmental
	Kensett	Criminal, Traffic, & Environmental
	Judsonia	Criminal, Traffic, & Environmental
	McRae	Criminal, Traffic, & Environmental
	Pangburn	Criminal, Traffic, & Environmental
	Rose Bud	Criminal, Traffic, & Environmental

Judge Pate and Judge Derrick specifically agree that cases may be transferred or exchanged between each other so long as the transfer does not create a conflict (especially due to the lack of Public Defenders). The judges also agree they each stand ready to sit for the other judge as needed and as their schedules may allow.

Judge Pate and Judge Derrick agree to both be on call for all law enforcement agencies in White County and to keep each other advised of any period of unavailability before occurrence.

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

*None at this time.*

*(For each program, provide the following information:)*

a. Type of program and description of its operation.

N.A.

b. Statutory or legal authority on which it is based.

N.A.

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

N.A.

d. Use of court resources. *[Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*

N.A.

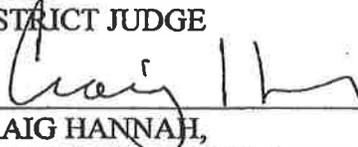
e. Sources of funding.

N.A.

DATE: 6/29/15

  
\_\_\_\_\_  
MARK PATE  
DISTRICT JUDGE

  
\_\_\_\_\_  
MARK DERRICK  
DISTRICT JUDGE

  
\_\_\_\_\_  
CRAIG HANNAH,  
CIRCUIT/ADMINISTRATIVE JUDGE

**18<sup>th</sup> E. Circuit  
District Court  
Administrative  
Plans**

**In the District Court of Garland County, Arkansas  
Garland County District**

Pursuant to the Supreme Court's Administrative Order No. 18

**District Court Administrative Plan**

Garland County District Court, Garland County, Arkansas

1. Judges: The Garland County District Court is served by two (2) district court judges. The judges serve in the designated departments of the court as follows:

a. David Switzer	Division I	Garland County, Arkansas
b. Ralph Ohm	Division II	Garland County, Arkansas
c. Gary Lax	Small Claims Magistrate	Garland County, Arkansas

2. Court: Sessions of court are generally scheduled on:

a. Division I	Monday-Friday	9:00 a.m.
b. Division II	Monday-Friday	1:00 p.m.
c. Small Claims	1 <sup>st</sup> and 3 <sup>rd</sup> Friday of the Month	10:00 a.m.

3. Types of Cases: The following cases are heard at these locations:

a. Division I	traffic offenses, criminal offenses, civil cases
b. Division II	traffic offenses, criminal offenses, civil cases
c. Small Claims	Small Claim cases

4. Specialty Programs:

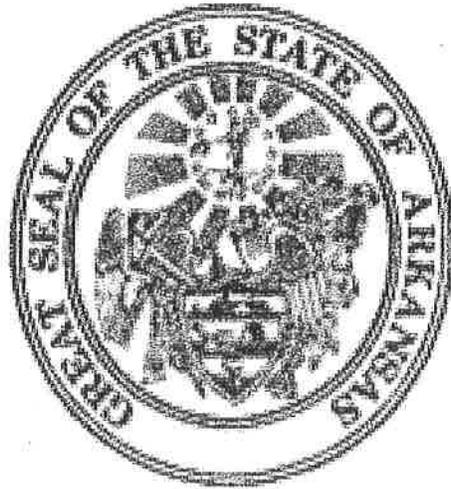
- a. D.W.I. Court 3<sup>th</sup> Friday of the month 10:00 a.m.
  - i. Works on reducing the recidivism rate of D.W.I. cases
  - ii. 5-65-103
  - iii. We are assessing the proper fines, fees, costs, etc. and that no unauthorized fines, fees or costs are being assessed and collected
  - iv. Court team: District Judge, probation department, court clerks, Chief Court Clerk, Director of Operation and Security, representatives from: MADD, Hot Springs Police Department, Arkansas State Police, Public Defender, City Attorney, Prosecuting Attorney, and Treatment Provider
  - v. Funding: Grant from the Department of Highway Safety

- b. Drug Court 2<sup>nd</sup> Friday of the month 10:00 a.m.
  - i. Works on reducing the recidivism rate of Drug Cases
  - ii. All related Drug/Alcohol/Criminal offenses
  - iii. We are assessing the proper fines, fees, costs, etc. and that no unauthorized fines, fees or costs are being assessed and collected
  - iv. Court team: District Judge and probation department
  - v. Funding: General budget
  
- c. Domestic Battery Court 2<sup>nd</sup> and 3<sup>rd</sup> Thursday of the month 9:00 a.m.
  - i. Works on reducing the recidivism rate of Domestic Battery cases
  - ii. 5-26-305
  - iii. We are assessing the proper fines, fees, costs, etc. and that no unauthorized fines, fees or costs are being assessed and collected
  - iv. Court team: District Judge, prosecuting attorney and probation department
  - v. Funding: General budget
  
- d. Veteran Treatment Court 3<sup>rd</sup> Friday of the month 10:00 a.m.
  - i. Works on reducing the recidivism rate of veterans
  - ii. All related Drug/Alcohol/Criminal offenses
  - iii. We are assessing the proper fines, fees, costs, etc. and that no unauthorized fines, fees or costs are being assessed and collected
  - iv. Court team: District Judge, probation department, Veteran Administration representative, treatment provider, American Legion representative, Veteran Mentors, Disabled Veterans Outreach Director, city police officer, Arkansas State Trooper, City Attorney and Mothers Against Drunk Driver's representative
  - v. Funding: General budget

Date: 6/23/15

  
Judge David Switzer, Division I

  
Ralph Ohm, Division II



**GARLAND COUNTY  
DISTRICT COURT  
607 Ouachita Ave.  
Hot Springs, Arkansas 71901  
(501) 321-6765**

**DWI COURT  
OPERATIONS MANUAL**

## **INTRODUCTION**

*This operations manual provides an overview of the Garland County DWI Court. The Garland County DWI Court is designed to coordinate substance abuse intervention with judicial oversight through enhanced supervision and individual accountability.*

In response to the serious drug and alcohol problem our community faces, the Garland County DWI Court Program was implemented by Judge David Switzer in March 2009. The Garland County DWI Court was one of two original pilot projects in the State of Arkansas. Currently this Court is one of three operational DWI Courts in the State of Arkansas, with seven more Courts in the development stages. In October, 2009 funding was received through a grant from the National Highway Safety Transportation administered by the Arkansas State Police Highway Safety Office.

The Garland County DWI Court is a post-conviction, voluntary program that utilizes a multi-faceted approach. Participant entry into the DWI Court is based on established eligibility criteria. This is not a diversion Court; the DWI charges will not be reduced or dismissed upon successful completion of the program. The fundamental goal of the Court is participant sobriety for the purpose of reducing the recidivism rate attributable to DWI. Such a goal is accomplished through substance abuse intervention coupled with continuing judicial supervision to reinforce participant compliance with Court conditions. A further goal of this Court is to make certain the participant meets all requirements for license reinstatement since, historically, many DWI offenders fail to complete the re-licensure process. Participation in the DWI Court meets all of the requirements for license reinstatement as established by the Arkansas Office of Driver's Services and serves as a motivational tool for participants to complete the reinstatement process. The Garland County DWI Court Probation Office will provide monitoring of each participant through all of the phases.

Since the Garland County DWI Court's inception, over 500 participants have entered into this Court. Of those, over 200 have successfully completed all of the requirements and have been recognized as graduates. Over 150 participants have been recognized for successfully participating in the program.

## **MISSION STATEMENT**

The Garland County DWI Court's mission is to reduce DWI recidivism, enhance community safety, and foster a healthier and safer life for the participants and their families, by increasing treatment, supervision and accountability of the high risk impaired driver. This opportunity for change is afforded through monthly Court interaction, monitoring of sobriety, probation supervision and participation in graduated levels of alcohol education and treatment.

We accomplish this by working with partnerships with the community to provide research based prevention and intervention services; assessing offenders' risk/needs in

order to help guide Court decisions and to apply the appropriate level of services; managing offender risk by enforcing Court orders, affording opportunities for pro-social change and expecting law-abiding behavior and personal accountability; facilitating victim involvement and restorative justice services; recognizing and rewarding staff performance and achievement; providing training to enhance our professional skill and build leadership.

## **GOALS AND OBJECTIVES OF GARLAND COUNTY DWI COURT**

- ◆ To provide effective case management and increased accountability based on a TEAM (i.e. "Together Each Achieve More") approach involving the judiciary, prosecutor, law enforcement, treatment, local bar, drug court coordinator and probation.

- Objectives:
1. Conduct a minimum of one meeting each month to identify eligible participants.
  2. Conduct a minimum of one meeting each month to review each participants progress.
  3. Seek independent evaluation of the overall Court goals to gauge the program's effectiveness.

- ◆ To provide effective court supervision.

- Objectives:
1. Provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
  2. Monitor participants by frequent alcohol and other drug testing utilizing current technologies that will help maintain abstinence.
  3. Schedule monthly court appearances for participants.

- ◆ To provide early screening, assessment and court intervention.

- Objectives:
1. Eligible offenders receiving substance abuse evaluations within 14 days of arrest.
  2. Eligible offenders receiving court intervention within 14 days of arrest.

- ◆ To establish coordination among the entities involved in developing, implementing and maintaining the functions of the DWI Court.

- Objectives:
1. Identify and establish ways of communicating with key agencies and individuals necessary to accomplish this goal.
  2. Develop partnerships among public agencies, and community-based organizations that generate local support and enhance overall Court effectiveness.

- ◆ To develop and finalize all forms and documents that will be needed during the day to day operation of the DWI Court.

Objectives: 1. Identify and implement forms needed to perform the functions necessary to move participants through DWI Court system.

- ◆ To have treatment services and case management services coordinated and operational.

Objectives: 1. The case management and treatment team will be prepared to provide screening services to the DWI participants within the courthouse.  
2. The treatment providers will be in place to provide services to the DWI participants.

- ◆ To financially secure the Garland County DWI Court as a permanent fixture in Hot Springs, Garland County, Arkansas.

Objectives: 1. To secure funding outside of the NHTS federal start-up money.  
2. Identify and implement a self-sufficiency plan.

- ◆ To reduce recidivism and substance abuse amount participants admitted to the DWI Court.

Objectives: 1. Provide substance abuse treatment services to the participants for them to implement a long-term sobriety plan.  
2. Provide case management services to the participants.  
3. Conduct random urinalysis test and portable breath test on the program participants.  
2. Measure the percentage of eligible participants completing the program.

- ◆ To promote public safety by establishing an effective program that will measure recidivism and substance abuse among those who complete the program.

Objectives: 1. To track participant arrest rates during the six months following discharge.  
2. To compare the participant's level of functioning at the time of admission and at discharge. This will also provide data on the participant's level of substance abuse.

# You Can't Manage What You Don't Measure: An Evaluation of Arkansas's Drug Courts\*

## I. INTRODUCTION

While you might not see a drug-court proceeding on television any time soon,<sup>1</sup> there are already forty-two drug courts located throughout the State of Arkansas.<sup>2</sup> The number of drug courts has significantly increased in recent years, after the state's first drug court was established in Pulaski County in 1994 as part of a federal-state partnership program.<sup>3</sup> Nine years after the program began, the Arkansas General Assembly passed the statutory authorization to encourage drug courts to develop on a statewide level, with the passage of the Arkansas Drug Court Act of 2003.<sup>4</sup> Today, Arkansas's drug-court program supports approximately 2000 participants on the state's drug-court dockets; however, some parties have projected that this figure may remain largely stagnant, or even drop, due to budgetary constraints<sup>5</sup> and despite the efforts of drug-court supporters.<sup>6</sup>

---

\*The author thanks Brian R. Gallini, Associate Professor of Law, University of Arkansas School of Law, for his invaluable advice, feedback, and guidance throughout the writing process. The author also thanks Adam J. Bailey, J.D. 2011, University of Arkansas School of Law, and the *Arkansas Law Review* Editorial Board for their tireless work ethic and devotion to this publication.

1. *In re* Administrative Order No. 6(c), 2011 Ark. 317, at 4-5, \_\_\_ S.W.3d \_\_\_, \_\_\_ (per curiam) ("The committee concluded that broadcasting of drug court proceedings should not be permitted. We [the Supreme Court of Arkansas] likewise are persuaded by the factors militating against the broadcasting of drug court proceedings and agree with the committee's recommendation—at least on an immediate or interim basis.").

2. Carol L. Roddy, *Arkansas Drug Courts: Report to the Eighty-Seventh Arkansas General Assembly*, ADMIN. OFFICE OF THE COURTS, i (Sept. 12, 2009) [hereinafter *Legislative Report*], <http://courts.state.ar.us/drugcourt/documents/Legislative%20Report%202009%20Complete.pdf>.

3. *What is the Division of Drug Courts?*, *Drug Court Programs*, ARK. JUDICIARY, <http://courts.state.ar.us/drugcourt/index.cfm> (last visited Aug. 23, 2011).

4. Act 1266, 2003 Ark. Acts 4363 (codified at ARK. CODE ANN. § 16-98-301 (Supp. 2011)).

5. *Drug Court Programs Severely Underfunded*, TALK BUSINESS.NET (Aug. 25, 2011), <http://talkbusiness.net/article/DRUG-COURT-PROGRAMS-SEVERELY-UNDERFUNDED/2377/> (discussing how a funding shortfall for drug courts during the 2011 Arkansas legislative session might affect the approximately 2111 cases in Arkansas

Yet, the number of drug courts and drug-court participants in Arkansas still has the potential to increase, as the 88th Arkansas General Assembly recently passed sweeping legislation to send additional nonviolent offenders to alternative-treatment programs—including parole, probation, and drug-court programs—rather than traditional incarceration.<sup>7</sup> The Arkansas legislature passed the Public Safety Improvement Act of 2011 in order to curb the growth of corrections costs,<sup>8</sup> slow the state's rapidly increasing prison population,<sup>9</sup> and respond to calls for reform from the governor.<sup>10</sup> Before passage of this bipartisan legislation, a study found that one in every 102 Arkansas adults was either in jail or incarcerated, and one in twenty-nine was either in jail, incarcerated, or on parole.<sup>11</sup>

Arkansas's adoption of alternative-sentencing solutions is consistent with prison-reform efforts in other states,<sup>12</sup> as well as

---

drug courts, as well as recent prison-reform efforts to keep additional non-violent offenders out of jail); see *Legislative Report*, *supra* note 2, at 8-9.

6. *Legislative Report*, *supra* note 2, at 9; *Resolution*, ARK. DRUG COURT PROF'L ASS'N (June 10, 2011), [http://www.talkbusiness.net/assets/files/Drug\\_CourtResolution.pdf](http://www.talkbusiness.net/assets/files/Drug_CourtResolution.pdf) (imploping the Arkansas General Assembly to restore funding to drug-court programs during the 2012 fiscal legislative session after slashing it "by more than 75% in the past 3 years" and failing to provide a dedicated source of revenue).

7. See Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 687-89 (LexisNexis) (codified at ARK. CODE ANN. §§ 5-4-312 to -313 (Supp. 2011)).

8. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 675.

9. *Arkansas: Improving Public Safety and Containing Corrections Costs*, PEW CTR. ON THE STATES, 1-2 (June 2010), [http://www.pewcenteronthestates.org/uploadedFiles/PS\\_PP\\_Arkansas\\_Brief\\_web.pdf](http://www.pewcenteronthestates.org/uploadedFiles/PS_PP_Arkansas_Brief_web.pdf). During 2009, Arkansas's prison population increased by 3.1%, while the prison populations in twenty-six other states declined and the country as a whole experienced the first national drop in state prison populations in nearly forty years. *Id.* at 1; *Prison Count 2010: State Population Declines for the First Time in 38 Years*, PEW CTR. ON THE STATES 2 (Apr. 2010), [http://www.pewcenteronthestates.org/uploadedFiles/Prison\\_Count\\_2010.pdf?n=880](http://www.pewcenteronthestates.org/uploadedFiles/Prison_Count_2010.pdf?n=880); see also *Consensus Report of the Arkansas Working Group on Sentencing and Corrections*, PEW CTR. ON THE STATES, 2-4 (Jan. 2011), [http://www.pewcenteronthestates.org/uploadedFiles/2011\\_PSPP\\_Arkansas\\_brief.pdf](http://www.pewcenteronthestates.org/uploadedFiles/2011_PSPP_Arkansas_brief.pdf) (attributing the rise in Arkansas's prison population to longer sentences for non-violent offenders, an under-utilization of probation, and delays in transferring offenders from incarceration to parole programs).

10. *Governor Beebe's Weekly Column and Radio Address: Finding Ideas to Improve Public Safety*, ARKANSAS.GOV (June 4, 2010), [http://governor.arkansas.gov/newsroom/index.php?do:newsDetail=1&news\\_id=2339](http://governor.arkansas.gov/newsroom/index.php?do:newsDetail=1&news_id=2339) (describing Arkansas's increasing prison population as "unsustainable" and announcing at a joint press conference with Chief Justice Jim Hannah and several state legislators that Arkansas was entering into a partnership study with the Pew Center for the States to study the state's sentencing guidelines).

11. *Legislative Report*, *supra* note 2, at 16.

12. See *Prison Count 2010: State Population Declines for the First Time in 38 Years*, *supra* note 9, at 3.

the national drug-law debate's recent focus on revisiting sentencing policies.<sup>13</sup> The United States Department of Justice de-prioritized the prosecution of medical marijuana in an October 2009 memorandum.<sup>14</sup> Nearly a year later, President Barack Obama signed the Fair Sentencing Act of 2010 into law, which reduced the sentencing disparity of crack cocaine to powder cocaine from a 100:1 ratio to 18:1.<sup>15</sup> The United States Department of Justice has also re-affirmed its support for drug-court programs, calling them a "top priority."<sup>16</sup> As federal and state governments continue to face budgetary constraints, alternatives to incarceration have become an attractive option to policymakers as a method to reduce incarceration and correctional costs.<sup>17</sup> Drug-court programs provide a less expensive alternative to incarceration and a way to re-integrate individuals into society—thus, they have expanded rapidly in the criminal-justice system.<sup>18</sup> However, the growth of drug-court programs has largely been unmeasured in terms of statistical data and objective results.

This comment argues that Arkansas's drug-court program lacks a comprehensive, evaluative performance-measurement system and should adopt a new set of data-collection measures and program-assessment strategies. Numerous studies have

---

13. See Solomon Moore, *Justice Dept. Seeks Equity in Sentences for Cocaine*, N.Y. TIMES, Apr. 30, 2010, <http://www.nytimes.com/2009/04/30/us/30cocaine.html?ref=cocaineandcrackcocaine>.

14. Memorandum for Selected United States Attorneys from David W. Ogden, Deputy Atty. Gen., U.S. Dep't of Justice (Oct. 19, 2009), <http://www.justice.gov/opa/documents/medical-marijuana.pdf>.

15. Fair Sentencing Act of 2010, Pub. L. No. 111-220, 124 Stat. 2372 (codified as amended in scattered sections of 21 U.S.C.); Erik Eckholm, *Congress Moves to Narrow Cocaine Sentencing Disparities*, N.Y. TIMES, July 28, 2010, <http://www.nytimes.com/2010/07/29/us/politics/29crack.html>. Congress also embedded in the legislation a request for a "Report On Effectiveness Of Drug Courts" to measure the performance of drug-court programs receiving federal funds, including a request for an evaluation of the courts' cost benefits and effect on recidivism rates. Fair Sentencing Act of 2010, Pub. L. No. 111-220, 124 Stat. 2372, 2374.

16. Shelley Murphy, *Holder Sees Drug Courts as a Lifeline: AG Declares Their Expansion a Top Priority*, THE BOSTON GLOBE, June 4, 2010, [http://www.boston.com/news/local/massachusetts/articles/2010/06/04/holder\\_sees\\_drug\\_courts\\_as\\_a\\_lifeline/](http://www.boston.com/news/local/massachusetts/articles/2010/06/04/holder_sees_drug_courts_as_a_lifeline/) (speaking during the National Association of Drug Court Professionals' annual meeting, United States Attorney General Eric Holder reiterated his support for alternative-sentencing programs).

17. See *Prison Count 2010: State Population Declines for the First Time in 38 Years*, *supra* note 9, at 3.

18. *Id.*

demonstrated the benefits of the drug-court model as an alternative to incarceration.<sup>19</sup> Yet, few studies quantify drug courts' successes or focus on ways to further improve drug courts.<sup>20</sup> A gap exists in most drug-court programs between the program's actual practices and an evaluative system that measures participants' performance data and makes recommendations about future practices.<sup>21</sup> Rather than continually striving to improve their processes and treatment techniques through data analysis, drug courts are in danger of losing their innovative spirit and becoming "institutionalized."<sup>22</sup>

Arkansas's drug-court program is representatively problematic; indeed, although it has an established statewide drug-court system,<sup>23</sup> it lacks a uniform performance-data-collection system and a proven process by which to strategically evaluate drug-court participant data. In terms of performance measurement, Arkansas's drug-court program does not collect several critical data elements that are necessary to evaluate the program's long-term goals, although the Public Safety Improvement Act of 2011 represents a step in the right direction.<sup>24</sup> For example, Arkansas declines to track either the type of drug that participants have abused, or the specific

---

19. See, e.g., Douglas B. Marlowe, et al., *A National Research Agenda for Drug Courts: Plotting the Course for Second-Generation Scientific Inquiry*, DRUG CT. REV., 2006, at 1, 4 [hereinafter *A National Research Agenda for Drug Courts*], [http://www.nderc.org/sites/default/files/PDF/DCRV5\\_2\\_2006S.pdf](http://www.nderc.org/sites/default/files/PDF/DCRV5_2_2006S.pdf) (discussing increased access to drug-abuse treatment and reduced recidivism rates for drug-court participants); C. West Huddleston, III, Douglas B. Marlowe, Rachel Casebolt, *Painting the Current Picture: A National Report Card on Drug Courts and Other Problem-Solving Court Programs in the United States*, NAT'L DRUG COURT INST., 2, 6 (May 2008), [http://www.ojp.usdoj.gov/BJA/pdf/12902\\_PCP\\_fil.pdf](http://www.ojp.usdoj.gov/BJA/pdf/12902_PCP_fil.pdf) (concluding that drug courts significantly reduce crime rates among participants and are cost effective).

20. See *A National Research Agenda for Drug Courts*, *supra* note 19, at 5.

21. Michael Rempel, *Action Research: Using Information to Improve Your Drug Court*, CTR. FOR COURT INNOVATION, 1-2 (2010), <http://www.courtinnovation.org/uploads/documents/Action%20Research.pdf>.

22. *Id.* at 15; see *A National Research Agenda for Drug Courts*, *supra* note 19, at 22-23.

23. See *What is the Division of Drug Courts?*, *supra* note 3.

24. See *Performance Measurement of Drug Courts: The State of the Art*, NAT'L CTR. FOR STATE COURTS (July 2008) [hereinafter *State of the Art*], [http://www.ncsconline.org/D\\_Consult/StatewideTAs/StatewideTABulletin\\_6.pdf](http://www.ncsconline.org/D_Consult/StatewideTAs/StatewideTABulletin_6.pdf); see also *infra* Part IV.A. A Wyoming study conducted by the National Center for State Courts highlighted the beneficial recommendations that can be gained by systematically collecting performance data from a statewide network of drug courts and evaluating it through a comprehensive study. *State of the Art*, *supra* at 16.

combination of rewards and sanctions that leads to the participants' successful completion of a drug-court program.<sup>25</sup> Once Arkansas commits to the collection of a more comprehensive set of data elements, it can analyze this data in light of the programs' performance measures to identify successful drug-court treatment techniques and make recommendations regarding the future of the program.

Part II provides a historical discussion of drug courts in Arkansas and analyzes current participant data from Arkansas drug courts. Part III discusses a model performance-measurement system for drug courts and uses a comprehensive Wyoming study to illustrate the effects of performance-measurement implementation. Part IV briefly analyzes the impact of the Public Safety Improvement Act of 2011 and suggests recommendations to policymakers in Arkansas regarding the future of drug courts—codifying comprehensive data elements, creating more pre-adjudication programs, and tying funding to the collection of performance-measurement data.

## II. CREATION, STRUCTURE, AND OPERATION OF ARKANSAS'S DRUG COURTS

In order to accurately discuss future advancements to Arkansas's drug-court program, it is necessary to analyze the program and its participants in its current form. The Arkansas drug-court program is a relatively recent addition to Arkansas's judicial branch, yet it has undergone several legislative changes since its inception. Despite these statewide changes, the program has maintained a high level of discretion for local drug-court judges to design and manage their drug courts, subject to few limitations. As a result of this autonomy, Arkansas's drug courts are by no means uniform—as demonstrated by current statistics.

### A. Arkansas Drug Court Acts of 2003 and 2007

In 2003, the 84th Arkansas General Assembly passed the Arkansas Drug Court Act, which granted specific authorization to local judges to create drug courts in judicial districts across

---

25. See *infra* Part IV.A.

the state.<sup>26</sup> The Arkansas Drug Court Act of 2003 incorporated a rigid definition for a drug-court program, defining it as a “highly structured judicial intervention process for substance abuse treatment of eligible offenders . . . .”<sup>27</sup> In 2007, the 86th General Assembly revisited the program’s aim and abandoned this definition,<sup>28</sup> instead adopting the ten “key components” of drug courts—a set of provisions that state drug-court programs have systematically adopted since 1997.<sup>29</sup> The ten key components serve as a national framework for drug-court programs and provide guidelines by which states can define their programs.<sup>30</sup> The second component is representative of the provisions, stating that by “[u]sing a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.”<sup>31</sup>

26. Act 1266, 2003 Ark. Acts 4363, 4364 (codified at ARK. CODE ANN. § 16-98-303 (Supp. 2011)); see also ARK. CODE ANN. § 16-98-201 (Repl. 2006) (allowing judicial districts to create a “pretrial or posttrial treatment program for drug abuse . . . .”).

27. Act 1266, 2003 Ark. Acts 4363, 4363 (codified at ARK. CODE ANN. § 16-98-302 (Repl. 2006), amended by ARK. CODE ANN. § 16-98-302 (Supp. 2011)).

28. Act 1022, 2007 Ark. Acts 5285, 5288 (codified at ARK. CODE ANN. § 16-98-302(b) (Supp. 2011)).

29. See ARK. CODE ANN. § 16-98-302(b) (“The goals of the drug court programs in this state shall be consistent with the standards adopted by the United States Department of Justice and recommended by the National Association of Drug Court Professionals . . . .”); see also *Defining Drug Courts: The Key Components*, U.S. DEP’T OF JUSTICE (Jan. 1997), <http://www.ojp.usdoj.gov/BJA/grant/DrugCourts/DefiningDC.pdf> (promulgating the original ten “key components” of drug courts); *Legislative Report*, supra note 2, at 20 (“These components were incorporated into the Arkansas Drug Court Act of 2007, Act 1022, and have become requirements for drug courts operating in the state.”).

30. See *Defining Drug Courts: The Key Components*, supra note 29, at 1. The original ten key components were not adopted verbatim in Arkansas, but they are substantively the same. Compare ARK. CODE ANN. § 16-98-302(b), with *Defining Drug Courts: The Key Components*, supra note 29.

31. *Defining Drug Courts: The Key Components*, supra note 29, at 3. The ten key components provide that: (1) Drug courts integrate alcohol and other drug-treatment services with justice system case processing; (2) Using a nonadversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due-process rights; (3) Eligible participants are identified early and promptly placed in the drug-court program; (4) Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services; (5) Abstinence is monitored by frequent alcohol and other drug testing; (6) A coordinated strategy governs drug-court responses to participants’ compliance; (7) Ongoing judicial interaction with each drug-court participant is essential; (8) Monitoring and evaluation measure the achievement of program goals and gauge effectiveness; (9) Continuing interdisciplinary education promotes effective drug-court planning, implementation, and operations; and (10) Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug-court program effectiveness. See *id.* at iii.

As a matter of statutory design, Arkansas has vested a large amount of control in drug-court judges to structure and operate individual drug-court programs to meet the needs of their local communities.<sup>32</sup> This authority is consistent with the ten key components of drug courts, one of which encourages community participation and the development of partnerships with community organizations.<sup>33</sup> Yet, a few statewide limitations remain on drug-court programs, namely that a court's treatment program must take place for at least one year, it must serve defendants whose records can be suspended,<sup>34</sup> and it cannot accept offenders convicted of a "violent felony offense."<sup>35</sup>

The Arkansas Drug Court Act allows local drug-court judges to determine their individual courts' structure—including whether the program is pre-adjudication or post-adjudication<sup>36</sup>—and the type of drug-court program that will best serve their locality.<sup>37</sup> For example, drug-court judges determine who is represented on the "drug court team," a group that helps manage the drug-court docket and may include a circuit judge, prosecuting attorney, defense counsel or public defender, a counselor, probation officer, treatment representative, and any other individuals the judge deems necessary.<sup>38</sup> In addition, the Act subjects participants to further restriction by the rules of a specific drug-court program, which may even preclude offenders based on the type of criminal offense that they have been accused of committing.<sup>39</sup>

The primary limitation on a drug court's ability to operate is that it may only order "services or treatment" if funding has been authorized by the Arkansas General Assembly and

---

32. ARK. CODE ANN. § 16-98-303(a)(2)(A) (Supp. 2011).

33. See ARK. CODE ANN. § 16-98-302(b)(10); *Defining Drug Courts: The Key Components*, *supra* note 29, at 23.

34. ARK. CODE ANN. § 16-98-201(1)-(2) (Repl. 2006).

35. ARK. CODE ANN. § 16-98-303(c)(1) (denying drug-court participation to defendants who have a "pending charge for a violent felony" or who have been convicted of a violent felony).

36. ARK. CODE ANN. § 16-98-303(a)(2)(B)(i); see discussion *infra* Part IV.C.

37. ARK. CODE ANN. § 16-98-303(a)(2)(A). Judicial drug-court discretion also involves structural determinations, including the creation of a "judicial processing system" for drug-court programs, which may be separate and apart from a traditional trial format or an "adversarial criminal prosecution." ARK. CODE ANN. § 16-98-303(d)(1).

38. ARK. CODE ANN. § 16-98-303(d)(2) (although Arkansas statutes fail to define the term "necessary").

39. See ARK. CODE ANN. § 16-98-303(c)(2).

personnel support is available from designated state agencies.<sup>40</sup> On a daily basis, drug-court judges manage their drug-court dockets and determine which participants have complied with the terms of their drug-court treatment program and which have failed to comply and therefore will be subject to termination and incarceration.<sup>41</sup>

In order to participate in a drug-court program, a defendant is required to “waive[ ] his or her right[ ] to a speedy trial.”<sup>42</sup> In essence, participants take the bet that they will be able to complete the program and receive its benefits—avoiding jail time, receiving substance abuse treatment, and potentially dodging a blemish on their criminal record—rather than risk going to trial.<sup>43</sup>

However, if participants fail to complete a drug-court program, they will be subject to the full length of their pled prison term for their charged offense, which may be a potentially longer sentence than if the offender had gone to trial.<sup>44</sup> National critics are quick to point out that many offenders who most need the assistance of substance-abuse treatment are likely to fail their drug-court program and be subjected to hefty prison terms.<sup>45</sup> Two joint studies found that the prison sentences for participants who failed to complete their drug-court programs were “two-to-five times longer than the sentences for conventionally adjudicated defendants.”<sup>46</sup> These studies echo concerns voiced by criminal defense attorneys,<sup>47</sup>

---

40. ARK. CODE ANN. § 16-98-303(a)(3), (b)(1)-(2) (designating the Department of Community Correction, the Department of Human Services, and the Administrative Office of the Courts with the duty to provide services and support personnel); *see also Legislative Report, supra* note 2, at 1, 2.

41. *See, e.g., Sisk v. State*, 81 Ark. App. 276, 278, 101 S.W.3d 248, 250 (2003).

42. ARK. CODE ANN. § 16-98-201(3) (Repl. 2006).

43. *See America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, NAT'L ASS'N OF CRIM. DEF. LAWYERS., 17 (Sept. 2009), [http://www.nacdl.org/public.nsf/2cdd02b415ea3a64852566d6000daa79/665b5fa31f96bc40852574260057a81f/\\$FILE/problem-solving\\_report\\_92809.pdf](http://www.nacdl.org/public.nsf/2cdd02b415ea3a64852566d6000daa79/665b5fa31f96bc40852574260057a81f/$FILE/problem-solving_report_92809.pdf).

44. *See Sisk*, 81 Ark. App. at 278, 101 S.W.3d at 250.

45. *See Josh Bowers, Contraindicated Drug Courts*, 55 UCLA L. REV. 783, 788-89, 792 (2008) (stating that those who are the most heavily addicted may have the most difficulty quitting their addiction); *see also America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform, supra* note 43, at 29.

46. Bowers, *supra* note 45, at 791-92 (discussing a sentencing study of New York City drug-court participants).

47. *America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform, supra* note 43, at 29.

but have yet to spark a visible call for reform in Arkansas. In a representative Arkansas case, a defendant who failed his drug-court program unsuccessfully sought credit for jail time served after his arrest and during his time in drug court.<sup>48</sup> In affirming the defendant's six-year sentence in state prison, and denying him credit for time served while in drug court, the appellate court emphasized that he had already bargained away his right to trial upon entering the drug-court program.<sup>49</sup>

### B. Arkansas Drug Courts—By the Numbers

Although drug courts have existed in Arkansas since 1994, the number of courts has only significantly increased in recent years.<sup>50</sup> An analysis of available data provides a snapshot of the Arkansas drug-court population and reveals the types of offenders who are utilizing the program. As of December 31, 2009, Arkansas drug-court demographics showed that the largest age group of drug-court participants was the eighteen to twenty-five-year-old range, followed by the twenty-six to thirty-year-old range.<sup>51</sup> The majority of offenders in drug courts were white males, who accounted for 45.5% of the overall drug-court population.<sup>52</sup> Arkansas drug courts have also collected a few basic statistics regarding the criminal offenses for which drug-court participants have been sent to the program.<sup>53</sup> Unsurprisingly, the majority of drug-court participants—

---

48. See *Laxton v. State*, 99 Ark. App. 1, 256 S.W.3d 518 (2007). Although the details of the case are "sketchy," the defendant pled guilty to theft of property and second-degree forgery in exchange for admittance to a drug-court program. *Id.* at 2, 256 S.W.3d at 519. As part of the plea agreement, the defendant agreed to serve six years for the forgery and a ten-year suspended imposition of sentence for the theft charge if he failed to complete drug court. *Id.* at 1-2, 256 S.W.3d at 519.

49. *Id.* at 3, 256 S.W.3d at 520. However, the appellate court did give the defendant credit for fifty-three days served after his arrest and before his transfer to drug court. *Id.* at 4, 256 S.W.3d at 520.

50. See *supra* notes 2-4 and accompanying text.

51. Demographics for the Drug Court Population as of December 31, 2009, DCC Page 81 (unpublished manuscript) (on file with the Arkansas Department of Community Correction) (accounting for 37.2% and 19.9% of the drug court population, respectively; other population groups included <18 (.4%), 31-35 years (13.4%), 36-40 (11.0%), 41-45 (8.5%), 46-50 (6.5%), 51-55 (1.8%), 56-60 (1.1%), 61-70 (.2%), >70 (.1%).

52. See *id.* (manuscript at 81-82) (63.1% of drug-court participants were male and 36.9% were female; 76.3% of the overall drug-court population was white, 21.0% was African American, and 1.8% was Hispanic).

53. *Id.* (manuscript at 83).

55.5%—were charged with the manufacture, delivery, or possession of a controlled substance.<sup>54</sup>

The Arkansas Division of Drug Courts has claimed several successes in recent years in its annual report to the Arkansas General Assembly.<sup>55</sup> In its most recent report—issued in 2009—the Division of Drug Courts highlighted a 5.7% post-program recidivism rate for drug-court graduates.<sup>56</sup> A more recent study on drug-court recidivism suggests that the post-graduation recidivism rate of drug-court “graduates” may be 6.9%.<sup>57</sup> In terms of recidivism by race, the report found that whites had a recidivism rate of 5.5%, while African Americans had a rate of 13.5%, and Hispanics 12.5%.<sup>58</sup> Although the study followed all 321 Arkansas drug-court graduates for fiscal year 2006 for a three-year period,<sup>59</sup> further recidivism studies are necessary to accurately measure future growth and track participant trends. For example, the recidivism rate of Native Americans in the study was 100%, but this figure was inconclusive because it resulted from the re-incarceration of the sole Native American drug-court graduate.<sup>60</sup>

In addition to recidivism, policymakers have also focused on the true cost effectiveness of Arkansas’s drug-court program and its effect on state coffers.<sup>61</sup> Although many of the successes of a drug-court program are unquantifiable,<sup>62</sup> the fiscal cost to

54. *Id.* Other offenses included revoked probation (6.7%), advertising drug paraphernalia (6.4%), forgery (5.3%), theft of property (4.9%), residential burglary (2.6%), breaking and entering (2.5%), and commercial burglary (2.3%). *Id.*

55. See *Legislative Report*, *supra* note 2, at 1, 2.

56. *Id.* at 19. Recidivism is defined by the Arkansas Department of Correction as “an offender who is returned to incarceration in an ADC [Arkansas Department of Correction] prison or a DCC [Department of Community Correction] community correctional facility other than a DCC technical violator program.” Ark. Dep’t Cmty. Corr., Drug Court Graduate Recidivism: FY 2006 Graduates 1 (Aug. 2010) (unpublished manuscript) (on file with author). *But see* Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 757 (LexisNexis) (codified at ARK. CODE ANN. § 16-93-101(8) (Supp. 2011)) (adding “within a three-year period” to the ADC definition of recidivism).

57. Ark. Dep’t Cmty. Corr., *supra* note 56 (manuscript at 6). The discrepancy between these two studies and their outcomes, as suggested by the 2010 study, might be a result of individual courts’ definitions of “graduation” and “program completion” in 2010, compared to previous definitions. *Id.* (manuscript at 2).

58. *Id.* (manuscript at 6).

59. *Id.* (manuscript at 1, 6).

60. *Id.* (manuscript at 6).

61. See *Legislative Report*, *supra* note 2, at 9, 10.

62. *Id.* at 10. In order to demonstrate some of the unquantifiable effects of a successfully reintegrated drug-court graduate, the Division of Drug Courts describes the

the state can be compared to other forms of punishment.<sup>63</sup> According to an assessment conducted by the Arkansas Legislative Joint Auditing Committee for fiscal year 2007, the average daily cost for a drug-court participant was \$9.96.<sup>64</sup> In comparison, daily incarceration costs ranged from \$47.66 at a Department of Community Correction (DCC) facility, to \$54.82 at an Arkansas Department of Correction (ADC) facility.<sup>65</sup> The lowest-cost form of punishment was regular probation, which had a daily average of \$1.22 for each participant.<sup>66</sup> Cost figures from a report by the Bureau of Legislative Research for fiscal year 2008 were not significantly different.<sup>67</sup> Drug court is more costly than probation, but still creates significant daily savings compared to incarceration at ADC or DCC facilities.<sup>68</sup> According to one report, drug-court programs saved Arkansas as much as \$87,324 a day, for a total of \$32 million during fiscal year 2009.<sup>69</sup>

### III. DRUG COURT DATA COLLECTION

Over the past two decades, the number of drug courts in Arkansas has increased significantly,<sup>70</sup> but there has not been a corollary assessment of drug-court performance data to keep pace with this growth. Although the Public Safety Improvement Act of 2011 represents a step toward more evidence-based

---

goal—for graduates to have “an intact family with a rehabilitated, tax-paying breadwinner who is supporting his or her family and participating in improving his or her community.”  
*Id.*

63. *Performance Audit: Drug Court Programs*, ARK. LEGIS. JOINT AUDITING COMM. 6 (May 9, 2008) [hereinafter *Performance Audit*], <http://arklegaudit.gov/showfile.php?t=webaudit&fid=PSPE03408>.

64. *Id.*

65. *Id.*

66. *Id.*

67. *Financing State Programs in Arkansas*, BUREAU LEGIS. RESEARCH, at slide 77 (2008), <http://www.arkansashouse.org/public/userfiles/files/Financing%20State%20Programs%20in%20Arkansas.ppt> (\$57.13 daily cost at ADC, \$50.27 at DCC, \$12.75 at drug courts, \$1.64 for probation/parole).

68. *See id.*

69. *Final Report and Recommendations*, ARK. LEGIS. TASK FORCE ON SUBSTANCE ABUSE TREATMENT SERVS. 7 (Sept. 30, 2010), <http://www.arkleg.state.ar.us/assembly/2011/Meeting%20Attachments/000/18509/Exhibit%20G.2%20%20Task%20Force%20on%20Substance%20Abuse%20Treatment%20Services%20Report.pdf>. *But see Legislative Report, supra* note 2, at 19 (estimating that the state only saved \$26 million in fiscal year 2009 as a result of drug-court programs).

70. *See Legislative Report, supra* note 2, at 1.

practices,<sup>71</sup> the legislation does not require the collection of a comprehensive set of data elements necessary to evaluate drug-court performance measures. Once Arkansas drug courts adopt and collect a comprehensive set of data elements, the drug-court program can analyze this data to identify successful drug-court treatment techniques. A comprehensive study in Wyoming illustrates how drug-court programs can effectively evaluate a set of data elements to replicate successes, identify failures, and make future program recommendations.<sup>72</sup>

#### A. Drug Court Performance Measures

Performance measures are identified as “research-based indicators to measure program activity,” or a data set that is collected and analyzed to measure the success of particular programs.<sup>73</sup> Researchers and policymakers over the past two decades have repeatedly emphasized the need to implement performance measures for drug courts.<sup>74</sup> One of the more comprehensive reports to promulgate a uniform data-collection model for drug-court programs is a 2006 publication, *Navigating Performance Measures*.<sup>75</sup> Described as “[t]he most important development in performance measurement of drug courts,”<sup>76</sup> the *Navigating Performance Measures* report provides a set of performance-measure recommendations that drug courts can adopt.<sup>77</sup> The report assesses three general performance measures, including retention, sobriety, and recidivism, and one secondary measure, units of service.<sup>78</sup>

---

71. Act 570, 2011-2, Ark. Adv. Legis. Serv. 675, 826 (LexisNexis) (codified at ARK. CODE ANN. § 16-98-301(b) (Supp. 2011)) (“‘Evidence-based practices’ means practices proven through research to reduce recidivism . . .”).

72. See *State of the Art*, *supra* note 24, at 16-17.

73. Cary Heck, *Local Drug Court Research: Navigating Performance Measures and Process Evaluations*, NAT’L DRUG COURT INST., 7 (June 2006) [hereinafter *Navigating Performance Measures*], [http://www.ojp.usdoj.gov/BJA/pdf/Local\\_Drug\\_Court\\_Research.pdf](http://www.ojp.usdoj.gov/BJA/pdf/Local_Drug_Court_Research.pdf). The report was a partnership project between the National Drug Court Institute, the United States Department of Justice, the Bureau of Justice Assistance, and the Office of National Drug Court Policy. *Id.* at ii.

74. See generally *A National Research Agenda for Drug Courts*, *supra* note 19; *Defining Drug Courts: The Key Components*, *supra* note 29; *Navigating Performance Measures*, *supra* note 73.

75. *Navigating Performance Measures*, *supra* note 73, at 1.

76. *State of the Art*, *supra* note 24, at 5.

77. *Id.*

78. *Navigating Performance Measures*, *supra* note 73, at 8.

Retention is calculated as the “number of people who complete the program divided by the number who enter the program during a particular time period,” and should be calculated as either a ratio or a percentage.<sup>79</sup> The National Research Advisory Committee recommends that retention be measured in cohorts, or groups of participants, in order to more easily track and calculate retention.<sup>80</sup>

Sobriety is accurately measured through a court's drug-testing program during participants' time in the program.<sup>81</sup> Courts should be able to determine the average length of sobriety for drug-court participants, as well as measure the average number of failed tests per participant.<sup>82</sup> In this way, courts can use performance measures to set a standard program for offenders or to determine whether a participant is likely to succeed in the program.<sup>83</sup>

For purposes of drug-court data collection, authorities suggest that a recidivism rate measure an offender's re-arrest rather than conviction, but this justification is based on the ease and speed of collecting these statistics.<sup>84</sup> Recidivism rates based on convictions and post-program data are useful,<sup>85</sup> especially to determine a program's success at reintegrating individuals into society—an aim that is consistent with the key goals of drug-court programs.<sup>86</sup>

Units of service are described by the report as “a measure of those drug court activities that address the needs of drug court clients including, but not limited to, substance abuse treatment.”<sup>87</sup> Essentially, units of service document the services that are provided to drug-court participants, including medical and mental care, educational assistance, and job-training programs.<sup>88</sup>

---

79. *Id.* at 9.

80. Cary Heck & Meridith H. Thanner, *Drug Court Performance Measurement: Suggestions from the National Research Advisory Committee*, DRUG CT. REV., 2006, at 33, 43, [http://www.ndci.org/sites/default/files/ndci/DCR\\_V2.pdf](http://www.ndci.org/sites/default/files/ndci/DCR_V2.pdf).

81. *Navigating Performance Measures*, *supra* note 73, at 9.

82. *Id.*

83. See Heck & Thanner, *supra* note 80, at 44.

84. *Navigating Performance Measures*, *supra* note 73, at 10.

85. *Id.*

86. See ARK. CODE ANN. § 16-98-302(b)(9) (Supp. 2011). See *infra* Part IV.B for a discussion of recidivism rates and their usefulness as a performance-measurement tool.

87. *Navigating Performance Measures*, *supra* note 73, at 11.

88. *Id.*

In addition to general performance measures, the *Navigating Performance Measures* report also provides a “list of minimum data elements,” which drug-court programs should adopt, and expand upon, to create their own data-collection sets.<sup>89</sup> These elements include values ranging from standard personal information—such as race, age, gender, education level, health and medical information, and current offense<sup>90</sup>—to more advanced in-program statistical documentation.<sup>91</sup> These advanced performance measures often focus on offender-treatment programs—documenting the type of treatment, the time spent in treatment, the level of participation by the offender, and the amount of progress achieved.<sup>92</sup> Other factors may track an individual offender’s success or failure in the program by detailing the number of encounters with the judge, the types of sanctions and incentives given, and the specific services provided to the offender.<sup>93</sup> The report also encourages the collection of several post-program measures in addition to recidivism, which include the continuing treatment plan, the support groups attended, and twelve-step program participation.<sup>94</sup> Drug-court programs that collect these data elements can analyze this data to track the success of their general performance measures and make concrete recommendations about the future of their program.<sup>95</sup>

#### B. Performance Measurement Evaluation in Practice— Wyoming

Wyoming has adopted many of the performance measures and data elements encapsulated in the *Navigating Performance Measures* report, and may provide the best statewide example of a drug-court program’s use of performance data.<sup>96</sup> Wyoming statutes identify the four performance measure goals—retention,

---

89. *Id.* at 3.

90. *Id.* at 25-26.

91. *Id.* at 26-27.

92. *Navigating Performance Measures*, *supra* note 73, at 26.

93. *Id.* at 27.

94. *Id.* at 28.

95. *See id.* at 14.

96. *See* D. Rubio et al., *Wyoming Drug Court Performance Measures Report*, NAT’L CTR. FOR STATE COURTS (2007) <http://contentdm.ncsconline.org/cgi-bin/showfile.exe?CISOROOT=/spcts&CISOPTR=146>.

recidivism, sobriety, and units of service<sup>97</sup>—but also list many of the specific data elements that drug courts must collect and maintain in a standardized format.<sup>98</sup> This statutorily mandated data collection includes:

- (i) Gender, race, ethnicity, marital status and child custody and support obligations;
- (ii) Criminal history;
- (iii) Substance abuse history, including substances of choice and prior treatment;
- (iv) Employment, education and income history;
- (v) Number and health of children born to female participants;
- (vi) Incidents of recidivism occurring before, during and after successful completion of a program, or failed participation in a program . . . .<sup>99</sup>
- (vii) The number of participants screened for eligibility, the number of eligible persons who were, and who were not, admitted to the program and their case dispositions; [and]
- (viii) The costs of operation and sources of funding of the program.<sup>100</sup>

These data elements represent many of the “minimum data elements” identified and discussed in the *Navigating Performance Measures* report.<sup>101</sup>

After Wyoming adopted these data performance measures, the National Center for State Courts conducted an evaluation in the state over a six-month period.<sup>102</sup> In order to achieve this study in a timely manner, the National Center for State Courts set up a web-based reporting system that allowed individual drug courts to enter data online, thereby making it immediately retrievable by researchers.<sup>103</sup> Wyoming’s report, the first to comprehensively study these performance measures in practice,

---

97. WYO. STAT. ANN. § 7-13-1603(b) (West 2011).

98. WYO. STAT. ANN. § 7-13-1613(a) (West 2011).

99. WYO. STAT. ANN. § 7-13-1613(a).

100. WYO. STAT. ANN. § 7-13-1613(b).

101. See *Navigating Performance Measures*, *supra* note 73, at 3, 25-28; see *supra* Part III.A.

102. *State of the Art*, *supra* note 24, at 5, 16.

103. Rubio et al., *supra* note 96.

analyzed the performance data with the goal of determining how to improve drug-court treatment programs in the state.<sup>104</sup>

From a macro level, the study focused on the four overall performance measures—retention, recidivism, sobriety, and units of service<sup>105</sup>—but analyzed individual data elements in order to evaluate these goals and produce information to improve future drug-court performance.<sup>106</sup> In terms of retention, the study found that 48.1% of adults graduated from the program, 16.7% were terminated, 15.7% were still active in the program, 10.2% had absconded, and 9.3% had simply withdrawn.<sup>107</sup> Recidivism rates were almost twice as high for individuals who were terminated from the program (27.9%) as they were for program graduates (13.7%).<sup>108</sup> When these data elements were further evaluated, researchers extrapolated a number of findings for Wyoming's drug-court program to consider:

- “Employment at admission for adult participants is associated with graduation . . . drug courts should strive to address participant needs in this area.”<sup>109</sup>
- “[A] high school degree or GED is an important predictor of graduation . . . .”<sup>110</sup>
- “Whites are more likely than nonwhites to have a smaller percentage of positive drug tests for juveniles and reduced odds of in-program recidivism for juveniles. These racial differences suggest the need for additional resources for non-white participants.”<sup>111</sup>
- “Adult and juvenile participants that had more arrests during the year prior to their participation had higher percentages of positive drug tests than offenders with

---

104. *State of the Art*, *supra* note 24, at 16.

105. WYO. STAT. ANN. § 7-13-1603(b) (West 2011).

106. *State of the Art*, *supra* note 24, at 16-17.

107. Rubio et al., *supra* note 96.

108. *Id.*

109. *State of the Art*, *supra* note 24, at 17.

110. *Id.*

111. *Id.*

lower numbers of arrests. Such offenders should be identified early and supervised accordingly.”<sup>112</sup>

- “Adult participants that abuse methamphetamine, cocaine, crack, prescription drugs, or heroin, or that were referred for a DUI offense are significant risks for being rearrested in program.”<sup>113</sup>

Wyoming’s study demonstrates the importance of drug-court performance-measure data collection by illustrating several treatment recommendations that have resulted from the study.

#### IV. ANALYSIS

Arkansas drug courts are statutorily required to collect and analyze drug-court data,<sup>114</sup> but currently collect an insufficient number of data elements to be able to conduct comprehensive performance-measure evaluations. The Arkansas Public Safety Improvement Act of 2011 improved Arkansas’s drug-court data collection practice by requiring drug courts to collect some specific data elements,<sup>115</sup> but failed to go far enough. Thus, although Arkansas has improved its data-collection requirements, it must still adopt and collect a more comprehensive set of data elements in order to identify and improve drug-court treatment techniques.<sup>116</sup> After collecting this comprehensive data, Wyoming’s study demonstrates how performance data can be analyzed in order to identify patterns, problem areas, and successful treatment techniques. In terms of performance measures, recidivism rates may be the most widely discussed figure that results from drug-court studies, but recidivism studies by the Arkansas Department of Community Correction have been based on a flawed drug-court recidivism comparison model. In addition to these quantitative data issues, Arkansas’s drug-court program must also address the qualitative issue of promoting more pre-adjudication drug-court programs

---

112. *Id.*

113. *State of the Art, supra* note 24, at 17.

114. ARK. CODE ANN. § 16-98-306(a)(1) (Supp. 2011).

115. Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 830 (LexisNexis) (codified at ARK. CODE ANN. § 16-98-306(a)(2)).

116. *See State of the Art, supra* note 24, at 16.

in the state. Finally, Arkansas's drug-court program must ensure that local drug courts are required to participate in a uniform, statewide, performance-measure data-collection system.

#### A. Lack of Data Collection

Prior to the 2011 Arkansas legislative session, Arkansas's drug-court program had not addressed its failure to collect an adequate number of data elements from drug-court participants across the state.<sup>117</sup> The Public Safety Improvement Act codified several data elements that drug courts are now required to collect from drug-court applicants and participants, including:

- (A) The total number of applicants;
- (B) The total number of participants;
- (C) The total number of successful applicants;
- (D) The total number of successful participants;
- (E) The reason why each unsuccessful participant did not complete the program;
- (F) Information about what happened to each unsuccessful participant; [and]
- (G) The total number of participants who were arrested for a new criminal offense while in the drug court program . . . .<sup>118</sup>

Yet, these general data elements are not detailed or comprehensive enough to render meaningful, evidence-based recommendations for Arkansas's drug-court program. A quick

---

117. See, e.g., *The Line: A Newsletter for and about Arkansas Drug Courts*, ADMIN. OFFICE OF THE COURTS (Mar. 2008), [http://courts.state.ar.us/drugcourt/newsletter/2008\\_Mar\\_Line.pdf](http://courts.state.ar.us/drugcourt/newsletter/2008_Mar_Line.pdf). The Division of Drug Courts acknowledged that the collection of additional data elements and performance measures were necessary to effectively evaluate the program. *Id.* at 1.

118. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 830-31 (codified at ARK. CODE ANN. § 16-98-306(a)(2)). Additional statutory provisions include:

- (H) The total number of participants who were convicted of a new criminal offense while in the drug court program; (I) The total number of participants who committed a violation of one (1) or more conditions of the drug court program and the resulting sanction; (J) The results of the initial risk-needs assessment review for each participant; and (K) Any other data or information as required by the Division of Drug Court Programs within the Administrative Office of the Courts . . . .

Act 570, 2011-2 Ark. Adv. Legis. Serv. at 830-31 (codified at ARK. CODE ANN. § 16-98-306(a)(2)).

comparison of Arkansas's codified data elements with either Wyoming's comprehensive data elements,<sup>119</sup> or those contained in the *Navigating Performance Measures* report,<sup>120</sup> illustrates the lack of comprehensiveness of Arkansas's statutory provisions. Even prior to the passage of the Public Safety Improvement Act, Arkansas had adopted some data-collection recommendations from organizations such as the National Center for State Courts,<sup>121</sup> but it was clear that the state's data-collection procedures did not go far enough.<sup>122</sup>

The Arkansas Division of Drug Courts has complied with its statutory obligation to provide definitions for general performance measures, including recidivism, retention, relapses, restarts, sanctions imposed, and incentives given.<sup>123</sup> However, these general performance measures must be supported by the collection of specific data elements that are necessary for policymakers to effectively analyze the drug-court program.<sup>124</sup> To utilize data-driven solutions, drug courts must collect a standard set of data elements so policymakers can determine the future of the drug-court program and its effectiveness on reintegrating drug-court participants into their communities.<sup>125</sup> Arkansas's lack of uniform data collection and analysis is symptomatic of a larger, nationwide problem, and an oft-cited criticism of drug courts.<sup>126</sup>

The incentive for data collection is two-fold. First, by tracking its own numbers and monitoring its judicial processes, a local drug court can analyze its internal structure, identify problem areas, and streamline its procedures.<sup>127</sup> Second, the benefit of detailed data collection from a statewide perspective is immense.<sup>128</sup> By enacting a uniform system of data collection

---

119. See *supra* notes 99-100 and accompanying text.

120. See *supra* notes 89-94 and accompanying text.

121. *State of the Art*, *supra* note 24, at 1, 7.

122. See *Consensus Report of the Arkansas Working Group on Sentencing and Corrections*, *supra* note 9, at 1, 6.

123. ARK. CODE ANN. § 16-98-306(d); *Data Elements Reports, Drug Court Publications*, ARK. JUDICIARY, <http://courts.state.ar.us/drugcourt/publications.cfm>.

124. See Heck & Thanner, *supra* note 80, at 37-38.

125. See Rempel, *supra* note 21, at 3-4, 12-14.

126. *Navigating Performance Measures*, *supra* note 73, at 1 (arguing that drug courts should focus additional resources on the collection and analysis of data collected from drug-court participants).

127. Heck & Thanner, *supra* note 80, at 61.

128. See Rempel, *supra* note 21, at 15.

and analysis, Arkansas's drug-court program can begin to identify and recommend specific treatment models for different types of offenders.<sup>129</sup> If a certain balance of sanctions, rewards, and treatment techniques begins to show promise for specific types of drug offenders, a data evaluation system has the potential to identify this formula.<sup>130</sup>

Unfortunately, Arkansas drug courts do not capture several data elements that are critical to make advanced evaluations and recommendations regarding the future of the program. Some of the necessary elements not currently collected from drug-court participants in drug courts across Arkansas include:

- (1) Type of drug abused;
- (2) Specific combination of sanctions and rewards utilized;
- (3) Prior criminal record;
- (4) Highest level of education achieved;
- (5) Current employment status;
- (6) Postgraduation figures (GED attainment, job-training program, employment success rate);
- (7) Units of service (medical care, mental-health care, dental services); and
- (8) Drug treatment plan.<sup>131</sup>

Absent collection of the foregoing factors, Wyoming would never have realized its study's recommendations.<sup>132</sup> For example, without determining the type of drug abused, the study would not have determined which offenders were at the highest risk of being rearrested.<sup>133</sup> Based on that state's data, Wyoming's study was also able to identify employment and education levels as two critical indicators of a participant's ultimate success in the program.<sup>134</sup> Arkansas drug courts must

---

129. *See id.*

130. *See id.*

131. *See* Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 830-31 (LexisNexis) (codified at ARK. CODE ANN. § 16-98-306(a)(2) (Supp. 2011)). Although the Public Safety Improvement Act of 2011 required Arkansas drug courts to track the reasons that unsuccessful drug-court participants failed to complete a program, this data does not identify the sanctions and rewards that led to an applicant's successful completion of a drug-court program. *See* Act 570, 2011-2 Ark. Adv. Legis. Serv. at 830-31 (codified at ARK. CODE ANN. § 16-98-306(a)(2)).

132. *See supra* notes 107-113 and accompanying text.

133. *See supra* note 113 and accompanying text.

134. *See supra* notes 109-10 and accompanying text.

first commit to the collection of a more comprehensive set of data elements in order to identify patterns and make meaningful recommendations for the state's drug-court program. Once Arkansas begins to collect this data, it can proceed to analyze it in order to develop evidence-based drug-court recommendations, just like Wyoming.<sup>135</sup>

Recently, Arkansas has demonstrated that it is willing to move toward more evidence-based treatment programs and to attempt to identify both drug- and patient-specific treatment techniques that can improve the likelihood of drug-court participant success.<sup>136</sup> The Public Safety Improvement Act provides that the DCC shall develop an assessment capacity in order to assess treatment techniques that will improve drug-court participants' chances for success.<sup>137</sup> The Act also discusses the use of evidence-based practices to identify "high-risk" drug-court participants and provides that evidence-based practices should even be a consideration for the expansion of current drug courts or the creation of new drug courts.<sup>138</sup> Yet, it remains to be seen how quickly and systematically the DCC transitions to more evidence-based practices. Adding to this uncertainty is the fact that the development of these evidence-based treatment programs is "[s]ubject to an appropriation, funding, and position authorization"<sup>139</sup>—especially notable in light of recent state and national budgetary concerns.

### B. Recidivism Rates

Recidivism is a measurement of an offender's tendency to be re-incarcerated after being released from a drug-court program<sup>140</sup> and is often cited by drug courts as a program benefit when contrasted with higher recidivism rates for more

---

135. See *supra* notes 107-13 and accompanying text.

136. See Act 570, 2011-2 Ark. Adv. Legis. Serv. at 756-57, 829 (codified at ARK. CODE ANN. § 16-93-101(3), (9) (Supp. 2011)); see also ARK. CODE ANN. § 16-98-303(b)(2)(E) (Supp. 2011).

137. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 829 (codified at ARK. CODE ANN. § 16-98-303(b)(2)(E)).

138. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 829 (codified at ARK. CODE ANN. § 16-98-303(b)(4)(E)(iv)).

139. ARK. CODE ANN. § 16-98-303(b)(2).

140. See *supra* note 56 and accompanying text.

traditional forms of criminal punishment.<sup>141</sup> In fact, recidivism seems to have become the primary and sole measure of success for all Arkansas drug-court programs.<sup>142</sup>

In order to accurately quantify whether Arkansas's drug-court program is reducing recidivism rates among drug offenders, the DCC must compare drug-offender rates in drug court to recidivism rates for drug offenders in other DCC programs.<sup>143</sup> A proper comparison model requires that drug-court attendees be compared to individuals in other correctional programs according to the same category of drug and alcohol crimes for which they were charged.<sup>144</sup> This comparison requirement holds true for offenders in other DCC programs as well.<sup>145</sup> Yet, in recent DCC recidivism studies of parolees and probationers, parole and probation participants were not categorized by the type of crime for which they were incarcerated.<sup>146</sup>

Type-of-crime categorization is critical because a recidivism comparison must measure whether drug courts effectively reduce recidivism for the only population they serve—drug offenders.<sup>147</sup> For example, a comparison of recidivism rates between convicted robbery parolees and drug-court participants arrested for marijuana possession demonstrates nothing about drug-offender recidivism because it does not compare recidivism rates among drug offenders.<sup>148</sup> Recently published recidivism rates in Arkansas are 23.7% for

---

141. *Legislative Report*, *supra* note 2, at 19 (including a comparison of drug-court recidivism rates to recidivism rates for parole, probation, and other Department of Community Correction forms of incarceration).

142. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 828 (codified at ARK. CODE ANN. § 16-98-302(d) (Supp. 2011)) (“Drug court program success shall be determined by the rate of recidivism of all drug court participants, including participants who do not graduate.”).

143. *See Navigating Performance Measures*, *supra* note 73, at 7-8.

144. *See id.*

145. *See id.*

146. *See Parolee Recidivism FY 2004 through FY 2006*, ARK. DEP'T OF CMTY. CORR. (Apr. 2008), <http://www.dcc.arkansas.gov/pdfs/Research%20and%20Studies/Parolee%20Recidivism%202007%20Report.pdf> (breaking down parole recidivism rates by gender and race); *see also Probation Recidivism FY 2004 through FY 2006*, ARK. DEP'T OF CMTY. CORR. (July 2008), <http://www.dcc.arkansas.gov/pdfs/Research%20and%20Studies/Probation%20Recidivism%202008%20Report.pdf> (breaking down probation recidivism rates by gender and race).

147. *See Navigating Performance Measures*, *supra* note 73, at 7-8.

148. *See id.*

parolees, 21.7% for probationers,<sup>149</sup> and only 6.9% for drug-court participants.<sup>150</sup> However, this comparison fails to demonstrate whether drug courts are more successful than parole or probation at reducing recidivism rates for drug offenders because it compares general offenders charged with different types of crimes.<sup>151</sup> Unfortunately, the Administrative Office of the Courts used this very comparison in its annual report to the Arkansas General Assembly to support the proposition that drug courts are cost-effective and reduce offenders' recidivism rates.<sup>152</sup> An accurate comparison of recidivism rates requires that the DCC change its statistical analysis to compare recidivism rates for drug offenders alone across the spectrum of parole, probation and drug-court programs.<sup>153</sup>

In addition, Arkansas's drug-court program must focus on identifying which drug-court treatment models are the most effective for treating specific categories of drug offenders.<sup>154</sup> A recent study by the Pew Center for State Courts, designed to help curb Arkansas's growing prison population, suggests that requiring the DCC to use evidence-based practices is critical to reducing offenders' recidivism rates.<sup>155</sup> The Public Safety Improvement Act has begun the process of transitioning to more evidence-based DCC treatment practices,<sup>156</sup> but the implementation of these evidence-based practices is still subject to program funding.<sup>157</sup>

The appeal of discretion and flexibility in drug-court programs also becomes apparent in this context—allowing courts to adopt specific treatment techniques for specific categories of patients and even individual participants.<sup>158</sup> A

---

149. 2008-09 Annual Report: Parole & Probation and Community-Based Residential Services, ARK. DEP'T OF CMTY. CORR., 14 (2008-09), [http://www.dcc.arkansas.gov/pdfs/publications/ar08\\_09.pdf](http://www.dcc.arkansas.gov/pdfs/publications/ar08_09.pdf).

150. Drug Court Graduate Recidivism: FY 2006 Graduates, *supra* note 56, at 6.

151. See *Navigating Performance Measures*, *supra* note 73, at 7-8.

152. *Legislative Report*, *supra* note 2, at 19.

153. See *Navigating Performance Measures*, *supra* note 73, at 7-8.

154. See *Consensus Report of the Arkansas Working Group on Sentencing and Corrections*, *supra* note 9, at 6-7.

155. *Id.* at 5-6 (suggesting that the DCC should adopt data-collection procedures at both intake and outtake in order to evaluate the effectiveness of its parole and probation programs).

156. See Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 756 (LexisNexis) (codified at ARK. CODE ANN. § 16-93-101(3) (Supp. 2011)).

157. See *supra* note 5 and accompanying text.

158. ARK. CODE ANN. § 16-98-303(a)(2)(A) (Supp. 2011).

statewide effort to identify and promulgate effective treatment techniques for categories of offenders should support local courts in this endeavor. The idea of increased data collection does not necessarily involve changing the discretion inherent in the local drug-court model.<sup>159</sup> Indeed, one comprehensive performance-measure evaluation of drug courts concluded that “[r]igid formulaic requirements should be approached with extreme caution at statewide and federal levels.”<sup>160</sup> Local courts can maintain their discretion, while maximizing the effectiveness of their treatment techniques, if they are supported by a comprehensive, statewide, data-analysis program.<sup>161</sup>

The “Drug Court Newsletter” highlights the independence of local drug-court programs and has been published by the Division of Drug Courts five to six times a year.<sup>162</sup> As noted in one newsletter, Arkansas’s drug-court program has taken some steps to share effective treatment practices among drug courts, such as during its annual statewide conference.<sup>163</sup> At the 2010 statewide drug-court conference, thirty-two drug-court teams were each given one minute to present ideas to the rest of the conference that they found to be effective in their local programs.<sup>164</sup> The goal of promulgating proven drug-court treatment techniques is an important component of the drug-court model, but the promulgation of subjective treatment techniques, in the absence of objective, data-driven recommendations, is not the most effective way to achieve this aim. If treatment programs strive to increase their effectiveness, while still maintaining their personalized treatment approach to

---

159. See Michael Rempel et al., *The New York State Adult Drug Court Evaluation: Policies, Participants and Impacts*, CTR. FOR COURT INNOVATION, 72, 78 (Oct. 2003), [http://www.courtinnovation.org/\\_uploads/documents/drug\\_court\\_eval.pdf](http://www.courtinnovation.org/_uploads/documents/drug_court_eval.pdf).

160. *Id.* at 289.

161. *Id.*

162. See generally THE LINE—A NEWSL. FOR AND ABOUT ARK. DRUG CTS. (Ark. Judiciary, Little Rock, Ark.), <http://courts.state.ar.us/drugcourt/newsletters.cfm> (last visited Aug. 23, 2011). The newsletter highlights recent developments regarding Arkansas drug courts and helps keep drug-court judges and workers across the state updated. *Id.*

163. *One Minute Innovations Hit at Statewide Conference*, THE LINE—A NEWSL. FOR AND ABOUT ARK. DRUG CTS. (Ark. Judiciary, Little Rock, Ark.), May 2010, at 1, [http://courts.arkansas.gov/drugcourt/newsletter/2010\\_May\\_Line.pdf](http://courts.arkansas.gov/drugcourt/newsletter/2010_May_Line.pdf).

164. *Id.* (“Sebastian County took home the prize for best innovation, a drug court game developed by drug court graduates . . . . The first quadrant of the board game is labeled ‘addiction’ and because there is only one dice, [sic] it takes a long time to make it out of that area.”).

individual defendants, then statistical, data-driven recommendations would beneficially support these more subjective techniques. Empirical data may even support treatment techniques that are initially suggested by local drug courts, leading to an increase in the identification and dissemination of successful treatment practices across the state.

### C. Pre-Adjudication vs. Post-Adjudication

Although Arkansas drug courts face quantitative data challenges in the form of performance measures and recidivism rates, the pre-adjudication versus post-adjudication debate also merits discussion. The majority of Arkansas's drug courts follow a post-adjudication model,<sup>165</sup> which requires that offenders plead guilty to a criminal offense before being allowed to participate in a drug-court program.<sup>166</sup> By contrast, pre-adjudication drug courts allow offenders to receive drug-abuse treatment and participate in drug court without burdening offenders with criminal charges on their permanent record if they successfully complete the program.<sup>167</sup>

An often voiced criticism of drug courts is that the vast majority of drug-court programs, both in Arkansas and nationally, are post-adjudication.<sup>168</sup> Post-adjudication programs require a defendant to plead guilty to his or her charged criminal offense prior to admission into a drug-court program.<sup>169</sup> In a typical post-adjudication program, when a defendant pleads guilty, the defendant faces a suspended sentence while he or she completes the drug-court program.<sup>170</sup> If that defendant fails to complete the program, a judge need only enter the suspended sentence to send the defendant to jail for the length of their pled term.<sup>171</sup> Many drug courts have trended toward a post-adjudication model, in part, because the procedural aspects are easier for judges and prosecuting attorneys, who need not take a

---

165. Huddleston et al., *supra* note 19, at 4-5, Table 3.

166. *Legislative Report, supra* note 2, at 20.

167. See *America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform, supra* note 43, at 18.

168. Huddleston et al., *supra* note 19, at 4-5.

169. *Legislative Report, supra* note 2, at 20.

170. See *America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform, supra* note 43, at 17.

171. See *id.* at 17, 29.

case to trial if a defendant fails drug court.<sup>172</sup> Local drug-court judges in Arkansas are given sole discretion to determine whether their drug-court programs will be post-adjudication or pre-adjudication<sup>173</sup>—which do not require a defendant to plead guilty to a crime before being admitted to the program.<sup>174</sup>

In a true pre-adjudication program, a defendant is not required to plead guilty or go to trial, but is instead allowed to participate in the drug-court program.<sup>175</sup> If the defendant successfully completes drug court, then the charges against him are dismissed; however, upon his failure to complete the program, the defendant will be required to proceed to trial.<sup>176</sup> Under this model, a defendant neither foregoes his or her right to trial, nor blemishes his criminal record with a criminal charge for a drug or alcohol offense.<sup>177</sup> A hybrid model, deemed a post-plea/pre-adjudication court, requires a defendant to enter a plea that the court holds in abeyance while the defendant participates in drug court.<sup>178</sup> If the defendant graduates, the charges are dismissed; but if the defendant fails drug court, his or her deferred plea will be entered, and a sentence imposed.<sup>179</sup> The post-plea/pre-adjudication hybrid model allows a defendant to avoid a criminal charge on their record—similar to a pre-adjudication court—but requires a defendant to forego his or her right to trial in order to enter drug court, like a post-adjudication court.<sup>180</sup>

The primary concern with post-adjudication drug-court programs is that if a defendant pleads guilty to a criminal charge, that charge will remain on the individual's permanent record and may thereby hinder future employment

---

172. *See id.*

173. ARK. CODE ANN. § 16-98-303(a)(2)(B)(i) (Supp. 2011).

174. *See America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, *supra* note 43 at 17.

175. *See* Peggy Fulton Hora & Theodore Stalcup, *Drug Treatment Courts in the Twenty-First Century: The Evolution of the Revolution in Problem-Solving Courts*, 42 GA. L. REV. 717, 726 (2008); *America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, *supra* note 43 at 17 (also referring to this drug-court model as a "pre-plea/pre-adjudication" program).

176. *See America's Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, *supra* note 43, at 17.

177. *Id.* at 25.

178. *Id.* at 17.

179. *Id.*

180. *Id.*

opportunities.<sup>181</sup> Many employers may require a potential employee to disclose whether he or she has ever pled guilty to a criminal charge, and a post-adjudication drug-court graduate must answer in the affirmative.<sup>182</sup> Although unintentional, the effects of post-adjudication drug courts may frustrate many of the utilitarian justifications that make drug courts an attractive model—including reintegration into society—which necessarily requires employment.<sup>183</sup>

In addition, an offender who pleads guilty in a post-adjudication drug court both forfeits his right to a jury trial and is not given credit for time served while in drug court if the defendant subsequently fails drug court and is sentenced to the full length of his pled prison term.<sup>184</sup> For example, if a defendant spends two years in drug court, but then relapses and fails the drug-court program, he will face his suspended incarceration sentence for an additional term of years, for which he will be given no credit for time served during his previous two years in drug court.

According to a national 2008 report, out of Arkansas's thirty-nine adult drug courts at the time, thirty were post-adjudication programs that first required an offender to plead guilty to the crime for which they were charged.<sup>185</sup> Four courts were hybrid pre-/post-plea programs, and only three programs were specifically identified as pre-plea, or pre-adjudication programs.<sup>186</sup> A majority of states share Arkansas's lackluster pre-adjudication figures, but a few, such as Florida, are listed in the report as having 42% of their drug courts pre-plea, while Wisconsin had 93% of its drug courts listed as pre-plea programs.<sup>187</sup> As drug-court programs evolve in Arkansas, the

---

181. Dina Fine Marion, *Courting Drug-Policy Reform: A Bipartisan Drug Policy 20 Years in the Making?*, NEWSWEEK, Oct. 7, 2009, <http://www.newsweek.com/2009/10/06/courting-drug-policy-reform.html>; see also *Performance Audit*, *supra* note 63, at 8 (“In post-adjudication, the participant’s charges remain on their record . . .”).

182. See Marion, *supra* note 181.

183. See *id.*; see also *America’s Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, *supra* note 43, at 17.

184. See *America’s Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform*, *supra* note 43 at 17, 29; see also *supra* notes 42-49 and accompanying text.

185. Huddleston et al., *supra* note 19, at 9.

186. *Id.* at 9 (identifying two additional adult drug courts in Arkansas as an “Unknown Type”).

187. *Id.*

Division of Drug Courts and the Arkansas General Assembly should provide incentives for future courts to trend toward a pre-adjudication drug-court model.

#### D. Legislative and Executive Suggestions

In 2008, Arkansas drug courts appeared to begin a self-imposed process of strengthening data-collection procedures,<sup>188</sup> but these voluntary adaptations have yet to produce any significant public findings or detailed recommendations. Indeed, the implementation of many of these same performance measures was again discussed in subsequent years.<sup>189</sup> Largely for this reason, the true impact of the Public Safety Improvement Act on drug-court data-collection procedures remains unclear. The Act provides flexibility to the Division of Drug Courts to collect additional data elements from local drug courts,<sup>190</sup> but the program has been empowered with this legislative authority since the Arkansas Drug Court Act of 2007,<sup>191</sup> and has thus far failed to utilize it. To ensure effective data collection, Arkansas policymakers should consider solutions adopted by other drug-court jurisdictions, including the codification of a comprehensive set of data elements, tying funding to data collection, and increasing the number of drug-court performance audits.

As previously discussed,<sup>192</sup> Wyoming has codified the specific data elements that its drug courts are required to collect and report and has also vested power in its drug-court program to adopt additional rules and regulations.<sup>193</sup> These rules and regulations further support statewide data analysis by providing that data is “collected efficiently, in a uniform manner, and in a format that facilitates research and the evaluation of

---

188. *State of the Art*, *supra* note 24, at 1.

189. *Consensus Report of the Arkansas Working Group on Sentencing and Corrections*, *supra* note 9, at 6-7.

190. Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 831 (LexisNexis) (codified at ARK. CODE ANN. § 16-98-306(a)(2)(K) (Supp. 2011)) (“Any other data or information as required by the Division of Drug Court Programs within the Administrative Office of the Courts in accordance with the rules promulgated under § 16-98-307.”).

191. Act 1022, 2007 Ark. Acts 5285, 5295 (codified at ARK. CODE ANN. § 16-98-303(f)(3) (Supp. 2011)) (“Establish, manage, and maintain a uniform statewide drug court information system to track information and data on drug court program participants to be reviewed by the Drug Court Advisory Committee . . .”).

192. *See supra* Part III.B.

193. WYO. STAT. ANN. § 7-13-1613(a) (West 2011).

outcomes.”<sup>194</sup> The Arkansas General Assembly should consider similar legislation aimed at codifying a more comprehensive collection of data elements and uniform data-collection procedures in Arkansas’s drug-court statutes.

Another solution, utilized by some federal authorities, ties drug-court funding directly to the courts’ collection of a mandatory set of data elements.<sup>195</sup> Arkansas has also adopted the idea to tie financial incentives to performance, albeit in the form of incentives for programs that reduce recidivism rates and comply with the state’s sentencing guidelines.<sup>196</sup> The Performance Incentive Act of 2011 seeks to reward practices that reduce commitments to DCC programs in general, rather than tying financial incentives to drug-court data collection in particular.<sup>197</sup> The Act espouses a best-practices incentive program, providing that state agencies, counties, and judicial districts are eligible to receive monetary awards if they reduce DCC commitments without any resultant increase in the crime rate.<sup>198</sup> Although this program does not target drug courts in particular,<sup>199</sup> future legislation could provide financial incentives to courts for their collection of drug-court data. Arkansas’s drug courts are funded by the Arkansas General Assembly,<sup>200</sup> so this legislative body should consider the implementation effects of providing some drug-court data-collection funding as a way to ensure the collection of drug-court data.

A more in-depth or recurring performance audit program may also ensure that Arkansas’s drug-court program adequately fulfills its data-collection requirements. During its 2008

---

194. Wyo. R. & Regs., Ch. 8, § 13(c) (West 2011).

195. See *Drug Court Discretionary Grant Program: FY 2007 Competitive Grant Announcement*, U.S. DEP’T OF JUSTICE, 2-3 (FY 2007), <http://www.ojp.usdoj.gov/BJA/grant/07DrugCtsol.pdf>.

196. Act 570, 2011-2 Ark. Adv. Legis. Serv. 675, 831 (LexisNexis) (codified at ARK. CODE ANN. § 16-99-101 (Supp. 2011)).

197. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 831 (codified at ARK. CODE ANN. § 16-99-101(a) (“Both state and local agencies that implement criminal justice practices resulting in outcomes that reduce commitments to the Department of Correction should be rewarded.”).

198. Act 570, 2011-2 Ark. Adv. Legis. Serv. at 831 (codified at ARK. CODE ANN. § 16-99-101(b)).

199. See Act 570, 2011-2 Ark. Adv. Legis. Serv. at 831 (codified at ARK. CODE ANN. § 16-99-101(b)).

200. *Legislative Report*, *supra* note 2, at 1.

performance assessment, the Legislative Joint Auditing Committee effectively identified several areas of concern for Arkansas's drug-court program.<sup>201</sup> In light of those concerns, and others raised by this comment, a more detailed subsequent performance audit may be appropriate.<sup>202</sup> Future audits should consider a more in-depth assessment of the drug-court program's procedural components, including its data collection and evaluation systems, to determine whether the program is fully complying with its statutory obligations.

As part of their regulatory drug-court program framework, the Wyoming Department of Health's rules and regulations require that each local drug court in that state conduct a self-evaluation every other year, in addition to random program audits and treatment reviews.<sup>203</sup> The regulations also require an audit for all programs provided by the state's drug courts and an inclusion of "recommendations to improve the program."<sup>204</sup> Arkansas should consider adopting similar program requirements for its drug-court programs.

## V. CONCLUSION

Criminal law was the first substantive area of the English common law to experience widespread codification, a process that has continued over the decades.<sup>205</sup> Drug-court programs, in contrast to other areas of the criminal law, have sought to establish a high level of autonomy for their judges, allowing flexibility to design and operate their courts.<sup>206</sup> Drug-court judges retain a vast amount of discretion to manage their courts' structural and operational components and provide individualized treatment solutions to drug-court participants.<sup>207</sup>

---

201. *Performance Audit*, *supra* note 63, at 1, 8-10.

202. The Arkansas General Assembly responded to one of the concerns raised by the Legislative Joint Auditing Committee's 2008 performance audit by clarifying the definition of a violent offender during the 2011 legislative session. See Act 570, 2011-2 Ark. Adv. Legis. Serv. at 827 (codified at ARK. CODE ANN. § 16-98-301(b)(3) (Supp. 2011) (defining the term "violent felony offense").

203. Wyo. R. & Regs., Ch. 8, § 10(c)-(d) (West 2011).

204. Wyo. R. & Regs., Ch. 8, § 10(c).

205. See Gunther A. Weiss, *The Enchantment of Codification in the Common-Law World*, 25 YALE J. INT'L L. 435, 487 (2000) (dating back to at least 1848, when the House of Lords first considered "An entire Digest of the written and unwritten Law relating to the Definition of Crimes and Punishments . . .").

206. See *supra* note 32 and accompanying text.

207. ARK. CODE ANN. § 16-98-303(a)(2)(A) (Supp. 2011).

Greater evaluative oversight of drug-court programs is practical because drug courts are a relatively recent phenomenon,<sup>208</sup> and have experienced unprecedented growth compared to other areas of the judiciary. As this growth continues, evidence-based recommendations and data-driven practices are essential to effectively shape the future of these judicial programs.

Arkansas's drug-court program provides an alternative treatment model for drug offenders in Arkansas's judicial system compared to traditional punishment. Drug courts' benefits to the State of Arkansas are significant—reducing prison populations, saving tax dollars versus incarceration, reintegrating drug offenders into society, and providing a path to substance-abuse treatment for those who are addicted. Many of the justifications for drug courts are utilitarian in nature, and these effects should be maximized by encouraging drug courts in Arkansas to trend toward a pre-adjudication model—in order to minimize employment opportunity hurdles and successfully reintegrate offenders into their local communities.

Most critically, Arkansas must adopt a more detailed set of performance measures and require all Arkansas drug courts to collect, report, and maintain a comprehensive set of data elements. In order to adopt evidence-based practices in Arkansas and conduct meaningful studies such as Wyoming's, Arkansas's drug courts must first be required to collect a comprehensive set of data elements from drug-court participants. The Arkansas General Assembly should codify a comprehensive set of data elements in Arkansas's drug-court statutes and also consider tying some drug-court funding to the collection of data. The Administrative Office of the Courts is currently charged with overseeing the collection and analysis of drug-court data, in conjunction with the DCC, so reforms should target both agencies.<sup>209</sup>

Arkansas's drug-court program is likely to expand in the future as state prison populations continue to swell and incarceration costs consume ever-larger portions of the state's

---

208. *What is the Division of Drug Courts?*, *supra* note 3. The first drug-court program was created in Dade County, Miami, Florida, in 1988. *Id.*

209. *See* ARK. CODE ANN. § 16-98-306(f) (Supp. 2011). The Administrative Office of the Courts has also suggested that “the division has yet to be funded” by the Arkansas General Assembly, thus resulting in a lack of data and evaluative assessments. *Legislative Report*, *supra* note 2, at 9.

general revenue. As drug courts continue to grow and evolve, this growth should be guided by data recommendations that identify successful treatment techniques and locate problems with categories of offenders on a statewide level. Arkansas's drug-court program fails to collect and measure data elements that are necessary to identify patterns and make informed future recommendations about the program. Without this measurement, there is no way that the program can be effectively managed in the future.

MAX DEITCHLER



STATE OF ARKANSAS

*Garland County District Court*

GARLAND COUNTY COURTS BUILDING  
607 OUACHITA, ROOM 150  
HOT SPRINGS, ARKANSAS 71901

DAVID B. SWITZER  
DISTRICT COURT JUDGE, DIVISION I

RALPH OHM  
DISTRICT COURT JUDGE, DIVISION II

JASON LAWRENCE  
COURT ADMINISTRATOR

VICKIE ASHER  
DISTRICT COURT CLERK

PHONE (501) 321-6765  
FAX (501) 321-6764

December 13, 2010

Re: Garland County District Court Drug Court

To Whom it May Concern:

The District Court of Garland County is seeking a comprehensive approach to a serious problem, that being addiction, and to coordinate it from one central location. This will start by education and awareness which is currently being done in cooperation with Garland County C.A.R.E.S. thru advertising, town hall meetings, and promoting awareness of drug/alcohol related offenses and issues. Enforcement of drug/alcohol related laws has stepped up with additional patrol officer training and increased confidence in enforcement along with grant funding for DWI enforcement. This leads to the adjudication stage where the Court introduces some new and innovative concepts like supervised probation, staggered sentencing and minimum security detention for offenders in coordination with treatment. Additionally, monthly reviews of offenders to verify that they are performing as expected; this includes a meaningful public service program, the use of drug patches, random drug testing, and most importantly the flexibility to tailor an offender's sentence that will lead to recovery.

Additionally, the District Court of Garland County will seek any and all resources needed to sustain this program now and in the future for the continued operation of this program. The Court will create an interagency multi-faceted team approach for the pre and post adjudication of substance abuse cases and attempt to systematically change offender behavior. The Court will also cooperate and coordinate all members of the criminal justice system to ensure fair and just treatment for all offenders. The members of the Substance Abuse Team will be representatives from the Prosecuting Attorney's Office, Public Defender's Office, Quapaw Treatment Center, the District Court (Judge, Court Administrator, Chief Court Clerk, and Probation Department), electronic monitoring company, a public liaison, and law enforcement. Each team member will attend all required trainings in their entirety. The team has read and will abide by the Federal and/or State Travel Regulations.

Members of the Team will refer possible candidates into the Drug Court. The probation department, the Court Administrator, and the Chief Court Clerk of the Garland County District Court will perform an initial screening of these candidates with any and all information to be provided to the Substance Abuse Team, who will then make a decision in regards to who will be allowed to enter the program. The Team will also work with the current participants to ensure that their treatment needs are met. This can include mental health services, housing, employment/vocational services, family counseling, parenting and life/social skills. Once an

individual has been allowed into the program they will be assessed by the representative of the Quapaw Treatment Center as to their level of treatment. The judge will then determine the individual's level in the program based upon the screenings by the Court staff and the treatment facility.

The 2011 DCPI application has been completed online. I want to thank you in advance for your time and consideration. If you have any questions, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Ralph C. Ohm", followed by a long horizontal line extending to the right.

Ralph C. Ohm  
District Judge



STATE OF ARKANSAS

**Garland County District Court**

GARLAND COUNTY COURTS BUILDING  
607 OUACHITA, ROOM 150  
HOT SPRINGS, ARKANSAS 71901

DAVID B. SWITZER  
DISTRICT COURT JUDGE, DIVISION I

RALPH OHM  
DISTRICT COURT JUDGE, DIVISION II

JASON LAWRECE  
COURT ADMINISTRATOR

VICKIE ASHER  
DISTRICT COURT CLERK

PHONE (501) 321-6765  
FAX (501) 321-6764

**Garland County District Court**  
**Drug Court Program**  
**Statement of Intent**

The District Court of Garland County located in Hot Springs, Arkansas exercises jurisdiction over traffic violations, misdemeanor criminal cases, preliminary felony cases, civil cases, small claims cases, and violation of city and county ordinances within the 18<sup>th</sup> East Judicial District. The District Court had more than 600 drug offenses in 2007, more than 500 in 2008, more than 714 in 2009, and more than 700 through October 31, 2010. These statistics do not include offenses that were committed as a result of a drug or alcohol addiction. There have also been numerous drug related deaths in our community as well. The Garland County Drug Court will target substance abuse offenders and attempt to change their behavior of alcohol/drug dependency by enrolling them into the program.

It is the belief that the District Court of Garland County should intervene in drug offense cases to prevent these types of incidents or even rehabilitates offenders. District Court Judge Ralph C. Ohm is seeking to establish the Court to provide intensive supervision of offenders through direct supervision by the Court, random drug testing, substance abuse counseling, required employment, Court ordered community service, and any other preventive measures deemed necessary by the Court thereby making the offenders a productive member of Garland County.

**Garland County District Court  
Veteran Treatment Court**

**PROJECT ABSTRACT**

**Garland County District Court:** Exercises jurisdiction over traffic violations, misdemeanor criminal cases, preliminary felony cases, civil cases, small claims cases, and violations of city/county ordinances within the 18<sup>th</sup> East Judicial District. The District Court had more than 700 drug offenses in 2009 and more than 800 in 2010. These statistics do not include offenses that were committed as a result of a substance abuse addiction, mental health disorder, or post-traumatic stress disorder.

**Project Title and Description:** Garland County Veteran Treatment Court. The Veteran Treatment Court will serve Veterans who are involved with the criminal justice system, are determined to be suffering from substance abuse, and alcoholism, and who, in many cases, suffer from combat-related mental disorders. The Veterans' Treatment Court will work in direct partnership with federal and state Veterans' offices, governmental and local community organizations to access the range of services needed to stabilize the Veteran and, ultimately, to reintegrate him or her into the community through viable employment, safe shelter and, when needed, reunification with their family.

**Mission and Goals:** The Veterans Treatment Court mission is to divert Veterans, who meet requirements, from the traditional criminal justice system and provide them with the tools to lead a productive and law-abiding life. The goal of Veterans Court is to divert Veterans away from jail and into rehabilitative programs, when they suffer with mental illness and are charged with misdemeanor crimes.

**Target Audience:** The Garland County Veterans Treatment Court services Garland County, Arkansas, a rural area with a population of 100,000 people and over 11,000 Veterans.

**Expected number of participants:** 75-100

**Project Outcome:** Funds will be used to hire a probation officer and a case manager to handle the specialized caseload of Veterans. The positions will provide service coordination and easier access to services such as employment, education, housing, and benefits counseling. Funds will be devoted to evidence-based substance abuse and mental health treatment. Taking the approach of the interactionist perspective, a theory that views changes as resulting from the interactions among the individual characteristics, the circumstances in society, and the history of social interaction patterns of the person, allows the court to identify and resolve personal issues that trigger recidivism and delinquency. In this process they and the family unit will be encouraged to engage in mandatory counseling sessions, support groups, mentorship through the veteran organization(which is established and functioning), and any other available resource that is in Southwest Arkansas.

## PROJECTIVE NARRATIVE

In June 2011 it became apparent to Judge David Switzer, the presiding Judge of Garland County DWI Court, and Judge Ralph Ohm the presiding Judge of Garland County Drug Court, that Veterans faced a number of challenges when addressing their combat-related trauma. Approximately 1.6 million American troops have served in Afghanistan and/or in Iraq. Veterans have returned with mental illness and/or substance addictions. War-related illnesses may contribute to escalated suicide attempts, arrest, incarceration, divorce, domestic violence, homelessness, and despair. Rather than being reactionary to the anticipated increase of Veterans appearing in our criminal justice system, we decided to take a pro-active approach, whereby the court embarked on a plan to develop a specialized treatment court to meet the particular needs of our Veterans. The Judges implemented the Garland County Veterans' Treatment Court, which currently has 39 participants in the program.

The purpose of the Veterans' Treatment Court is to combine accountability with rehabilitation of returning Veterans. The purpose is to address, not only the symptom of the problem such as alcohol, drugs or violence, but the underlying problem such as PTSD. The first step is assessment and qualification for VA benefits if any, if not, qualification for other services. Then periodic review of compliance with the court's orders whatever they may be: housing, education, counseling, or self-help rehabilitation. Each participant is on probation for additional or more in depth review. In this process, they and their families are encouraged to participate in the mentor and Veteran organization which is established and functioning.

Garland County Veterans Treatment Court engages in extensive collaboration with the Veteran's Health Care Network, community health care providers, Veterans service organizations, community-based agencies, and volunteer Veteran mentors. Garland County Veterans Treatment Court is handled on a specialized criminal court docket involving Veterans charged with misdemeanor criminal offense(s), by diverting eligible Veteran-defendants with substance dependency and/or mental illness. The court substitutes a treatment problem solving model for traditional court processing. Veterans are identified through specialized screening and assessments, and voluntarily participate in a judicially-supervised treatment plan that a team of court staff, Veteran health care professionals, Veteran peer mentors, AOD health care professionals and mental health professionals develop. At regular status hearings treatment plans and other conditions are periodically reviewed for appropriateness. Incentives are offered to reward adherence to court conditions, and sanctions for non-adherence are handed down. Completion of program is defined according to specific criteria. Upon admission to Veterans Treatment Court, the court staff and mentors assist the Veteran with an array of stabilization services, such as emergency financial assistance, mental health/trauma counseling, employment and skills training assistance, temporary housing, advocacy, and other referral services.

Garland County Veterans Treatment Court seeks to divert eligible Veteran-defendants with substance dependency and/or mental illness who are charged with misdemeanor criminal offenses, to a specialized criminal court docket. The court substitutes a treatment problem solving model for traditional court processing. Veterans are identified through evidence-based screening and assessments. The Veterans voluntarily participate in a judicially-supervised

treatment plan that a team of court staff, Veteran health care professionals, Veteran peer mentors, AOD health care professionals and mental health professionals develop with the veteran. At regular status hearings treatment plans and other conditions are periodically reviewed for appropriateness. Incentives are offered to reward adherence to court conditions, and sanctions for non-adherence are handed down. Completion of their program is defined according to specific criteria. Many will have their charges dismissed upon successful completions and others are assured of a non-incarceration sentence upon completion.

Many Veterans are known to have a warrior's mentality and often do not address their treatment needs for physical and psychological health care. Often those who are referred to the Veterans' Treatment Court are homeless, helpless, in despair, suffering from alcohol or drug addiction, and serious mental illnesses. Their lives have been spiraling out of control. Without the collaboration of the VA Health Care Network, "In The Company of Heroes" Veteran Mentor Program, the Veterans' Treatment Court, volunteer veteran mentors, and a coalition of community health care providers, many Veterans would continue suffering untreated, as well as suffering the consequences of the traditional criminal justice system of jail or prison. This collaboration of unique partners affords the opportunity for these Veterans to regain stability in their lives, to have their families strengthened, to have housing for the homeless, and to have employment for the employable. The treatment court team will find them, offer them assistance, assess their needs, manage their care and help them solve their problems.

Also, assisting the court is a team of rehabilitated and/or trouble-free volunteer Veteran mentors with whom they can relate. The mentors in Garland County created a non-profit organization "In the Company of Heroes". The pool of Veteran Mentors includes those who have served in Vietnam, Desert Shield, Operation Enduring Freedom and Operation Iraqi Freedom. While in court, a mentor will be assigned to meet with a Veteran participant, discuss any ongoing problems or issues of interest. They work to problem solve existing issues and bring to the attention of the court any issues that the court can assist in resolving. This relationship promotes and fosters through encouragement a "can do" attitude in the Veterans, and that they can accomplish their goals in treatment, they are not alone, and their mentors are there for them. Before and since the court operation, the volunteer Veteran mentors have not wavered in their commitment, time, or dedication, despite the fact they are not monetarily compensated for their time or expertise. Faithfully they are present, ready to serve at every Veterans Treatment Court session - without reservation.

This grant would allow the Garland County Veterans' Treatment Court to provide better services with more oversight, implementation of new ideas, and approaches is limited by the available resources. This system is overburdened which causes lapses in problem identification, identifying available services, linking those services appropriately, and receiving compliance and delivery of the service. The more review there is of a participant and their compliance with the services available by the court, the mentors and the family, the greater the likelihood of success.

Over the years it has become apparent that the criminal justice system, among others, did a poor job in addressing the problems of Veterans returning from Vietnam, resulting in long-term social problems and continued involvement in the criminal justice system at a huge cost to the

individual, the family and society. The overall purpose of this grant is to make sure the same mistakes are not made, that the justice system through the formulation and operation of a specialized problem solving oriented court identifies and addresses not only the outwardly apparent criminal justice issue, (e.g., drugs, alcohol, and violence), but also identifying and addressing the underlying causes.

The Garland County Veterans Treatment Court has adopted the “Veterans Treatment Court Ten Key Components”.

**Key Component #1: Veterans Treatment Court integrate alcohol, drug treatment, and mental health services with justice system case processing.**

Veterans Treatment Courts promotes sobriety, recovery and stability through a coordinated response to veteran’s dependency on alcohol, drugs, and/or management of their mental illness. Realization of these goals requires a team approach. This approach includes the cooperation and collaboration of the traditional partners found in drug treatment courts and mental health treatment courts with the addition of the Veteran Administration Health Care Network, veterans and veterans family support organizations, and veteran volunteer mentors.

**Key Component #2: Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' due process rights.**

To facilitate the veterans’ progress in treatment, the prosecutor and defense counsel shed their traditional adversarial courtroom relationship and work together as a team. Once a veteran is accepted into the treatment court program, the team’s focus is on the veteran’s recovery and law-abiding behavior—not on the merits of the pending case.

**Key Component #3: Eligible participants are identified early and promptly placed in the Veterans Treatment Court program.**

Early identification of veterans entering the criminal justice system is an integral part of the process of placement in the Veterans Treatment Court program. Arrest can be a traumatic event in a person’s life. It creates an immediate crisis and can compel recognition of inappropriate behavior into the open, making denial by the veteran for the need for treatment difficult.

**Key Component #4: Veterans Treatment Court provide access to a continuum of alcohol, drug, mental health and other related treatment and rehabilitation services.**

While primarily concerned with criminal activity, AOD use, and mental illness, the Veterans Treatment Court team also consider co-occurring problems such as primary medical problems, transmittable diseases, homelessness; basic educational deficits, unemployment and poor job preparation; spouse and family troubles—especially domestic violence—and the ongoing effects of war time trauma. Veteran peer mentors are essential to the Veterans Treatment Court team. Ongoing veteran peer mentors interaction with the Veterans Treatment Court participants is essential. Their active, supportive relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior.

**Key Component #5: Abstinence is monitored by frequent alcohol and other drug testing.**

Frequent court-ordered AOD testing is essential. An accurate testing program is the most objective and efficient way to establish a framework for accountability and to gauge each participant's progress.

**Key Component #6: A coordinated strategy governs Veterans Treatment Court responses to participants' compliance.**

A veteran's progress through the treatment court experience is measured by his or her compliance with the treatment regimen. Veterans Treatment Court reward cooperation as well as respond to noncompliance. Veterans Treatment Court establishes a coordinated strategy, including a continuum of graduated responses, to continuing drug use and other noncompliant behavior.

**Key Component #7: Ongoing judicial interaction with each Veteran is essential.**

The Judge is the leader of the Veterans Treatment Court team. This active, supervising relationship, maintained throughout treatment, increases the likelihood that a veteran will remain in treatment and improves the chances for sobriety and law-abiding behavior. Ongoing judicial supervision also communicates to veterans that someone in authority cares about them and is closely watching what they do.

**Key Component #8: Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.**

Management and monitoring systems provide timely and accurate information about program progress. Program monitoring provides oversight and periodic measurements of the program's performance against its stated goals and objectives. Information and conclusions developed from periodic monitoring reports, process evaluation activities, and longitudinal evaluation studies may be used to modify program.

**Key Component #9: Continuing interdisciplinary education promotes effective Veterans Treatment Court planning, implementation, and operations.**

All Veterans Treatment Court staff should be involved in education and training. Interdisciplinary education exposes criminal justice officials to veteran treatment issues, and Veteran Administration, veteran volunteer mentors, and treatment staff to criminal justice issues. It also develops shared understandings of the values, goals, and operating procedures of both the veteran administration, treatment and the justice system components. Education and training programs help maintain a high level of professionalism, provide a forum for solidifying relationships among criminal justice, Veteran Administration, veteran volunteer mentors, and treatment personnel, and promote a spirit of commitment and collaboration.

**Key Component #10: Forging partnerships among Veterans Treatment Court, Veterans Administration, public agencies, and community-based organizations generates local support and enhances Veteran Treatment Court effectiveness.**

Because of its unique position in the criminal justice system, Veterans Treatment Court is well suited to develop coalitions among private community-based organizations, public criminal justice agencies, the Veteran Administration, veterans and veterans families support organizations, and AOD and mental health treatment delivery systems. Forming such coalitions expands the continuum of services available to Veterans Treatment Court participants and informs the community about Veterans Treatment Court

concepts. The Veterans Treatment Court fosters system wide involvement through its commitment to share responsibility and participation of program partners.

**GARLAND COUNTY DISTRICT COURT  
DOMESTIC VIOLENCE COURT**

CENTER

FOR

COURT

INNOVATION

**Intake Form: Jurisdictions Seeking DV/IDV Court Technical Assistance**

1. Who is making the request (court, VA, DA, Taskforce, etc)? Are other stakeholders involved? If so, which programs? If you are from a court, what types of proceedings do you handle?

**Request is being made by Garland County District Court, Hot Springs, Arkansas for assistance in starting a Domestic Violence Court. The court handles all misdemeanors and first appearance on felonies. Stakeholders involved will be judges, prosecutor, public defender, probation officers, law enforcement officers, victim advocates, court clerks, treatment center, Potters Clay Women's Shelter and victim assistance coordinator.**

2. Demographic information: size of community, geographical location, etc.

**Garland County and City of Hot Springs, Arkansas is an urban area with approximate population of 127,132. Hot Springs National Park, which is America's only national park located inside a city. The area is located in the Ouachita Mountains and surrounded by 3 lakes and forests in the heart of the nation. Hot Springs' exquisite natural beauty, natural resources, historical, cultural, recreational and family attractions make it a favorite vacation destination all year long. The median household income is \$34,947 for the Hot Springs Metro area. In June, 2011 the unemployment rate for City of Hot Springs/Garland County, Arkansas was 10.3%.**

3. Are you a recipient of OVW grant funds? Which grant stream?

**No.**

4. What do you hope to achieve? (i.e. specialized court, docket, general information)  
What kind of problem are you working to solve? Why is the community interested in creating or expanding a DV/IDV?

**Garland County District Court is seeking to establish a specialized court for Domestic Violence in order to improve victim safety and enhance offender accountability. The Court hopes to provide intensive supervision of offenders through direct supervision by the Court, random drug testing, substance abuse counseling, domestic violence counseling, anger management classes, marriage counseling, parenting classes, required employment, Court ordered community service, and any other preventive measures deemed necessary by the Court. Through this joint effort we hope to increase the offender's quality of life by making them productive members of Garland County, and reduce the burden on local taxpayers. The local jail is overcrowded with felony offenders and has no room for misdemeanor offenders. See the chart of Domestic Battery Charges Filed in Garland County District Court from 2003-2010.**

**GARLAND COUNTY DISTRICT COURT  
DOMESTIC BATTERY CHARGES FILED**

	2003		2004		2005		2006		2007		2008		2009		2010		% Inc. 10/09
	CITY	STATE	CITY	STATE	CITY	STATE											
Domestic Battery 1st Degree/Subs. Offense Class A Felony (52631)	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0	0	100.00%
Domestic Battery 1st Degree Class B Felony (52630)	0	2	0	2	0	0	0	0	0	1	2	1	3	1	0	2	-100%
Domestic Battery 2nd Degree 1st Offense Class B Felony (52632)	2	1	3	0	2	2	0	0	3	2	1	4	1	3	5	9	200.00%
Domestic Battery 2nd Degree Class D Felony (52633)	1	5	2	5	3	7	1	4	0	0	1	4	2	5	3	8	50.00%
Domestic Battery 3rd/Subs. Off Class D Felony (13211)	8	4	8	7	16	3	8	1	2	4	0	4	8	3	9	1	13.00%
Domestic Battery 3rd Degree Class A Misd (12311)	143	110	148	146	147	106	159	117	156	97	150	120	170	76	129	131	-24.00%
TOTAL FILED PER DIVISION	CITY 154	STATE 124	CITY 161	STATE 160	CITY 168	STATE 118	CITY 168	STATE 122	CITY 161	STATE 104	CITY 160	STATE 127	CITY 185	STATE 92	CITY 150	STATE 147	-19.00%
GRAND TOTAL FILED	278		321		286		290		265		287		277		297		7.00%



STATE OF ARKANSAS

*Garland County District Court*

GARLAND COUNTY COURTS BUILDING  
607 OUACHITA, ROOM 150  
HOT SPRINGS, ARKANSAS 71901

DAVID B. SWITZER  
DISTRICT COURT JUDGE, DIVISION I

RALPH OHM  
DISTRICT COURT JUDGE, DIVISION II

JASON LAWRENCE  
COURT ADMINISTRATOR

VICKIE ASHER  
DISTRICT COURT CLERK

PHONE (501) 321-6765  
FAX (501) 321-6764

1) The **OBJECTIVE** of the attached graphs, charts and outline are to provide evidence of the need for Mental Health Programs for Hot Springs and the central part of the State of Arkansas.

2) **INITIATIVES:** Surrounding state by state comparisons

- A) Arkansas
- B) Missouri
- C) Oklahoma
- D) Texas
- E) Louisiana
- F) Mississippi
- G) Tennessee

To include per each state:

- a) Total Grant Budget for Mental Health FY 2010/2011
- b) Military Bases/Total personnel as of 2010
- c) Medical Centers and number of Veterans Administrations locations as of 2009
- d) PTSD (Post Traumatic Stress Disorder) Programs and locations as of 2009
- e) Homeless population as of 2009
- f) Total state population as of 2009

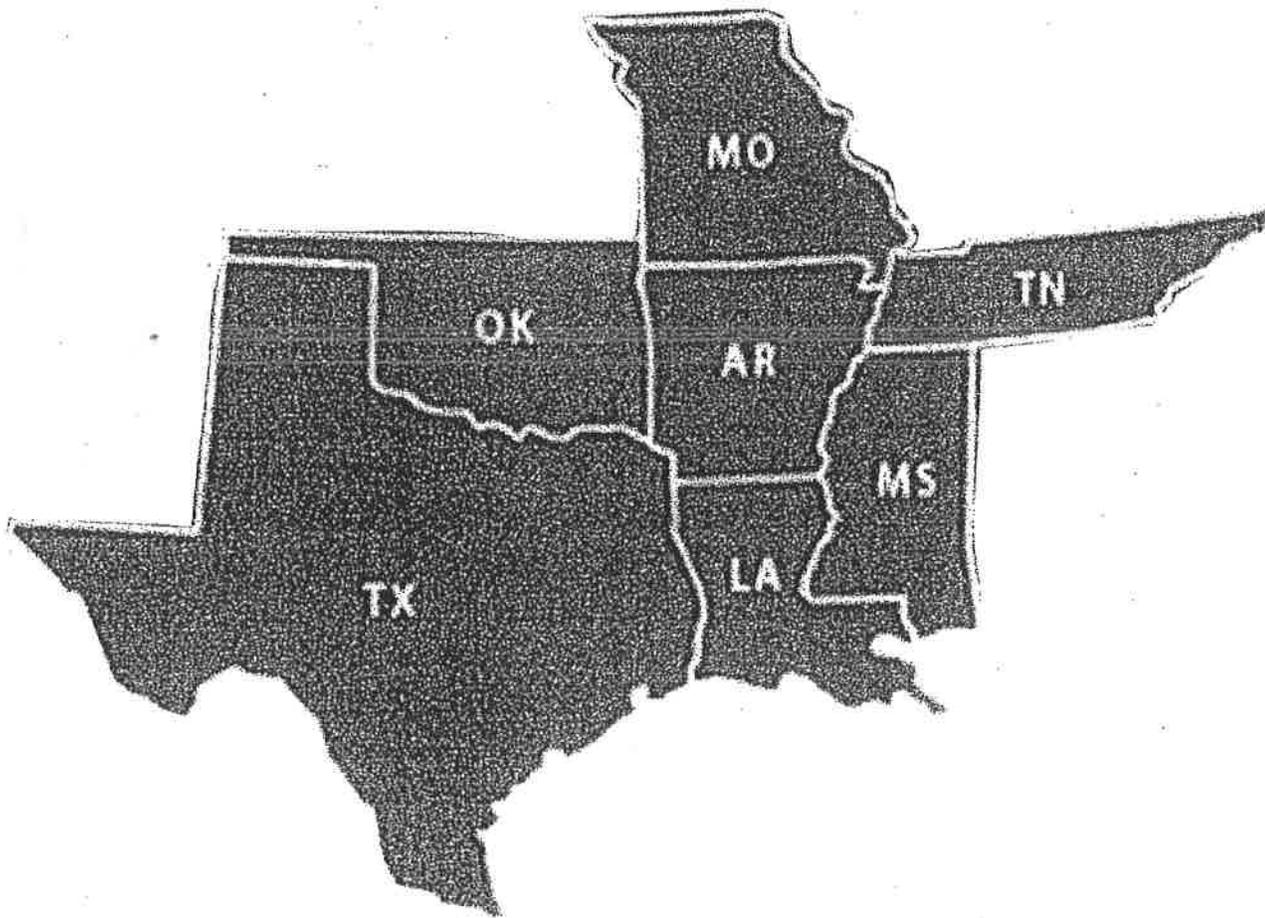
3) **SUPPORT:** Whether a person is born with a mental health problem due to a physical imperative or a person who just cannot cope with a job loss, the economy, or any other experience in life, Support is needed to help these people function correctly in life. There will always be the "haves" and the "have not's" but with the support of friends and professionals, these mental health issues can hopefully be minimized.

4) **RECOVERY:** With each passing year, there will be more and more mental health issues due to homelessness, military issues, loss of jobs etc. With proper professionals and facilities to help the mental health population function and live in society today, this growing issue should not escalate any further.

**Mental Health Proposal**

- 5) **SERVICE:** There are many unoccupied buildings located in Hot Springs that could be functional with just a small amount of upkeep that could house the Mental Health population. Some of these are hotels and apartment complexes' that already have rooms with bathroom facilities available, as well as kitchens, laundry services, etc. These could be started-up within a short amount of time to service the needs of the Mental Health population right away. These could also be equipped and function as does the current MIS facility for the drug and alcohol population within Garland County.
- 6) In **CONCLUSION:** Society will always have people who do not want to change themselves for a better life and want to continue to harm and hurt others but for the most part, people want to do the right thing but professionals and facilities are needed to help in this procedure. This is why the attached has been compiled and is being proposed for the people and community of Hot Springs, Arkansas.
- 7) **SOURCES:**
- a) [SAMHSA.gov/Statesummaries](http://SAMHSA.gov/Statesummaries)
  - b) [Usdoj.gov](http://Usdoj.gov)
  - c) [Wikipedia.org/wiki](http://Wikipedia.org/wiki)
  - d) [Factfinder.census.gov](http://Factfinder.census.gov)
  - e) [City-data.com/Zips](http://City-data.com/Zips)
  - f) [Usmilitary.about.com/Library](http://Usmilitary.about.com/Library)
  - g) [Maps.google.com](http://Maps.google.com)
  - h) [2.va.gov/directory/guide/state](http://2.va.gov/directory/guide/state)
  - i) [Promoteacceptance.samhsa.gov/campaigns/default](http://Promoteacceptance.samhsa.gov/campaigns/default)
  - j) [Endhomelessness.org/contact/article/detail](http://Endhomelessness.org/contact/article/detail)

# STATE SUMMARIES



<u>STATE</u>	<u>TOTAL GRANT BUDGET</u> FY 2010/2011 <u>MENTAL HEALTH</u>	<u>MILITARY BASES</u> <u>TOTAL PERSONNEL</u> FY 2010	<u># VA LOCATIONS</u> <u>MEDICAL CENTERS</u> AS OF 2009	<u>PTSD PROGRAMS</u> <u>&amp; LOCATIONS</u> AS OF 2009	<u>HOMELESS</u> <u>POPULATION</u> AS OF 2009	<u>TOTAL STATE</u> <u>POPULATION</u> AS OF 2009
Arkansas	\$5,447,636	22,539 1-Army 1-Air Force 1-Coast Guard	North Little Rock Little Rock Fayetteville (with 15 Extra Outpatient Based Community Clinics)	1- No. Little Rock	2,852	2,889,450
Missouri	\$15,945,790	51,510 1-Army; 1-AFB; 1-Coast Guard; 1-Navy/Marine	Columbia; Kansas City Poplar Bluff; 2- St. Louis (with 22 Extra Outpatient Based Community Clinics)	1-Columbia; 1-Poplar Bluff; 1-St Louis; 1-K. City	6,959	5,987,580
Oklahoma	\$13,530,376	47,174 2-Army; 3-AFB; 1-Coast Guard	Muskogee; Okla City (with 11 Extra Outpatient Based Community Clinics)	1- Muskogee 1- Oklahoma City	4,838	3,687,050
Texas (Total State)	\$49,734,253	194,965 4-Army; 8-AFB; 2-Navy/Marine; 8-Coast Guard	12 Total VA locations - (with 48 Extra Outpatient Based Community Clinics)	7 from Dallas to El Paso to Houston	36,761	24,873,773
Louisiana	\$8,595,265	46,516 1-Army; 1-AFB 1-Navy/Marine 5-Coast Guard	Alexandria; New Orleans Shreveport (with 11 Extra Outpatient Based Community Clinics)	1-Alexandria 1-Shreveport 1-New Orleans	12,504	4,492,076

<u>STATE</u>	<u>TOTAL GRANT BUDGET</u> FY 2010/2011 <u>MENTAL HEALTH</u>	<u>MILITARY BASES</u> <u>TOTAL PERSONNEL</u> FY 2010	<u># VA LOCATIONS</u> <u>MEDICAL CENTERS</u> AS OF 2009	<u>PTSD PROGRAMS</u> <u>&amp; LOCATIONS</u> AS OF 2009	<u>HOMELESS</u> <u>POPULATION</u> AS OF 2009	<u>TOTAL STATE</u> <u>POPULATION</u> AS OF 2009
Mississippi	\$8,710,537	33,730 1-Army; 2- AFB 1-Coast Guard; 3-Navy/Marines	Biloxi, Jackson (with 9 Extra Outpatient Based Community Clinics)	1-Jackson 1-Biloxi	2,797	2,951,996
Tennessee	\$16,674,191	30,819 2-Army; 1- AFB 1-Navy/Marine 2-Coast Guard	Memphis; Mountain Home Murfreesboro; Nashville (with 18 Extra Outpatient Based Community Clinics)	1-Memphis 1-Mountain Home 1-Murfreesboro 1-Nashville	10,532	6,296,254.

Additional Information for the State of Arkansas for  
Mental Health Residents (Non institutionalized)

- 1) Percent of civilian Veterans in Hot Springs Village as of 2010= **2,560 or 32.4% of total population of 12,807 (National average is 12.7%)**
  
- 2) Percent of civilian Veterans in Hot Springs as of 2009= **3,229 or 14.4% of total population of 39,467 (National average is 12.7%)**
  
- 3) Percent of civilian Veterans in Garland County (18 and older) as of 2009= **11,548 or 15.2% of total population of 96,285 (National average is 12.7%)**

**19<sup>th</sup> E. Circuit  
District Court  
Administrative  
Plans**

IN THE DISTRICT COURT OF  
EASTERN DISTRICT OF CARROLL COUNTY, ARKANSAS  
DISTRICT COURT ADMINISTRATIVE PLAN

1. JUDGES: The Carroll County Eastern District Court is served by one local district judge. The judge serves in the designated divisions of the court as follows:

Gregory A. Thurman            Berryville Division            Berryville, Arkansas

Gregory A. Thurman            Green Forest Division            Green Forest, Arkansas

2. COURT: Sessions of court are generally scheduled on:

Berryville Division            Berryville, Arkansas

Court Dates: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Wednesdays @ 9:00 AM

Green Forest Division            Green Forest, Arkansas

Court Dates: 1<sup>st</sup> and 3<sup>rd</sup> Fridays @ 9:00 AM

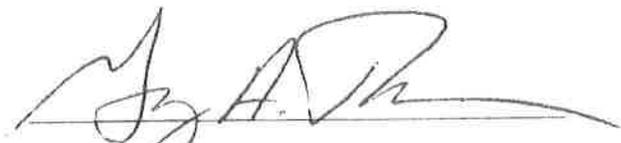
3. TYPES OF CASES: The following cases are heard at these locations:

Berryville Division    Traffic offenses, criminal offenses, small claims cases, and civil cases

Green Forest Division Traffic offenses, criminal offenses

4. SPECIALY PROGRAMS: There are currently no specialty courts in the district.

Date: October 26, 2015



Gregory A. Thurman, District Court Judge

19<sup>th</sup> W. Circuit  
District Court  
Administrative  
Plans

**IN THE DISTRICT COURTS OF BENTON COUNTY, ARKANSAS**

**AMENDED ADMINISTRATIVE PLAN**

WHEREAS, Arkansas Supreme Court Administrative Order Number 18, Section 9, (a) provides that certain state district courts shall prepare an administrative plan, when the court operates a specialty court program or when multiple judges preside in the district or the court has multiple venues in the district; and

WHEREAS, the Arkansas Code allows for the division of cases among the four District Judges in Benton County, Arkansas; and

WHEREAS, the District Judges of Benton County, Arkansas have taken into account geographical considerations, district boundaries, statistical data from the Administrative Office of the Courts and the various Benton County District Courts, the projected case load of each Judge, and the experience and abilities of the individual Judges to promote prompt and efficient resolution of cases; and

WHEREAS, the following Judges have been duly elected and qualified to the designated Divisions of the District Court of Benton County:

Paul Bridges	Division One – Rogers
Ray Bunch	Division Two – Bentonville
Stephen S. Thomas	Division Three – Siloam Springs
Jeff R. Conner	Division Four – Benton County West

IT IS THEREFORE, CONSIDERED, ORDERED AND AGREED by the Benton County District Judges, as follows:

I.

**DIVISION AND VENUE**

The existence of Divisions shall not be construed to limit or preclude Judges from hearing other cases that may come before them. At times when one or more of the Judges may be absent or unavailable another Judge may be called upon to act upon matters assigned to another District Court. However, cases that originate within the boundaries of a particular Benton County District Court, shall at all times be heard in that District Court as provided by the venue provisions of said Code.

II.

**ASSIGNMENT OF CASES**

The Benton County District Courts shall be assigned responsibilities as follows:

1. Division 1 – Rogers: All traffic and criminal cases originating by the City of Rogers; and all traffic and criminal cases originating by the County of Benton within the boundaries of Division 1.
2. Division 2- Bentonville: All traffic and criminal cases originating by the City of Bentonville; all civil and small claims cases within the boundaries of Division 2; and all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 2; all traffic and criminal cases originating by the City of Pea Ridge; all traffic and misdemeanor cases originating by the City of Cave Springs; and a DWI Specialty Court is provided and operates in Bentonville for Benton County.

3. Division 3 – Siloam Springs: All traffic and criminal cases originating by the City of Siloam Springs; all civil and small claims cases within the boundaries of Division 3; all civil and small claims cases within the boundaries of Division 1; all civil and small claims cases within the boundaries of Division 4; all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 3; all traffic and criminal cases originating by the City of Bethel Heights.
4. Division 4- Benton County West : All traffic and criminal cases originating by the City of Gentry; all traffic and criminal cases originating by the City of Decatur; all traffic and criminal cases originating by the County of Benton within the boundaries of said Division 4; all traffic and criminal cases originating by the City of Centeron; all traffic and criminal cases originating by the City of Gravette; all traffic and criminal cases originating by the City of Sulphur Springs; all traffic and criminal cases originating by the City of Lowell; all traffic and criminal cases originating by the City of Little Flock.
5. Additionally, the four Benton County District Judges consent to the reference of certain duties by the Nineteenth Judicial District- West Administrative Court Judge as provided for in the Administrative Order of the Supreme Court, Number 18. The four Benton County District Judges shall share equally in the following duties:
  - A) Issue a search warrant pursuant to Rule 13.1;
  - B) Issue an arrest warrant pursuant to Rule 7.1 or Ark. Code Ann. Section 16-81-104, or issue a summons pursuant to Rule 6.1;
  - C) Make a reasonable cause determination pursuant to Rule 4.1(e);
  - D) Conduct a first appearance hearing pursuant to Rule 8.1, at which the Judge may appoint counsel pursuant to Rule 8.2; inform a defendant pursuant to Rule 8.3; conduct a pre-trial release inquiry pursuant to Rules 8.4 and 8.5; or release a defendant from custody pursuant to Rules 9.1, 9.2 and 9.3.

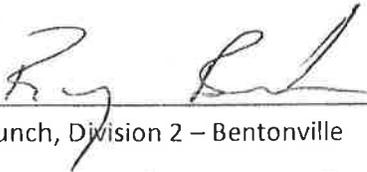
E) Conduct extradition proceedings pursuant to A.C.A. 16-94-101 et seq.

6. The Benton County District Judges shall rely on the County of Benton to provide necessary equipment and supplies, and either: video or audio link hook-up; or transportation of prisoners for said Rule 8.1 hearing. The individual Benton County District Judges shall have discretion whether to conduct such hearings at their various locales; or at the Benton County Detention Facility.
7. This Administrative plan shall remain in effect, unless modified by the mutual agreement of the Benton County District Court Judges.

IT IS SO ORDERED AND AGREED THIS 24 DAY OF September 2015.



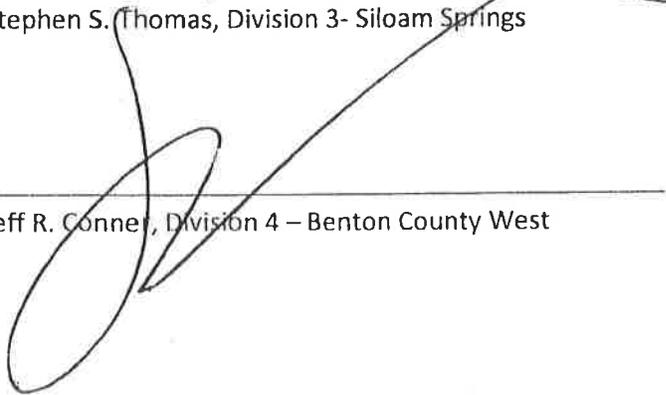
Paul Bridges, Division 1 – Rogers



Ray Bunch, Division 2 – Bentonville



Stephen S. Thomas, Division 3- Siloam Springs



Jeff R. Conner, Division 4 – Benton County West

## Bentonville DWI Court Plan

### (A) Overview

- i. Benton County DWI Court is designed for people who have multiple DWI's. Participants plead guilty and are sentenced to DWI Court. It addresses the root cause of impaired driving. Hopefully, by treatment it will be an Accountability Court (changing behaviors of hardcore offenders) and protect public safety.
- ii. The Building Principles:
  1. Determine the Population -Targeting, a process to I.D. a subset of DWI offenders (Repeat Offenders)
  2. Perform Clinical Assessment
  3. Treatment Plan
  4. Supervise the offender
  5. Forge Agency, Organization and Community Partnerships
  6. Take a Judicial Leadership Role
  7. Develop case management strategies
  8. Address transportation issues
  9. Evaluate the Program
  10. Ensure a sustainable program
- iii. Drug Court Team- Judge makes all the decisions regarding participation in program with input from DWI Court Team. Team consists of:
  1. Prosecutor
  2. DWI Court Coordinator
  3. Defense attorney\ Public Defender
  4. Probation Officers
  5. Law Enforcement
  6. Treatment Provider
- iv. Program Rules –
  1. Total abstinence from use of drugs and alcohol
  2. Attend court and treatment sessions as scheduled, submit to random alcohol and drug testing
  3. Not associate with people who use or possess drugs
  4. Keep DWI Court Team informed of current address and phone number at all times
  5. Consent to search when required
  6. Inform Court immediately if have contact with Law Enforcement
  7. Abide by all rules and regulations imposed by DWI Court Team.

#### Phase I

- Court and supervision appointment every week
- Treatment

- Support group
  - Supervised probation requirements
  - Contact with Probation Officer once a week
  - Drug/alcohol testing at least 2x/week
  - Home / job visits
  - Pay all associated fees and costs
  - Journal
  - Curfew
  - Sign Zero Tolerance Agreement
  - Sign Memorandum of Understanding
  - Pay Phase I fees of \$150/ month
- Minimum of 3 month

#### Phase II

- Court and supervision appointment every 2 weeks
  - Treatment
  - Support group
  - Supervised probation requirements
  - Contact with Probation Officer 1x every 2 weeks
  - Drug/alcohol every 2 weeks
  - Home / job visits
  - Pay all associated fees and costs
  - Continue journal
  - Curfew
  - Job search or work to obtain GED
  - Phase II fee \$150/ month
- Minimum of 4 month

#### Phase III

- Court and supervision appointment once a month
  - Treatment as needed
  - Support group
  - Supervised probation requirements
  - Contact with Probation Officer minimum once a week
  - Drug/alcohol testing 1x / month
  - Relax home / job visits
  - Pay all associated fees and costs
  - Continue journal
  - Relaxed curfew
  - Have a job / obtain a GED
  - Complete Defensive Driving Class
  - Complete a Life Skills Course
  - Pay Phase II fee of \$150/ month
- Minimum of 5 months

- v. Authority: National Center for DWI Courts, DWI Court Training and Technical Assistance Initiative is a project of the National Highway Traffic and Safety Administration of the U.S. Department of Transportation. The program conforms to Arkansas sentencing laws, including fines, fees, court costs and probation assessments.
- vi. Funding: Payment plan is established with the Court until all fees are paid in full. Participants pay for treatment and second opinion drug tests. Program fees cover program mandated drug tests conducted at courthouse and Initial Assessment through treatment provider.
- vii. Graduation:
  1. Complete each Phase of program (minimum 12 months)
  2. Demonstrated sobriety for at least 120 consecutive days
  3. Team determines you are eligible.

**20<sup>th</sup> Circuit  
District Court  
Administrative  
Plans**

**ADMINISTRATIVE PLAN**  
**The 9<sup>th</sup> Judicial District Court Of Arkansas**

The District Judges (elect) for the Ninth State District Court propose the following plan for allocation of the caseload and specialty courts within this district.

**ADMINISTRATIVE POLICY**

The judges shall meet periodically (no less that quarterly) and shall consider case management, administrative procedures, forms, calendars, etc. Any modification of this plan shall be by written agreement signed by both judges of the district. Each year a calendar shall be printed and published indicating such courtroom assignments and court dates.

**CASE ASSIGNMENT AND ALLOCATION**

The clerk of each department shall assign newly filed cases by computer program as provided in the attached Case Allocation.

**SPECIALTY COURTS**

**DOMESTIC VIOLENCE COURT** – Judge Reynolds proposes the continuance of “Domestic Violence Court” in District Court. Judge Reynolds currently presides over “Domestic Violence Court” and has for the past 15 years, including his time in Circuit Court. It requires no additional resources other than time related to additional hearing associated with reviews. Eventually, this court will (with the agreement of the Circuit Court judges) hear Order of Protection Cases filed in Circuit Court.

**SOBRIETY COURT**- Please see attached ?

**ARRAIGNMENTS, EMERGENCY AND UNCONTESTED HEARINGS**

It is preferable for the division assigned to a case to handle all proceedings concerning the case. However, both judges may preside over arraignments, probations revocation and uncontested matters when presented and may sit on exchange when necessary. Emergency orders shall be presented to and heard by the judge assigned unless that judge is unavailable. In no event shall any Judge refuse to act on any case not part of their assignment for lack of jurisdiction.

SUBMITTED THIS 30<sup>TH</sup> DAY OF JUNE, 2015

  
HONORABLE DAVID L. REYNOLDS  
1<sup>ST</sup> DIVISION

  
HONORABLE SUSAN K. WEAVER  
2<sup>ND</sup> DIVISION

THE DISTRICT COURT OF FAULKNER AND VAN BUREN COUNTY

810 Parkway St.  
Conway, Arkansas 72034

TELEPHONE: (501) 450-6112  
FACSIMILE: (501) 450-6184

Susan K. Weaver, Judge Div. II  
Beth Thomas, Head Clerk Div. II

June 24, 2015

Honorable David Clark  
Circuit Court  
Faulkner and Van Buren County Circuit Court  
Twentieth Division  
801 Locust St.  
Conway, AR 72034

Re: Faulkner and Van Buren DWI Administrative Plan

Dear Judge Clark:

Per Administrative Order 18 please consider this the administrative plan for the specialty court known as the Faulkner and Van Buren County DWI Court.

a) Describe the program and how it operates:

The Faulkner and Van Buren County DWI Courts focus on hardcore drunk drivers, which includes but is not limited to individuals with a 3<sup>rd</sup> offense DWI charge, or 2<sup>nd</sup> offense with a high BAC (.18 or above). After a plea of guilty they enter a one-year, 4 phase program of extensive group and individual therapy sessions, probation with alcohol testing, and constant court monitoring. They are required to appear in court every two weeks where we review, with them, reports on their compliance. This is the same model used by Drug Courts.

b) Provide the statutory and legal authority on which it is based:

A.C.A 16-98-303, and Administrative Orders 14 & 18.

c) Certify that the program conforms to all applicable sentencing laws, including fines, courts fees, and probation assessments.

I certify that the program conforms to all applicable sentencing laws, including fines, court fees, and probation assessments.

- d) Describe the program's use of court resources, including without limitation, prosecuting attorneys or public defenders, and the availability of such resources and how they will be provided.

The Court members are:

Judge Susan K. Weaver, Chuck Clawson and Chad Brown (Prosecutors), Chris Murray and Nathan Morgan (Public Defenders), Beth Thomas (Head Clerk/Coordinator), Cebron Hackett and Terri Hicks (Probation), and Ayisha Miller with Conway Counseling and Psychological Services, Forrest Smith and Frank McIlroy of Serenity Ridge (Treatment Providers). Most sessions are fully staffed.

- e) Provide the source of funding for the program:

Funding is provided from grants from the Arkansas State Police-Highway Safety Office. We are in compliance with all reporting requirements. After the initial start-up costs were met the funding now goes to education of the team members to stay current on the best practices for the court. Defendants are expected to pay the costs associated with their treatment and probation since I suspend the payment of fines upon compliance.

This program has been one of the most effective programs that I have seen in dealing with hardcore drunk drivers. Before being exposed to it, I would commit the offender to a 90 day jail sentence, often times suspend that, and move to the next case. But hearing the testimonies of those who have completed the program are inspiring. It changes lives and stops people from drinking and driving.

Please let me know if you need any further information.

Sincerely,

Honorable Susan K. Weaver  
SKW/bt

**CASE ALLOCATION**  
**9<sup>TH</sup> JUDICIAL DISTRICT COURT**

**1<sup>ST</sup> DIVISION- Judge David L. Reynolds**

**2<sup>ND</sup> DIVISION- Judge Susan K. Weaver**

**CLINTON/FAIRFIELD BAY/VAN BUREN COUNTY DEPT**

***Criminal division:***

All misdemeanor domestic violence cases\*

50% of all other criminal and traffic cases other than DWI

***Criminal division:***

All misdemeanor DWI cases

50% of all other criminal and traffic cases other than domestic violence cases

***Civil Division:***

All Small Claims and civil cases

**CONWAY/FAULKNER COUNTY DEPARTMENT**

***Criminal division:***

All misdemeanor domestic violence cases\*

50% of all other criminal and traffic cases other than DWI

***Civil Division:***

50% of all cases

***Criminal division:***

All misdemeanor DWI cases

50% of all other criminal and traffic cases other than domestic violence cases

***Civil Division:***

50% of all cases

**DAMASCUS DEPARTMENT**

100% of all criminal and traffic

**GREENBRIER DEPARTMENT**

***Criminal division:***

All misdemeanor domestic violence cases\*

50% of all other criminal and traffic cases other than DWI

***Criminal division:***

All misdemeanor DWI cases

50% of all other criminal and traffic cases other than domestic violence cases

**GUY DEPARTMENT**

100% of all criminal and traffic

**MAYFLOWER DEPARTMENT**

100% of all criminal and traffic

**VILONIA DEPARTMENT**

100% of all criminal and traffic

**21<sup>st</sup> Circuit  
District Court  
Administrative  
Plans**

**IN THE DISTRICT COURT OF THE  
FIFTH JUDICIAL DISTRICT OF ARKANSAS  
CRAWFORD COUNTY  
ALL DIVISIONS**

On January 1, 2012, the Crawford County District Court, located in Van Buren, Arkansas was merged with the former city courts for the cities of Alma, Arkansas, Mountainburg, Arkansas, and Mulberry, Arkansas and these former city courts became departments of the Crawford County District Court. On January 1, 2013, the Crawford County District Court became a State District Court and was designated the Fifth Judicial District. The Crawford County District Court is the sole district court in Crawford County, has countywide jurisdiction with multiple venues, and is presided over by one judge, Hon. Steven G. Peer.

As a State District Court having multiple venues, the following Administrative Plan is submitted as required by Administrative Order Number 18, Section 9 as an explanation of the administration of the divisions and departments of the Crawford County District Court.

**TRAFFIC DIVISIONS AND CRIMINAL DIVISIONS**

**CITY OF VAN BUREN, ARKANSAS**

The court for the Department of Van Buren, Arkansas is held in the District Courtroom in Van Buren, Arkansas. Regular "in court" arraignments for the Traffic Division and the Criminal Division are held on Monday, 1:00 p.m., Wednesday, 1:00 p.m., Thursday, 1:00 p.m., and Friday 10:00 a.m. Video arraignments for the Traffic Division and the Criminal Division are held on Monday, 3:30, p.m., Wednesday, 3:30 p.m., Thursday, 3;30 p.m., and Friday, 10:00 a.m. Trials

for the Traffic Division and the Criminal Division are held on Monday, 1:00 p.m. and Thursday, 1:00 p.m.

### **CRAWFORD COUNTY, ARKANSAS**

The court for the Department of Crawford County, Arkansas is held in the District Courtroom in Van Buren, Arkansas. Regular "in court" arraignments of the Traffic Division and the Criminal Division are held on Monday, 9:30 a.m., Wednesday, 1:00 p.m., Thursday, 9:30 a.m. and Friday, 10:00 a.m. Video arraignments for the Traffic Division and the Criminal Division are held on Monday, 3:30, p.m., Wednesday, 3:30 p.m., Thursday, 3:30 p.m., and Friday, 10:00 a.m. Trials for the Traffic Division and the Criminal Division are held on Monday, 9:30 a.m. and Thursday, 9:30 a.m.

### **KIBLER, ARKANSAS**

The court for the Department of Kibler, Arkansas is held in the District Courtroom in Van Buren, Arkansas. Regular "in court" arraignments for the Traffic Division and the Criminal Division are held on Wednesday, 1:00 p.m. Video arraignments for the Traffic Division and the Criminal Division are held on Monday, 3:30, p.m., Wednesday, 3:30 p.m., Thursday, 3:30 p.m., and Friday, 10:00 a.m. Trials for the Traffic Division and the Criminal Division are held on the second Friday of each month at 10:30 a.m.

### **CEDARVILLE, ARKANSAS**

The court for the Department of Cedarville, Arkansas is held in the District Courtroom in Van Buren, Arkansas. Regular arraignments for the Traffic Division and the Criminal Division are held on Wednesday, 1:00 p.m. Video arraignments for the Traffic Division and the Criminal

Division are held on Monday, 3:30, p.m., Wednesday, 3:30 p.m., Thursday, 3:30 p.m., and Friday, 10:00 a.m. Trials for the Traffic Division and the Criminal Division are held on the second Friday of each month at 1:30 p.m.

### **DYER, ARKANSAS**

The court for the Department of Dyer, Arkansas is held in the District Courtroom in Van Buren, Arkansas. Regular "in court" arraignments for the Traffic Division and the Criminal Division are held on Wednesday, 1:00 p.m. Video arraignments for the Traffic Division and the Criminal Division are held on Monday, 3:30, p.m., Wednesday, 3:30 p.m., Thursday, 3:30 p.m., and Friday, 10:00 a.m. Trials for the Traffic Division and the Criminal Division are held on the second Friday of each month at 2:30 p.m.

### **CHESTER, ARKANSAS**

### **RUDY, ARKANSAS**

Although there have been departments established for these cities, there has been only one case filed in the court. There has been no regular schedule established for hearing matters for these departments. In the event cases are filed, arraignments and trials would be held in the District Courtroom in Van Buren, Arkansas

### **ALMA, ARKANSAS**

The court for the Department of Alma, Arkansas is held in the District Courtroom in Alma, Arkansas. Arraignments for the Traffic Division and the Criminal Division are held each Tuesday at 4:00 p.m. Trials for the Traffic Division and the Criminal Division are held on the fourth Tuesday of each month at 4:00 p.m.

## **MOUNTAINBURG, ARKANSAS**

The court for the Department of Mountainburg, Arkansas is held in the District Courtroom in Alma, Arkansas. Arraignments and trials for the Traffic Division and the Criminal Division are held on the first Tuesday of each month at 4:00 p.m.

## **MULBERRY, ARKANSAS**

The court for the Department of Mulberry, Arkansas is held in the District Courtroom in Mulberry, Arkansas. Arraignments and trials for the Traffic Division and the Criminal Division are held on the first and third Fridays of each month at 4:00 p.m.

## **OTHER TRAFFIC DIVISION AND CRIMINAL DIVISION MATTERS**

Bond forfeiture hearings for the Traffic Division and the Criminal Division are held on the first, third, and fourth Fridays of each month at 10:30 a.m. in the District Courtroom in Van Buren, Arkansas.

## **CIVIL DIVISION**

The court for the Civil Division is held in the District Courtroom in Van Buren, Arkansas. Civil cases are tried on the second, third and fourth Wednesdays of each month at 9:00 a.m. and on the first Friday of each month at 1:00 p.m. Beginning on January 1, 2013, the civil division's jurisdictional limit was increased to \$25,000 as authorized by Administrative Order Number 18.

### **SMALL CLAIMS DIVISION**

The court for the Small Claims Division is held in the District Courtroom in Van Buren, Arkansas. Small claims cases are tried on the first Wednesday of each month at 9:00 a.m.

### **OTHER CIVIL DIVISION AND SMALL CLAIMS DIVISION MATTERS**

Show cause hearings for civil contempt and hearings on Petitions for Writs of Possession are heard each Wednesday and Friday at 11:00 a.m. in the District Courtroom in Van Buren, Arkansas.

### **JURISDICTION UNDER ADMINISTRATIVE ORDER NUMBER 18**

Beginning on January 1, 2013, the District Court commenced hearing uncontested divorces and Petitions for Final Orders of Protections assigned to it by the judges of the Twenty-First Judicial District, being the Crawford County Circuit Court. These cases are heard each Tuesday at 9:00 a.m. It is estimated that approximately 700 such cases will be assigned to the District Court. Currently these cases are being held in the District Courtroom in Van Buren, Arkansas. A new courtroom is being built in the building housing Division II of the Circuit Court in Van Buren, Arkansas and at some point in the future, these cases will be heard there.

### **DWI INTERVENTION PROGRAM**

In September, 2013, District Judge Steven G. Peer and an eight member team attended the DWI Court training program in Springfield, Missouri and since that time have been meeting and planning a DWI Intervention Program for the Crawford County District Court.

The purpose of the program is to establish a comprehensive, abstinence based, alcohol and drug rehabilitation program for defendants who have been convicted of multiple DWI offenses and who volunteer to undergo an extensive, phased, clinical treatment program. The program includes close supervision and testing of the participants and a system of rewards for compliance and sanctions for non-compliance. The anticipated length of the program for each participant is twelve months but could be extended further if required and circumstances allow. The program's goal is to promote public safety by reducing recidivism for alcohol related driving offenses. All legal sanctions required by statute will be enforced but applied in a manner designed to enable and encourage compliance.

The program is guided by a team of volunteers who meet regularly to design the program and to administer it regarding the separate participants. The Crawford County District Judge is the team leader. Both the Crawford County Prosecuting Attorney and the Crawford County Public Defender have approved this program and each has selected representatives from their respective departments to sit on the team. The District Court's Chief Clerk and Probation Officer also sit on the team.

In addition to meeting the participant's clinical treatment objectives, the program will strive to assist the participant in improving their circumstances and life skills. This is for the purpose of removing obstacles to their recovery and aiding long term success.

In the process of assisting the participants in their clinical treatment and long term goals, such assistance may take the form of monetary aid or in-kind contributions. The funds for monetary aid will be generated from grants and/or private and corporate donations. For

bookkeeping and distribution purposes, such funds will be kept in a separate account by the Van Buren City Clerk and will be subject to audit.

The initial goal of the DWI Intervention Program is to serve approximately 12 participants annually. In the future, as the program scales up, there will be the need for an Administrator. It is anticipated this position will be either voluntary or a part-time paid position with the salary paid from the program's funds.

The Program will be conducted in the District Court's location in Van Buren, Arkansas. The sessions will be held each Tuesday, with the program team meeting at 1:00 p.m. for evaluation of the participants and with the participants appearing at 2:00 p.m. to appear before the judge for review.

I, Steven G. Peer, the sole judge for the Fifth Judicial District, Crawford County District Court, hereby affix my signature to this Administrative Plan and respectfully submit the same for approval.

**DATED:**

6/19/15



**HON. STEVEN G. PEER  
DISTRICT JUDGE**

**22<sup>nd</sup> Circuit  
District Court  
Administrative  
Plans**

DISTRICT COURT ADMINISTRATIVE PLAN

District Court, Divisions I and II, Saline County, Arkansas

1. JUDGES: The Saline County District Court is served by two state district judges. The judges serve in the designated departments and divisions of the court as follows:

<u>Mike Robinson</u>	<u>Division # 1</u>	<u>Benton</u>
<u>Stephanie Casady</u>	<u>Division # 2</u>	<u>Bryant, Haskell, Bauxite, Shannon Hills, Alexander and small claims in Benton Division</u>

2. COURT: Sessions of court are generally scheduled on:

<u>Division # 1</u>	<u>Benton</u>
Monday:	8:00 City of Benton plea and arraignment 11:00 felony and misdemeanor bond hearings
Tuesday:	8:00 City of Benton trials 1:00 felony call backs 2:00 DWI Court
Wednesday:	8:00 County trials 11:00 felony and misdemeanor bond hearings
Thursday:	8:00 County plea and arraignment 9:00 Code Enforcement/Animal Control
Friday:	8:00 Reviews (first Friday of the month) 10:00 felony and misdemeanor bond hearings

\*civil cases are scheduled as needed with the clerk

<u>Division # 2</u>	<u>Bryant, Haskell, Bauxite, Shannon Hills, Alexander, and small claims in Benton Division</u>
Monday:	9:00 civil trials (first and third Monday of the month) 10:30 orders of protection (first and third Monday of the month) 9:00 Alexander plea and arraignment (second Monday of the month) 1:00 Alexander trials (second Monday of the month)
Tuesday:	9:00 Shannon Hills plea and arraignment (first Tuesday of the month) 9:00 Bauxite plea and arraignment (second Tuesday of the month) 9:00 Haskell plea and arraignment (third Tuesday of the month) 1:00 Shannon Hills trials (first Tuesday of the month)

1:00 Bauxite trials (second Tuesday of the month)  
 1:00 Haskell trials (third Tuesday of the month)  
 Wednesday: 9:00 Bryant plea and arraignment  
 1:30 small claims (heard in Benton Division)  
 Thursday: 9:00 Bryant plea and arraignment  
 1:30 Bryant trials  
 Friday: 10:30 orders of protection (as needed)

\*adoption hearings are scheduled as needed

3. TYPES OF CASES: The following cases are heard at these locations:

<u>Division # 1</u>	<u>Benton</u>	<u>traffic, misdemeanors, felony bond/call backs, misdemeanor bond hearings, civil and DWI Specialty Court</u>
<u>Division # 2</u>	<u>Benton</u>	<u>small claims</u>
<u>Division # 2</u>	<u>Bryant</u>	<u>civil, traffic, misdemeanors, uncontested adoptions for circuit, and orders of protection –temporary and final for circuit</u>
<u>Division # 2</u>	<u>Haskell</u>	<u>traffic and misdemeanor</u>
<u>Division # 2</u>	<u>Alexander</u>	<u>traffic and misdemeanor</u>
<u>Division # 2</u>	<u>Shannon Hills</u>	<u>traffic and misdemeanor</u>
<u>Division # 2</u>	<u>Bauxite</u>	<u>traffic and misdemeanor</u>

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

DWI Court at Benton.

a. In February 2012, a specialized docket was created as a subdivision of the criminal docket, the Saline County DWI Court (SCDC). The SCDC docket is a post-conviction, voluntary program geared toward repeat DWI offenses, primarily DWI 3's. The SCDC is a highly intensive monitoring program combined with treatment and patterned on the national drug court model.

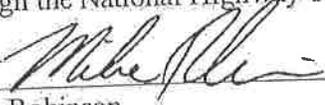
b. Statutory or legal authority on which it is based: Arkansas Supreme Court Administrative Orders 14 and 18, A.C.A. 5-65-103 et. Seq. and/or A.C.A. 16-98-303 et. Seq.

c. I, Mike Robinson, hereby certify that the SCDC operates in compliance with all applicable laws, including fines, court costs, fees and supervision assessments.

d. Use of court resources. The SCDC team includes a judge, deputy prosecuting attorney, court clerk, probation officer who serves as supervisor, three members of local counseling agencies, a

public defender, a local defense attorney, and five local law enforcement agencies. The team has attended a three day training program offered by the National Center for DWI Courts, a subdivision of the National Association of Drug Court Professionals, and in cooperation with the National Highway Traffic Safety Administration. The SCDC was implemented and follows the Ten Guiding Principles associated with the national drug court model and Arkansas law.

e. Sources of funding: The SCDC is funded through the use of personnel and programs already in place as well as offender funding through supervision fees and usage fees for technical and/or drug and alcohol detection equipment. In addition, the SCDC hopes to acquire grant funding through the National Highway Traffic Safety Administration.

 \_\_\_\_\_ Date 4/20/15

Mike Robinson

 \_\_\_\_\_ Date 4/20/2015

Stephanie Casady

**23<sup>rd</sup> Circuit  
District Court  
Administrative  
Plans**

## DISTRICT COURT ADMINISTRATIVE PLAN

### Northern District Court, Lonoke County, Arkansas

**1. JUDGES:** The District Court, Northern District of Lonoke County, is served by one local district judge. The judge serves in the designated departments of the court as follows:

Cabot Department	208 N. First St., Cabot, AR
Austin Department	202 Hendricks St., Austin, AR
Ward Department	405 Hickory St., Ward, AR

**2. COURT:** Sessions of court are generally scheduled as follows:

<u>Department</u>	<u>Session</u>	<u>Days</u>	<u>Time</u>
Cabot	Plea and Arraignment	First and third Wednesday	9:00 AM
	Affidavits, Contempts, Code Violations (Trials)	Second Monday	1:00 PM
	City Trials	First and second Thursday	1:00 PM
	Small Claims/ Civil	Third Tuesday	1:00 PM
	State/ County Trials	Third Thursday	1:00 PM
	North Lonoke County DWI Court	First and third Monday	5:00 PM
Austin	Trials	Second Monday	5:00 PM
	Plea and Arraignment	Second Wednesday	10:00 AM
Ward	Affidavit and Contempt Trials	First Monday	1:00 PM
	City/ County Trials	First Tuesday	5:00 PM
	City/ County Pleas	Second Tuesday	5:00 PM
	State Pleas	Third Tuesday	5:00 PM
	State Trials	Fourth Tuesday	5:00 PM

**3. TYPES OF CASES:** The following cases are heard at these locations:

Cabot	State traffic, county traffic, city traffic, state misdemeanors, county misdemeanors, city misdemeanors, civil and small claims, code violations, and all other matters within the jurisdiction of District Courts.
Austin	State traffic, county traffic, city traffic, state misdemeanors, county misdemeanors, city misdemeanors, code violations.
Ward	State traffic, county traffic, city traffic, state misdemeanors, county misdemeanors, city misdemeanors, code violations.

**4. SPECIALTY PROGRAMS: The following specialty programs are provided:**

North Lonoke County DWI Court

- a. This is a specialty court targeting hardcore drunk drivers, which are individuals facing their third DWI charge. In some cases, a second offender may be accepted into the program, if it appears that such an offender would benefit. The program features very intensive monitoring with a treatment program based on the drug court model.
- b. Administrative Order Nos. 14 and 18 provide the legal authority for specialty courts. It may also fall under Ark. Code §16-98-303.
- c. The North Lonoke County DWI Court complies with all applicable laws, including fines, fees, court costs, and probation assessments.
- d. The court team consists of a judge, prosecutor, defense attorney, treatment provider, law enforcement officer, and court coordinator. The members have been trained through programs offered by the National Center for DWI Courts which is a division of the National Association of Drug Court Professionals (NADCP).
- e. The North Lonoke County DWI Court initially received funding from a grant from the Arkansas State Police Highway Safety Office, which was used for training in Springfield, Missouri, in June 2012. The court formally began operation in 2013. Subsequently, other training has been funded through grants obtained from the Arkansas State Police Highway Safety Office. The cost of treatment is presently being borne by the individual participants.
- f. The program is conducted at the facilities of the Cabot Department, although program participants are accepted from all three departments in the district (Cabot, Austin and Ward), and on occasion, the program has accepted a referral from the Southern District.

DATE

6-15-2015

DISTRICT JUDGE

*Joe O'Byrne*

## DISTRICT COURT ADMINISTRATIVE PLAN

Lonoke District Court, Lonoke County, Arkansas

1. JUDGES: The Lonoke District Court, Southern Division is served by two local district judges. The judges serve in the designated divisions of the court as follows:

NAME	DIVISION	CITY
Joseph V. Svoboda	England Division	City of England
Joseph V. Svoboda	Carlisle Division	City of Carlisle
Teresa M. Smith	Lonoke Division	City of Lonoke

2. COURT: Sessions of court are generally scheduled on:

DIVISION	CITY	DAYS	TIMES
England Division	England	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesday 3 <sup>rd</sup> Wednesday – Small Claim First Appearances as needed	9:00 a.m. 12:00 p.m.
Carlisle Division	Carlisle	2 <sup>nd</sup> and 4 <sup>th</sup> Wednesday 4 <sup>th</sup> Wednesday – Small Claim First Appearances as needed	5:00 p.m. 3:00 p.m.
Lonoke Division	Lonoke	1 <sup>st</sup> and 3 <sup>rd</sup> Tuesday – Arraignments at 8:30 Small Claims/Civil 10:00	
	Lonoke	1 <sup>st</sup> and 3 <sup>rd</sup> Wednesday – Trials First Appearances as needed	9:00

3. TYPES OF CASES: The following cases are heard at these locations:

DIVISION	CITY	TYPES OF CASES
England	England	all misdemeanors, traffic, small claims
Carlisle	Carlisle	all misdemeanors, traffic, small claims
Lonoke	Lonoke	all misdemeanors, traffic, small claims

Civil within jurisdictional limits

4. SPECIALTY PROGRAMS: The following specialty programs are provided:

None at the England, Carlisle or Lonoke Division

a. Type of program and description of its operation.

b. Statutory or legal authority on which it is based.

c. Certification of compliance with all applicable laws, including fines, fees, court costs, and probation assessments.

d. Use of court resources. *[Describe the court team (such as, prosecuting attorneys, public defenders, and health professionals); that each has been consulted in setting up the program and its operation; scheduling has been coordinated; and the necessary resources are available.]*

e. Sources of funding.

DATE: 05/26/2015

/s/Joseph V. Svoboda

/s/Teresa Hallum Smith