

ADMINISTRATIVE PLAN
FOR
SEVENTH JUDICIAL DISTRICT

Pursuant to "Administrative Order Number 14" of the Supreme Court of Arkansas, the Judges of the Seventh Judicial District adopt the following administrative plan.

1. The Seventh Judicial District consists of two Circuit Judges, namely, Chris E Williams and Eddy R. Easley.
2. The Seventh Judicial District shall be divided into two Circuit divisions and one District Court as follows:

DIVISION 1

CHRIS E WILLIAMS

DIVISION 2

EDDY R. EASLEY

33rd DISTRICT COURT DISTRICT

SHERRY D. BURNETT

3. Any decisions relating to (a) Amendment 80 of the Arkansas Constitution, (b) Arkansas Supreme Court Administrative Order 14, delivered April 6, 2001, (c) subsequent orders and Per Curiam opinions, or to (d) division of cases within the Seventh Judicial District shall be by unanimous vote of all Circuit Judges in the Seventh Judicial District. In the event a unanimous vote of all Judges in the Seventh Judicial District cannot be reached on any matter, then such matter shall be submitted to the Arkansas Supreme Court for final resolution. Any matter submitted to the Arkansas

Supreme Court for final resolution, all Judges of the Seventh Judicial District shall submit in writing the matter in dispute, with the reasons each Judge believes a matter should be decided by the Supreme Court.

4. All Circuit Court Judges within the Seventh Judicial District shall at all times have the authority and affirmative duty to hear all matters within the jurisdiction of the Circuit Court regardless of the designation of divisions. Scheduling of all cases for court shall be made by the parties through the Trial Court Assistants of the Circuit Judges.

5. For the purpose of judicial administration and caseload management, the following subject matter divisions in each county (Grant/Hot Spring) in the District are established:

- A. Criminal
- B. Civil
- C. Juvenile
- D. Probate
- E. Domestic

The establishment of these divisions shall in no way limit the power and duties of any Circuit Judges in the Seventh Judicial District. Further, no Judge is excluded from hearing any case in any subject matter division which may come before him or her.

6. This plan has been designed taking into consideration special circumstances within the Seventh Judicial District and the individual experience and expertise of all Judges.

The 2016 A.O.C. calendar year statistics indicate of 2,688 filings, Division 1

received 1,480 cases and Division 2 received 1,208 cases under this plan for a difference of only 272 more cases in Division 1.

It has been, and will continue to be, the policy of each Judge in the Seventh Judicial District to exercise jurisdiction over all matters, regardless of subject matter division. And to act for, on behalf of, and in substitution for the other Judge when circumstances warrant, when it is appropriate for the convenience of the litigants, attorneys and witnesses, and all other times when not to act may likely cause justifiable criticism of the judiciary of the Seventh Judicial District.

Judge Williams will also be assigned all Drug Court cases and Judge Easley will be assigned all Swift Court cases.

Judge Williams will conduct all plea and arraignments and all District Court appeals until this plan is modified by agreement of respective Judges and submitted for approval pursuant to Administrative Order 14. Judge Easley will conduct all Juvenile and DHS cases through December 31, 2020. Judge Williams will conduct all Orders of Protection and CSEU cases until December 31, 2020, and until the plan is modified by the Judges in the Seventh Judicial District or the Supreme Court of Arkansas.

The Clerk of each subject matter division shall randomly assign all civil, domestic, and probate cases equally to the Judges of the Seventh Judicial District.

The Seventh Judicial District is an automated court using the Contexte System approved by the Supreme Court. All civil, domestic and probate cases shall be randomly selected so an equal division of these cases will be maintained, other than modified by section 6 above.

7. SPECIALITY COURT PROGRAMS

The Hot Spring and Grant County Drug Court program has been in operation since July 20, 2005. Court sessions are conducted in Hot Spring County for both counties. The program utilizes a pre-adjudication process and is open to defendants who have committed eligible offenses and are recommended by the Prosecutor in the Seventh Judicial District, the Drug Court team consisting of the DCC Intake Officer, DCC Counselor, DCC Probation Officer, Public Defender and the Court. The Program is conducted in conformance with state Drug Court statutes (ACA 16-98-301 et seq.) and complies with applicable laws involving the assessment of fines, fees, court costs and probation fees. This program is funded by the Department of Community Correction and volunteer services of the Prosecutor, Public Defender and Circuit Judge.

The members of the team are consulted for purposes of scheduling, resources, and all conflicts with other court services are resolved by the Trial Court Judge, Chris E Williams.

Hot Spring and Grant County have been operating a "Swift Court" since July 1, 2012, under the authority of the Administrative Office of the Courts and the Supreme Court (ACA 16-93-1701 et seq.). The program primarily utilizes a pre-adjudication process and is open to defendants recommended by the Prosecutor. The program is conducted in conformance with the training sessions of the federally funded Hope Court located in Saline County and approved by the Arkansas Supreme Court. The program complies with applicable laws involving the assessment of fines, fees, court costs and probation fees. The program receives staff and funding from the Department of

Community Correction. The members of the Swift Court program include the Prosecuting Attorney, Public Defender, DCC Probation Officer dedicated to Swift Court and the Circuit Judge, Eddy R. Easley.

The members of the team are consulted for purposes of scheduling, resources, and all conflicts with other court services are resolved by the Trial Court Judge, Eddy R. Easley.

8. A. Any case, including juvenile cases, in which any Judge in the Seventh Judicial District is available may be heard by the available Judge without the necessity of a specific exchange order submitted to the Administrative Office of the Courts.

I. This practice has been followed by the Judges in our District in the past for all types of cases, including juvenile, and it has resulted in an almost equal division of cases between judges and the prompt, efficient disposition of cases in the Seventh Judicial District.

II. The above practice has also resulted in the prompt satisfactory disposition of cases for litigants and attorneys.

B. The assignment of cases in the above manner will prevent a workload imbalance between the Judges of the Seventh Judicial District. Further, while each division of the types of cases between Judges is not equal, the case load between Judges will be almost equal.

9. Recusals shall be avoided by both Judges if at all possible. Any recusal by one Judge shall be referred to the other Judge and if conflict continues to arise the Administrative Judge shall refer the case for assignment by the Chief Justice of the

Supreme Court. Judges shall exchange cases of like nature if the recusing Judge is accepted by receiving Judge in order to maintain a balance of case load.

Assignments to District Judge: The District Judge may have primary responsibility to preside over the following cases including scheduling and related administrative duties:

1. Pro se uncontested divorces;
2. Forcible Entry and Detainers and Unlawful Detainer;
3. Search warrants pursuant to Rule 13.1;
4. Arrest warrants pursuant to Rule 7.1;
5. Collection cases – uncontested default judgment motions, uncontested garnishments, post judgment contempt hearings for debtor failure to file financial schedule, motions for extension of time for service of process, uncontested motions for summary judgment or judgment on the pleadings;
6. Orders of Protection;
7. Civil, domestic relations and probate cases upon the consent of all parties pursuant to Administrative Order No. 18(d);
8. Criminal case First Appearances pursuant to Rule 8.1 through 8.4; and bond hearings.

The District Judge will not be primarily responsible for but will be authorized to handle the following matters when the Circuit Judge is unavailable:

1. Requests for ex-parte mental commitment orders;

2. Requests for ex-parte drug/alcohol commitment orders;
3. Transport orders for incarcerated litigants or witnesses.

Specialty Courts: The specialty courts operating within the Seventh Judicial District consist of the Drug Court Program and Swift Court in the Circuit Court. Both Courts will be handled per previous Administrative Order.

Circuit Level Drug Court Program: The Circuit Court Drug Court program has been in operation since July 20, 2005, and Swift Court since July 1, 2012. Court sessions are conducted in Hot Spring County in the Circuit Courtroom. These programs utilize a pre-adjudication process. As part of a negotiated plea agreement process, the Defendant is screened for acceptance into the program by Drug Court staff. If the Defendant is eligible and wants to proceed, the Defendant must, in consultation with defense counsel, enter a guilty plea as part of negotiated plea agreement. If the plea agreement is accepted by the Court, the sentence pursuant to the plea agreement is held in abeyance to allow the Defendant to enter the program. Successful completion of the program results in a dismissal of the charges and an Order to Seal the file. Failure to complete the program results in the imposition of the sentence that was held in abeyance pursuant to the plea agreement.

The program is conducted in conformance with state Drug Court statutes and complies with applicable laws involving the assessment of fines, court costs and probation fees. The program receives staff and funding from the Department of Community Corrections, collection of court fees and grants. The members of the Drug Court program team include Chris E Williams and Eddy R. Easley, Circuit Judges;

Melanie Rock, Deputy Prosecuting Attorney; Phyllis Lemons, Public Defender; Danny Marsh, Probation/Parole Officer; Todd Hitt, Counselor; Linda White, Administrative Specialist II. They have been consulted for purposes of scheduling to insure that the necessary resources are available and to avoid any conflicts.

Any cases, including District Court assignments, in which any Judge in the Seventh Judicial District is available may be heard by the available Judge without the necessity of a specific exchange order submitted to the Administrative Office of the Courts.

1. This practice has been followed by the Judges in our District in the past for all types of cases, including newly formed District Court assignments, and it has resulted in an almost equal division of cases between Judges and the prompt, efficient disposition of cases in the Seventh Judicial District.
2. The above practice has also resulted in the prompt satisfactory disposition of cases for litigants and attorneys.

The Assignment of cases in the above manner will prevent a workload imbalance between the Judges of the Seventh Judicial District. Further, while each division of the types of cases between Judges is not equal, the case load between Judges will be almost equal.

Recusals shall be avoided by all Judges if possible. Any recusal by one Judge shall be referred to the other Judge and if conflict continues to arise the Administrative Judge shall refer the case for assignment to the District Court Judge, if possible;

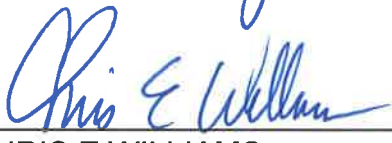
otherwise shall be referred for assignment by the Chief Justice of the Supreme Court.

Judges shall exchange cases of like nature if the recusing Judge is accepted by

receiving Judge in order to maintain a balance of case load.

This Administrative Plan is unanimously adopted by the undersigned on this

24th day of May, 2017.



CHRIS E WILLIAMS
CIRCUIT JUDGE, DIVISION 1



EDDY R. EASLEY
CIRCUIT JUDGE, DIVISION 2



SHERRY D. BURNETT
DISTRICT JUDGE, 33rd DISTRICT