

THIRD JUDICIAL CIRCUIT – STATE OF ARKANSAS

2017 ADMINISTRATIVE PLAN FOR CASELOAD MANAGEMENT

The Third Judicial Circuit of Arkansas consists of Jackson, Lawrence, Randolph, and Sharp Counties. The circuit has three divisions served by the following judges: Harold S. Erwin, Division 1; Philip G. Smith, Division 2; and Kevin N. King, Division 3. The following plan for caseload management has been unanimously adopted by said presiding judges pursuant to Administrative Order No. 14 of the Supreme Court of Arkansas:

EFFECTIVE DATE: This administrative plan shall be in effect from January 1, 2017 or upon approval by the Supreme Court, and shall remain in effect until approval of a subsequent plan by the Supreme Court.

GOAL OF THE PLAN: This administrative plan is designed to insure the prompt and efficient resolution of cases and other business of the courts within the circuit, and to apportion the cases and business of the courts among the judges as randomly and equally as is reasonably possible.

ASSIGNMENT OF CASES GENERALLY: The Circuit Courts in each county of the Circuit are organized into subject matter jurisdictions as follows: Civil, Criminal, Domestic Relations, Juvenile, and Probate. In addition, three specialty courts currently are operated within the Circuit, those being drug court programs in Jackson, Lawrence, and Randolph counties. The designations of these divisions and specialty courts shall in no way limit the powers and duties the respective assigned judges. The judges shall not be assigned exclusively to particular subject matter divisions or specialty courts so as to preclude any judge from hearing any case or cases that may come before them. Each judge may schedule sessions to hear contested or uncontested cases in chambers in any of the five subject matter divisions.

SPECIFIC CASELOAD ASSIGNMENT:

1. The Division 1 judge will hear primarily criminal cases, civil cases, and Jackson County drug court cases, as well as juvenile delinquency revocations and emergency juvenile detention matters as time and scheduling allow.

2. The Division 2 judge will hear primarily civil cases, domestic relations cases, probate cases, and criminal cases, as well as Lawrence County and Randolph County drug court cases.
3. The Division 3 judge will hear primarily juvenile cases, child support cases, Department of Human Services cases, probate cases, civil cases, and cases involving orders of protection.
4. All the Circuit Judges will hear involuntary commitment cases, which will be brought before the judge most convenient to the county needing the matter heard.
5. All the Circuit Judges will consider, and approve or deny, petitions for ex-parte orders of protection.
6. All the Circuit Judges will hear additional cases arising in each Circuit Court Division or subject matter division as the need arises. Cases may be transferred between Circuit Court Divisions by agreement of the judges, in which event the judge of the originating Division shall issue an order transferring the case to the other Division prior to adjudication. Transfer orders shall not be required for uncontested matters, criminal pleas, domestic abuse hearings, or involuntary commitment hearings.

ADJUSTMENT OF CASELOAD ASSIGNMENTS: The judges of the circuit shall meet at the end of each calendar year to determine whether any adjustment in caseload assignments between or among Circuit Court Divisions or subject matter divisions are necessary to maintain a proper balance of caseloads and to otherwise conform to the orders and directive of the Supreme Court of Arkansas.

RECUSALS: Any judge recusing in a case shall confer with any or all other judges in the Circuit regarding transfer of the case to another judge, and the recusing judge may be agreement transfer the case to any other judge in the Circuit for adjudication. If all the judges of the Circuit recuse or decline to accept transfer of a case, the original recusing judge shall request assignment of a trial judge pursuant to Supreme Court Administrative Order No. 16.

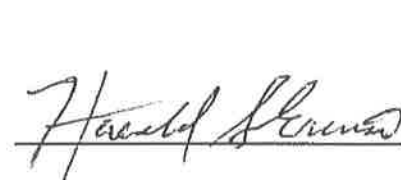
SPECIALTY COURTS: Drug Courts are operated in Jackson, Lawrence, and Randolph counties. All three are post-adjudication programs and are open to defendants with pending non-violent felony charges, or pending probation or parole revocations on non-violent convictions. The Jackson County Drug Court is funded entirely by the State of Arkansas, while the Lawrence County Drug Court and the Randolph County Drug Court are funded by the State of Arkansas and by collection of defendants' assessed fees and court costs. Drug Court team

members in each court consist of (1) the presiding judge, (2) the prosecuting attorney or designee, (3) the public defender, (4) the ACC probation officer, (5) the ACC substance abuse advisor, (6) the ACC administrative assistant, (7) the County Sheriff or his designee, and (8) the local Chief of Police or his designee. The Circuit Judges of the Third Judicial Circuit hereby certify that these specialty courts are operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating assessments and collection of court costs, fines, and probation assessments.

DISTRICT COURTS: No State District Courts currently operate within the Third Judicial Circuit. Local District Courts with county-wide jurisdiction are established and operate in each of the four counties of the judicial circuit. Each local District Court has a single District Judge operating from a single venue in their respective counties. No specialty courts are operated by any local District Court in the Third Judicial Circuit.

AGREEMENT OF THE JUDGES: The judges of the Third Judicial Circuit have discussed this plan for caseload management, giving due consideration to the relative time factors involved in the various types of cases in each subject matter division of the courts. We are in unanimous agreement that this plan divides the caseloads approximately equally and randomly among the judges and will most efficiently and effectively serve the needs of the citizens of the Third Judicial Circuit.

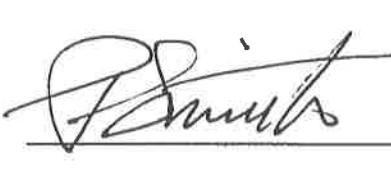
Therefore, the Circuit Judges of the Third Judicial Circuit respectfully submit this plan for judicial caseload allocation for the consideration and approval of the Supreme Court of the State of Arkansas.



Harold S. Erwin

Circuit Judge Division 1

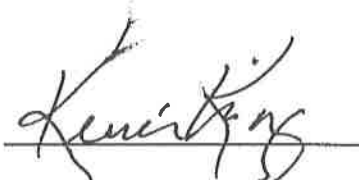
Third Judicial Circuit



Philip G. Smith

Circuit Judge Division 2

Third Judicial Circuit



Kevin N. King

Circuit Judge Division 3

Third Judicial Circuit