

**2024 SECOND AMENDED PLAN OF THE THIRD
JUDICIAL CIRCUIT
PURSUANT TO ADMINISTRATIVE ORDER No. 14**

The Third Judicial Circuit of Arkansas encompasses Jackson, Lawrence, Randolph, and Sharp Counties. The circuit is located in rural North Central and Northeast Arkansas. There are currently three circuit judges who serve the Third Judicial District.

The judge of Division 1 is Rob Ratton, who resides and has his office located in Newport, Jackson County, Arkansas. The judge of Division 2 is Michelle Huff, who resides in Evening Shade, Arkansas, and has her office located in Ash Flat, Sharp County, Arkansas. The judge of Division 3 is Adam G. Weeks who resides in Powhattan and has his office located in Walnut Ridge, Lawrence County, Arkansas.

This administrative plan shall be in effect beginning January 1, 2025, or upon approval by the Arkansas Supreme Court, and shall remain in effect until approval of a subsequent plan by the Arkansas Supreme Court.

I. CASE ASSIGNMENT & ALLOCATION

Division 1 judge will be assigned all criminal cases, all civil cases and be assigned all other cases filed in the civil division, with the exception of mortgage foreclosures and real property cases, however, Division 1 will be assigned condemnation/eminent domain, landlord/tenant unlawful detainer and other landlord/tenant matters. Division 1 shall also be assigned all Jackson County and Lawrence County Drug Court cases, and all post-conviction criminal cases. Division 1 judge will be assigned name changes filed in Jackson County. Division 1 judge will be assigned all Act 911 cases.

Division 2 judge will be assigned all domestic relations cases, adoption cases not involving the Department of Human Services, all guardianship cases not involving the Department of Human Services, and will be assigned all other cases filed in the probate division. Division 2 will be assigned all mortgage foreclosure cases. Division 2 judge will be assigned Drug Court cases for Sharp County. Division 2 judge will be assigned name changes in Randolph and Sharp Counties.

Division 3 judge will be assigned all juvenile cases, child support cases, Department of Human Services, (including Adult Protection Services cases), and shall also be assigned all real property cases, excluding those cases assigned as described above. Division 3 judge will be assigned all Orders of Protection. Division 3 judge will be assigned name changes filed in Lawrence County. Division 3 judge will be assigned all Lawrence and Sharp County Family Treatment Court.

All circuit judges in the Third Judicial Circuit will preside over hearings on involuntary commitment cases (alcoholic commitment, civil commitment, and narcotic commitment). These cases will be brought before the judge most convenient to the county wherein the matter should be heard.

The State District Court Judges presiding in the Third Judicial Circuit shall approve or deny all ex-parte petitions for orders of protection. Final hearings on all orders of protection will be assigned to Division 3 judge.

The State District Court Judges presiding in the Third Judicial Circuit shall also be assigned initial involuntary commitment petitions for purposes of evaluation requiring up to a seventy-two (72) hour hold. Any hearings following the seventy-two (72) hour hold shall be heard by one of the three circuit judges most convenient to the county wherein the matter should be heard.

II. CASELOAD ESTIMATE

Based on filings from 2022, the caseload estimate per division is as follows:

| | |
|------------|-------------|
| Division 1 | 1,888 Cases |
| Division 2 | 1,355 Cases |
| Division 3 | 944 Cases |

The judges of the circuit deem the division of work equitable and appropriate on the basis that many of the civil cases are uncontested and the juvenile cases are labor intensive involving several review hearings, emergency hearings, and preliminary hearings.

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 division are necessary to maintain a proper balance of caseloads and to otherwise conform to the orders and directive of the Supreme Court of Arkansas.

III. STATE DISTRICT COURT JUDGES

Currently, there are three State District Court Judges operating within the Third Judicial Circuit. The 11th Judicial District is comprised of Lawrence County, Randolph County, and Sharp County. Mark Johnson is the Division 1 presiding judge and Alex Bigger is the presiding Division 2 judge. The 15th Judicial District is composed of Jackson County and Woodruff County. (Woodruff County is included in the 1st Judicial Circuit.) Henry Boyce is the presiding judge.

ADMINISTRATIVE ORDER NO.18 REFERRALS FROM CIRCUIT COURT TO STATE DISTRICT JUDGES

Has the circuit court referred matters pursuant to Administrative Order No. 18 to be heard by a state district judge?

- Yes
 No

| | |
|---|----------------------------------|
| Participating State District Judges of Cases | Assignment and Allocation |
|---|----------------------------------|

The state district judges participating in referrals from the circuit court include:

| Name | District Court Judicial District | Assignment and Allocation of Cases |
|----------------------------------|---|---|
| Judge Mark Johnson Division 1 | 11 th District | 50% Referrals from Lawrence, Randolph, and Sharp Counties |
| Judge Alex Bigger Division 2 | 11 th District | 50% Referrals from Lawrence, Randolph, |

and Sharp Counties

| <u>Name</u> | <u>District Court Judicial District</u> | <u>Assignment and Allocation of Cases</u> |
|---------------------------------|---|---|
| Judge Henry Boyce Division 1 | 11 th District | 100% Referrals from Jackson County |

Matters Subject to Reference

The following matters are referred from circuit court to state district court and have been included in the administrative plan for the circuit court and the administrative plan for the district court:

Consent Jurisdiction. Upon the consent of all parties and approval by the circuit judge originally assigned, the following types of cases are referred from circuit court:

- Civil
- Domestic Relations
- Probate

Protective Orders.

Forcible Entry and Detainers / Unlawful Detainer.

Other Matters of an Emergency or Uncontested Nature Pending in Civil, Domestic Relations or Probate Division. *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters _____ Location _____

Petition for Involuntary Commitment (72 Hour Hold)

Other Matters, if Justification for the Reference and Procedures to be Employed are Sufficiently Demonstrated in the

Circuit Court Administration Plan Pursuant to Administrative Order No. 14. *Please provide detailed information regarding the types of matters that will be referred and where these matters will be heard below.*

Type of Other Matters _____ Location _____

Criminal. The following duties are referred with respect to an investigation or prosecution of an offense lying within the exclusive jurisdiction of the circuit court:

- Issue Search Warrant Pursuant to Rule 13.1
- Issue Arrest Warrant Pursuant to Rule 7.1 or AC.A. §16-81-104
- Issue Summons Pursuant to Rule 6.1
- Reasonable Cause Determinations Pursuant to Rule 4.1 (e)
- Conduct First Appearance Pursuant to Rule 8.1
- Appoint Counsel Pursuant to Rule 8.2
- Inform Defendant Pursuant to Rule 8.3
- Accept Plea of "Not Guilty" or "Not Guilty by Reason of Insanity"
- Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3
- Conduct Preliminary Hearing Pursuant to AC.A. §16-93-307

Digital Audio Recording Equipment

Is digital audio recording equipment utilized to make a verbatim record of matters referred from the circuit court?

- Yes
- No

Specialty Court Dockets or Programs

Does a district court judge preside over a circuit court specialty court program?

- X Yes

No

The following circuit court specialty courts are conducted:

| <u>Type of Specialty Court</u> | <u>Location</u> |
|--------------------------------|-----------------|
|--------------------------------|-----------------|

RANDOLPH COUNTY ADULT DRUG COURT
Judge Alex Bigger

A. Description of Program and How it Operates.

The Randolph County Adult Drug court program is a 24-month, post-adjudication program open to defendants with pending non-violent convictions.

B. Statutory Authority.

The adult drug court program was established pursuant to A.C.A. §16-98-301 et seq.

C. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probation assessments.

D. Description of Program's Use of Resources.

Adult Drug Court team members in each court consists of the presiding judge, the prosecuting attorney or designee, the public defender, the ACC probation officer, the ACC substance abuse advisor, the ACC administrative assistant, the County Sheriff or his designee, and the local Chief of Police or his designee.

E. Source of Funding.

The Randolph County Adult Drug Court is funded by the State of Arkansas and by collection-of defendants' assessed fees and court costs.

District Court Administrative Plans

The following district court administrative plans are appended for submission to the supreme court:

11th District -- Lawrence County, Randolph County and Sharp County

15th District -- Jackson County (and Woodruff County)

IV. Specialty Court Programs

JACKSON COUNTY DRUG COURT Judge Rob Ratton, Presiding

A. Description of Program and How it Operates.

The Jackson County drug court program is a 24-month, post-adjudication program open to defendants with pending non-violent convictions.

B. Statutory Authority.

The drug court program was established pursuant to A.C.A. §16-98-301 et seq.

C. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probations assessments.

D. Description of Program's Use of Resources.

Drug Court team members in each court consists of the presiding

judge, the prosecuting attorney or designee, the public defender, the ACC probation officer, the ACC substance abuse advisor, the ACC administrative assistant, the County Sheriff or his designee, and the local Chief of Police or his designee.

E. Source of Funding.

The Jackson County Drug Court is funded entirely by the State of Arkansas.

LAWRENCE COUNTY DRUG COURT
Judge Rob Ratton, Presiding

A. Description of Program and How it Operates.

The Lawrence County drug court program is a 24-month, post-adjudication program open to defendants with pending non-violent convictions.

B. Statutory Authority.

The drug court program was established pursuant to A.C.A. §16-98-301 et seq.

C. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probations assessments.

D. Description of Program's Use of Resources.

Drug Court team members in each court consists of the presiding judge, the prosecuting attorney or designee, the public defender, the ACC probation officer, the ACC substance abuse advisor, the ACC

administrative assistant, the County Sheriff or his designee, and the local Chief of Police or his designee.

E. Source of Funding.

The Lawrence County Drug Court is funded by the State of Arkansas and by collection of defendants' assessed fees and court costs.

RANDOLPH COUNTY DRUG COURT
Judge Alex Bigger, Presiding

F. Description of Program and How it Operates.

The Randolph County drug court program is a 24-month, post-adjudication program open to defendants with pending non-violent convictions.

G. Statutory Authority.

The drug court program was established pursuant to A.C.A. §16-98-301 et seq.

H. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probations assessments.

I. Description of Program's Use of Resources.

Drug Court team members in each court consists of the presiding judge, the prosecuting attorney or designee, the public defender, the ACC probation officer, the ACC substance abuse advisor, the ACC administrative assistant, the County Sheriff or his designee, and the local Chief of Police or his designee.

J. Source of Funding.

The Randolph County Drug Court is funded by the State of Arkansas and by collection-of defendants' assessed fees and court costs.

SHARP COUNTY DRUG COURT
Judge Michelle Huff, Presiding

A. Description of Program and How it Operates.

Sharp County Adult Drug Court is a voluntary, eighteen-month, pre-adjudication, multi-phase intervention program designed to address the needs of criminal defendants with substance use disorders. Adult Drug Court is available only to defendants meeting program eligibility requirements. The defendant must be an adult resident of Sharp County; must not have a pending charge for a violent felony or a prior conviction for a violent felony; must not have a prior conviction that would require registration as a sex offender; must be identified as high- risk/high-need, as determined by a validated risk-need assessment; and must have a moderate-to-severe substance use disorder. An eligible defendant must plead guilty to a pending felony offense, sentencing is then deferred, and the defendant is transferred to the Sharp County Adult Drug Court for treatment and supervision services. Plea and transfer occur with full consent on the record and in writing of the defendant, prosecuting attorney, defense attorney, and the presiding judge. Sharp County Adult Drug Court conducts court proceedings every Thursday at 9:00 AM at the Sharp County Courthouse in Ash Flat, Arkansas; 718 Ash Flat Drive North, Ash Flat, AR 72513.

B. Statutory Authority.

The drug court program was established pursuant to A.C.A. §16-98-301 et seq.

C. Certification of Compliance.

Sharp County Adult Drug Court operates in compliance with

all applicable sentencing laws including fines, fees, court costs and probation assessments. Team members have attended training programs offered by the Administrative Office of the Courts. Sharp County Adult Drug Court was implemented and operates in accordance with best-practice standards.

D. Description of Program's Use of Resources.

The Sharp County Adult Drug Court team includes the circuit judge, deputy prosecuting attorney, deputy public defender, court coordinator, treatment provider, probation officer, and law enforcement representative. All drug court team members meet weekly for staffing and court review hearings.

E. Source of Funding.

The Sharp County Adult Drug Court receives funding and support from Sharp County, the Public Defender Commission, the Prosecuting Attorney's Office, the Department of Community Corrections, the Administrative Office of the Courts, and federal and state grant opportunities as they arise and become available. There are sufficient resources for the program's operation, as required by A.C.A. §16-98-305.

LAWRENCE COUNTY FAMILY TREATMENT COURT
Judge Adam Weeks, Presiding

A. Description of Program and How it Operates.

B. Statutory Authority.

The Lawrence County Family Treatment Court was established pursuant to A.C.A. §9-27-801 et seq.

C. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas

statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probations assessments.

D. Description of Program's Use of Resources.

E. Source of Funding.

SHARP COUNTY FAMILY TREATMENT COURT
Judge Adam Weeks, Presiding

A. Description of Program and How it Operates.

B. Statutory Authority.

The Lawrence County Family Treatment Court was established pursuant to A.C.A. §9-27-801 et seq.

C. Certification.

The Circuit Judges of the Third Judicial Circuit hereby certify this specialty court program is operated in compliance with Arkansas statutes governing drug court programs, Arkansas sentencing laws and guidelines, and Arkansas statutes and rules regulating the assessment and collection of fines, fees, court costs, and probations assessments.

D. Description of Program's Use of Resources.

E. Source of Funding.

The circuit judges of the Third Judicial Circuit are mindful of the announcement of the Supreme Court that it is the Court's belief that rotation of judges in those instances where judges are exclusively assigned to criminal or juvenile cases may be desirable and that the possibility of "burnout", as well as a desire to diversify, are factors worthy of consideration. We are in agreement with the Supreme Court's opinion and announce that the judges of the Third Judicial Circuit will give consideration to rotating the types of cases heard by each division at least every two years as we aspire to achieve the most efficient administration of justice possible.

Therefore, the Circuit Judge 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.


Rob Ratton, Division 1


Michelle Huff, Division 2

Adam Weeks, Division 3

Mark Johnson, District 11
Division 1

Alex Bigger, District 11
Division 2


Henry Boyce, District 15

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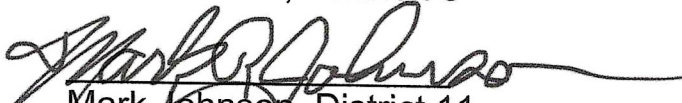
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