

ADMINISTRATIVE PLAN

Second District

Composed of the Following Counties

Washington and that portion of Benton County covered by Statute

1.JUDGES.

The Second District Court is a state district court served by four judges.

JudgeDivision Number

1st Division-Judge Jeff Harper

2nd Division-Judge Graham H. Nations

3rd Division-Judge Clinton K. (Casey) Jones

4th Division-Judge Terra Stephenson

Are exchange agreements with other district judges utilized?

Yes

No

Pursuant to Administrative Order No. 18, at the request of the majority of the district judges of a district court, with the concurrence of a majority of the circuit judges of a judicial circuit, the administrative judge of the judicial circuit may designate one or more licensed attorneys to serve as a small claims magistrate to preside over the small claims division of the district court.

A small claims magistrate shall possess the same qualifications as a district court judge. The appointment shall be filed in writing and filed with the District Court Clerk.

Has a small claims magistrate been designated by the administrative judge of the judicial circuit?

Yes

No

2.DEPARTMENTS.

The statutory authority for the organization and designation of this district court is found at A.C.A. § 16-17-1110(2)(A).

The judge(s) serve(s) in the statutorily designated departments of the court as follows:

Judge County City Designated as Department

Alternating Washington/Benton Springdale
201 Spring St. 72764

Alternating Washington/Elm Springs
289 Jayroe Ave. 72728

Division 4 Washington/Johnson
2904 Main St., 72741

Alternating Washington/Fayetteville
176 S. Church, 72701

Division 4 Washington/Elkins
1874 Stokenbury, 72727

Division 3 Washington/West Fork
262 Main 72774

Division 4 Washington/Greenland
8 E. Ross St., 72737

Division 2 Washington/Prairie Grove
955 E. Douglas St., 72753

Division 2 Washington/Lincoln
101 E. Bean St., 72744

Division 2 Washington/Farmington
354 W. Main, 72730

Consolidation of City Courts with District Courts

Pursuant to A.C.A. §16-17-1202, all city courts were consolidated with district courts on January 1, 2012, and former city courts became known as departments of the district court. If a town or city is no longer operating as a department of the district court, a copy of the local ordinance abolishing the city as a department of the court must be provided to the Administrative Office of the Courts.

Are all towns or cities statutorily designated as departments still operating as departments of the district court?

Yes

No

Town / City Abolished as Department Effective Date

A copy of the local ordinance abolishing the department of the district court has been attached.

3. OTHER JURISDICTIONAL AREAS.

The following cities and towns have police departments but have not been designated as statutory departments of the district court. Pursuant to A.C.A. §16-17-1203, these cities and towns contribute to the operational expenses of the district court and file cases in the district court.

City / Town Department Where Cases are Filed / Heard

Goshen Elkins

Tontitown Elm Springs

4. COURT SESSIONS AND TYPES OF CASE BY SUBJECT MATTER (Criminal, Traffic, Civil and Small Claims).

Pursuant to Administrative Order No. 18, each department of a district court shall hear cases in all of the subject matter divisions.

Sessions of the court are generally scheduled on the following days of the week at the following times:

1st Division-Judge Jeff Harper

1. The 1st Division will hold court in the City of Springdale as follows:

- a) Monday, Tuesday and Wednesday at 8:30 am of each week (criminal arraignments)
- b) The first and third Monday each month at 1:30 pm (show cause hearings)
- c) The second Monday of each month at 1:00 pm (Benton County Jail arraignments by video)
- d) Six Mondays a year on the fourth Monday (January, March, June, August, October and November) at 1:30 pm (criminal trials on Washington County cases)
- e) Each Tuesday at 1:30 pm (Washington County Jail criminal arraignments by video)
- f) The fifth Wednesday as needed at 1:30 pm (civil cases)
- g) Three Thursdays each month at 8:30 am-usually the 1st, 2nd and 4th Thursday (criminal trials)
- h) One Thursday each month at 10:00 am (Benton County criminal arraignments by video) usually the third Thursday
- i) One Thursday each month at 1:30 pm (Washington County Jail criminal arraignments by video) usually the 3rd Thursday

2. The 1st Division will hold court in the City of Elm Springs on the third Wednesday at 1:00 pm (criminal arraignments)

3. The 1st Division will hold court at the Washington County Jail, in Fayetteville, on the third Friday of each month, at 8:00am, conducting first appearance hearings in felony criminal cases for the Fourth Circuit Judicial District pursuant to Administrative Rule 18, as well as first appearances for the cities of Fayetteville, Springdale, Johnson, Elm Springs, Tontitown, Prairie Grove, Farmington, Lincoln, Elkins, West Fork, Greenland and Goshen.

2nd Division-Judge Graham H. Nations

1. The 2nd Division will hold court in the City of Prairie Grove as follows:

- a) The first and third Tuesday of each month at 8:30 am and 1:30 pm (Criminal)
- b) The second and fourth Tuesday of each month at 8:30 am (Criminal arraignments, Civil and Small Claims)

2. The 2nd Division will hold court in the City of Farmington the second and third Wednesday of each month at 10:00 am (Criminal, Civil and Small Claims)

3. The 2nd Division will hold court in the City of Lincoln the second and fourth Tuesday of the month at 1:30 pm (Criminal, Civil and Small Claims)

4. The 2nd Division will hold court in the City of Springdale the fourth Wednesday of the month at 1:00 pm (Civil)

5. The 2nd Division will hold court in the City of Fayetteville on the first and third Monday of each month at 1:30 pm (Civil)

6. The 2nd Division will hold court at the Washington County Jail, in Fayetteville, each Monday at 8:00 am conducting first appearance hearings in felony criminal cases for the Fourth Circuit Judicial District pursuant to Administrative Rule 18, as well as first appearances for the cities of Fayetteville, Springdale, Johnson, Elm Springs, Tontitown, Prairie Grove, Farmington, Lincoln, Elkins, West Fork, Greenland and Goshen.

3rd Division-Judge Clinton K. (Casey) Jones

1. The 3rd Division will hold court in the City of Fayetteville as follows:

- a) Each Monday and Thursday at 8:00 am (Criminal)
- b) Each Wednesday at 1:30 pm (Criminal)
- c) The second Monday of the month at 1:30 pm (Small Claims)

2. The 3rd Division will hold court in the City of West Fork as follows:

- a) Each Thursday at 2:30 pm (Criminal)
- b) The first Monday of the month at 1:00 pm (Civil and Small Claims)

3. The 3rd Division will hold court at the Washington County Jail in Fayetteville each Wednesday at 8:00 am conducting first appearance hearings in felony criminal cases for the Fourth Circuit Judicial District pursuant to Administrative Rule 18, as well as first appearances for the cities of Fayetteville, Springdale, Johnson, Elm Springs, Tontitown, Prairie Grove, Farmington, Lincoln, Elkins, West Fork, Greenland and Goshen.

4th Division-Judge Terra Stephenson

1. The 4th Division will hold court in the City of Elkins as follows:

- a) The first, second and fourth Tuesday of the month at 1:00 pm (Criminal)
- b) The third Tuesday of the month at 1:00 pm (Civil, Small Claims and Criminal arraignments)

2. The 4th Division will hold court in the City of Johnson as follows:

- a) The first and third Monday at 1:00 pm (Criminal arraignments)
- b) The third Wednesday at 12:30 pm (Criminal trials, Civil and Small Claims)

3. The 4th Division will hold court in the City of Elm Springs as follows:

- a) The second Monday of each month at 2:00 pm (Tontitown criminal trials)
- b) The first, second and fourth Wednesday of each month at 1:00 pm (Criminal arraignments)

- c) The first Wednesday of each month at 3:00 pm (Criminal show cause hearings)
- d) The second Wednesday of each month at 3:00 pm (Elm Springs trials)
- e) The fourth Wednesday of each month at 9:00 am (Civil, Small Claims and Tontitown criminal trials)

4. The 4th Division will hold court in the City of Greenland the fourth Monday of the month at 1:00 pm (Criminal, Civil and Small Claims)

5. The 4th Division will hold court at the Washington County Jail in Fayetteville, on the first and fifth Friday at 8:00 am conducting first appearance hearings in felony criminal cases for the Fourth Circuit Judicial District pursuant to Administrative Rule 18, as well as first appearances for the cities of Fayetteville, Springdale, Elm Springs, Elkins, Lincoln, Prairie Grove, Farmington, Greenland, West Fork, Tontitown, Johnson and Goshen.

Mandatory Holding of Court in Departments of a District Court

Pursuant to A.C.A. §16-17-138, sessions of court must be held at least one (1) time per month in each department unless mutually waived by the district court judge and the governing body of the city or town where the department is located.

Is court held in each town or city designated as a department of the district court at least one (1) time per month?

- Yes
- No

A written agreement waiving the mandatory holding of court for departments of a district court has been entered into and has been adopted by ordinance of the governing body of the city or town in which the department is located.

The ordinance(s) has/have been attached to this plan.

Based upon said written agreement, sessions of court for the _____ Department are held in the _____ Department.

Pursuant to Administrative Order No. 18, a warrant docket shall be established within the criminal division. The docket shall be divided into a "search warrant docket," designated by the prefix "SW" and an "arrest warrant docket," designated by the prefix "AW." The warrant docket is used for warrants that have been returned either executed or unexecuted when a case file has not yet been opened. If a criminal case is subsequently opened, the information in the warrant docket related to the criminal case is transferred to it.

Has the warrant docket been established within the criminal division?

Yes

No

5. ADMINISTRATIVE ORDER NO. 18 REFERRALS FROM CIRCUIT COURT.

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

Yes

No

The following matters have been referred by the circuit court and have been included in the circuit court administrative plan:

Consent Jurisdiction. Upon the consent of all parties, 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 describe the types of other matters referred below and the location where these matters are heard.

Type of Other Matters Hearing Location

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 describe the types of other matters referred below and the location where these matters are heard.

Type of Other Matters Hearing 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 A.C.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 A.C.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

Has the State District Court Digital Audio Recording Equipment Compliance Form been provided to the Administrative Office of the Courts?

- Yes
- No

6.SPECIALTY COURTS.

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

- Yes
- No

The following specialty courts are conducted:

Type of Specialty CourtLocation

a. Type of specialty docket and description of its operation:

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

c. Certification of compliance with all applicable sentencing laws, including assessment, collection and remittance of fines, fees, court costs, probation fees.

d. Use of court resources. [Describe the court team including 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:

This specialty court was established in the circuit court administrative plan, but the judicial circuit does not have a circuit judge who is available to administer the specialty court on a consistent basis. Accordingly, the administrative plan for the judicial circuit required by Administrative Order No. 14 of the Supreme Court designated a district court judge to administer this specialty court program.

7. OTHER PROGRAMS OR DOCKETS.

Does a district court judge preside over other programs or dockets?

Yes

No

The following programs or dockets are administered:

Name of Docket Location

a. Type of specialty docket and description of its operation:

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

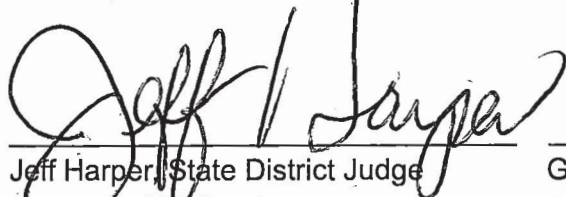
c. Certification of compliance with all applicable sentencing laws, including assessment, collection and remittance of fines, fees, court costs, probation fees.

d. Use of court resources. [Describe the court team including 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.]

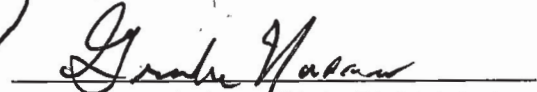
e. Sources of funding:

7. EFFECTIVE DATE.


This Administrative Plan is effective Jan. 1 2024



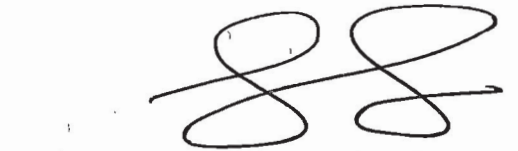
Jeff Harper, State District Judge
District 2, Division 1



Graham H. Nations, State District Judge
District 2, Division 2



Clinton K. (Casey) Jones
State District Judge
District 2, Division 3



Terra Stephenson, State District Judge
District 2, Division 4