

ADMINISTRATIVE PLAN
41st JUDICIAL DISTRICT
District Court of Garland County, Arkansas

1. JUDGES.

The Forty-First District Court is a state district court served by two judges. The judges serve in the statutorily designated departments of the court as follows:

<u>Judge</u>	<u>District / Division</u>	<u>Department</u>
Hon. Joseph Graham	41 st / Division 1	Hot Springs Department (1) 607 Ouachita Ave #150 Hot Springs, 71901
Hon. Meredith Switzer	41 st / Division 2	Hot Springs Department (2) 607 Ouachita Ave #150 Hot Springs, 71901

The statutory authority for the organization and designation of this district court is found is found at A.C.A. § 16-17-1113.

Are exchange agreements with other district judges utilized?

- Yes
 No

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

- Yes
 No

2. OTHER JURISDICTIONAL AREAS.

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

- Yes
 No

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 town contribute to the operational expenses of the district court and file cases in the district court.

City / Town	Department Where Cases are Filed / Heard
City of Mountain Pine	Hot Springs Department 607 Ouachita Ave, #150 Hot Springs, AR 71901

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

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

District / Division	Department	Day	Time	Type of Case		
41 st /Division 1	Hot Springs (1)	Mon-Thurs	8:30 a.m.	Criminal/Traffic Civil/ Small Claims (1 st and 2 nd Mon alternating) First Appearances Domestic Violence Specialty Docket Orders of Protection Unlawful Detainers Payment Reviews Drug Offense Specialty Docket (3 rd Fri)		
		Mon	9:30 a.m.			
		M/W/F	1:00 p.m.			
		1 st Thur	9:30 a.m.			
		4 th Tues	1:00 a.m.			
		4 th Wed	9:30 a.m.			
		2 nd Tues	1:00 p.m.			
		Fri	9:30 a.m.			
		41 st /Division 2	Hot Springs (2)		Mon-Thurs	8:30 a.m.
					Mon	9:30 a.m.
M/W/F	1:00 p.m.					
2 nd Thur	9:30 a.m.					
3 rd Tues	1:00 a.m.					
3 rd Wed	9:30 a.m.					
1 st Tues	1:00 p.m.					
Fri	9:30 a.m.					
				Mental Health (2 nd Fri)		
				Veterans (2 nd Fri)		

The Judges in each Division alternate handling certain dockets depending on the day, week, and month. For example, if Division 1 handles the Civil Docket for the month, then Division 2 will handle the Smalls Claims Docket for that month. Then the following month, the Divisions switch and Division 1 handles the Small Claims Docket and Division 2 handles the Civil Docket.

Mandatory Holding of Court for Departments of a District Court

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

or

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.

Has the warrant docket been established within the criminal division?

Yes

No

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

No referrals are made from circuit court.

or

The following matters are referred from 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.

Type of Other Matters _____ **Location** _____

Involuntary Commitments

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.

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 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

Pursuant to Administrative Order No. 4, digital audio recording equipment is utilized to record a verbatim record of all proceedings pertaining to any contested matter before the court or jury.

and

I have provided the State District Court Digital Audio Recording Equipment Compliance Form to the Administrative Office of the Courts.

or

Digital audio recording equipment is not utilized.

No specialty courts are conducted.

or

The following specialty courts are conducted:

Name of Docket	Location
DWI COURT	Hot Springs Dept/Division 2 4th Fri at 9:30 a.m.

- a. Type of specialty docket and description of its operation:
The Garland County DWI Court is a voluntary, post-adjudication, highly intensive supervision program designed to address the needs of criminal defendants with substance use or co-occurring disorders. DWI Court is available only to defendants meeting program eligibility requirements. The defendant must be an adult resident of Garland County; must not have a previous 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; must have a moderate-to-severe substance use disorder, as determined by a licensed clinician; and must be identified as clinically appropriate for the program, as determined by a licensed therapist. DWI Court is a minimum of fourteen (14) months. DWI Court meets on the fourth Friday of each month, with additional staffings occurring during the interim, as needed.
- b. Statutory or legal authority on which it is based: Garland County DWI Court was established pursuant to A.C.A §§ 16-102-101 – 102.
- c. No unauthorized fines, fees, or costs are being assessed or collected. All appropriate fines, fees, court costs, and probation fees are being properly remitted.
- d. The DWI Court Team consists of the District Court Judge, Probationary Supervisors, the Trial Court Administrator, Chief Court Clerk, Deputy Court Clerks, the Deputy City Attorney, a Deputy Public Defender, a Garland County Sheriff Department Sergeant, representatives from two local treatment providers.
- Garland County DWI 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. Garland County DWI Court was implemented and operates in accordance with best-practice standards.
- e. Sources of funding: Garland County DWI Court receives funding and support from the City of Hot Springs, the Office of Highway Safety, the Administrative Office of the Courts, and Federal Providers

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.

6. OTHER PROGRAMS OR DOCKETS.

No other programs or dockets are administered.

or

The following programs or dockets are administered:

Name of Docket	Location	
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Drug Offense Specialty Docket	Hot Springs Dept/Division1	3rd Fri at 9:30 a.m.
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- a. Type of specialty docket and description of its operation:
Works of reducing recidivism rate of drug cases
- b. Statutory or legal authority on which it is based: A.C.A. § 16-17-1109
- c. No unauthorized fines, fees, or costs are being assessed or collected. All appropriate fines, fees, court costs, and probation fees are being properly remitted.
- d. Court team: District Judge and probation department.
- e. Sources of funding: General budget and probation fees

Domestic Violence Specialty Docket	Hot Springs Depts Divisions 1 and 2	1st and 2nd Thurs 9:30 a.m.
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- a. Type of specialty docket and description of its operation:
Works of reducing recidivism rate of domestic violence cases
- b. Statutory or legal authority on which it is based: A.C.A. § 16-17-1109
- c. No unauthorized fines, fees, or costs are being assessed or collected. All appropriate fines, fees, court costs, and probation fees are being properly remitted.
- d. Court team: District Judge, probation department, Prosecuting Attorney, and Public Defender.

- e. Sources of funding: General Budget

Veterans Specialty Docket Hot Springs Dept/Division 2 2nd Fri at 9:30 a.m.

- a. Type of specialty docket and description of its operation:
The Veterans Specialty Docket focuses on monitoring justice-involved individuals who have been identified as veterans. The goal of this specialty docket is to ensure compliance with terms of sentencing, identify resources the veteran needs to successfully complete terms of sentencing and connect veteran to those resources, all in the hopes of reducing recidivism for those veterans.
- b. Statutory or legal authority on which it is based: A.C.A. § 16-17-1109
- c. No unauthorized fines, fees, or costs are being assessed or collected. All appropriate fines, fees, court costs, and probation fees are being properly remitted.
- d. The Veterans Specialty Docket Team consists of the District Judge, Probation Department, a Veterans Justice Outreach Representative from the VA, the local Disabled Veterans Outreach Director and representatives of the following: the Garland County Sheriff's Department, the City Attorney's Office, the Public Defender's Office, and a local treatment providers.
- e. Sources of funding: General Budget

Mental Health Specialty Docket Hot Springs Dept/Division 2 2nd Fri at 9:30 a.m.

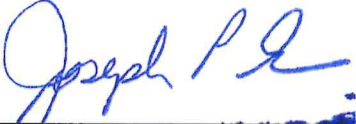
- a. Type of specialty docket and description of its operation:
The Mental Health Specialty Docket focuses on monitoring individuals who suffer from mental illness to ensure compliance with terms of sentencing, identify resources the individual needs to successfully complete terms of sentencing and connect the individual to those resources, all in the hopes of reducing recidivism for those individuals.
- b. Statutory or legal authority on which it is based: A.C.A. § 16-17-1109
- c. No unauthorized fines, fees, or costs are being assessed or collected. All appropriate fines, fees, court costs, and probation fees are being properly remitted.
- d. The Mental Health Specialty Docket Team consists of the District Judge, Probation Department, and representatives of the Garland County Sheriff's

Department, the Public Defender's Office, the City Attorney's Office, and mental health treatment providers.

- e. Sources of funding: General Budget

7. EFFECTIVE DATE.

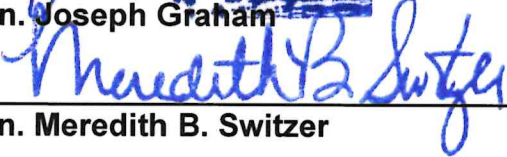
This Administrative Plan is effective January 1, 2024.



Hon. Joseph Graham

6/30/23

Date



Hon. Meredith B. Switzer

6/30/23

Date