

**IN THE CIRCUIT COURTS OF THE  
TENTH JUDICIAL DISTRICT OF ARKANSAS**

**ADMINISTRATIVE PLAN – 2024**

**I. INTRODUCTION**

Pursuant to Administrative Order Number 14 of the Arkansas Supreme Court, the undersigned Circuit Judges of the Tenth Judicial Circuit of Arkansas propose this administrative plan for submission to the Supreme Court for the purpose of judicial administration, designation of divisions, and management of caseloads of the divisions beginning January 1, 2024.

This proposal creates a substantially equal assignment of cases among the circuit judges in accordance with the weighted caseload system presently utilized by the Administrative Office of the Courts.

The Tenth Judicial Circuit consists of five (5) counties, Ashley, Bradley, Chicot, Desha and Drew, and five (5) judges. The current judges and their assigned divisions are as follows:

Judge Crews Puryear	Division One
Judge Laurie Bridewell	Division Two
Judge Robert Bynum Gibson, III	Division Three
Judge Quincey Ross	Division Four
Judge Teresa French	Division Five

**II. ADMINISTRATIVE PLAN**

The undersigned Circuit Judges of the Tenth Judicial Circuit submit this proposal as the administrative plan for circuit court administration to the Supreme Court for its approval. This Order is approved and agreed to by the undersigned judges and complies with Administrative Order Number 14.

**A. Administrative Policy**

The circuit judges will meet when needed for the purpose of administering this administrative order. The Administrative Judge shall call such meetings as and when necessary to carry out this plan and Administrative Order Number 14.

**III. DIVISIONS**

Each of the five (5) Circuit Judges of the Tenth Judicial Circuit shall at all times have concurrent jurisdiction to hear all matters within the jurisdiction of the circuit court. Once a case is assigned to a division, no other division shall have jurisdiction over the assigned matter except as otherwise provided by this plan or as permitted by Administrative Order. Page 2 of 8

There is established in the Tenth Judicial Circuit, five (5) subject matter divisions in each county of the judicial circuit. They are as follows: criminal, civil, juvenile, probate, and domestic relations. The designation of divisions is for the purpose of judicial administration and caseload management and is not for the purpose of subject matter jurisdiction. The creation of divisions shall in no way limit the powers and duties of the judges as circuit judges.

For the purpose of this Order:

1. "Criminal" means cases relating to all matters involving the Arkansas Criminal Code except juvenile delinquency matters.
2. "Civil" means cases relating to all other matters not relating to Probate, Domestic Relations, Juvenile, or Criminal.
3. "Juvenile" means cases relating to families in need of supervision, dependency and neglect, paternity and delinquency.
4. "Probate" means case relating to decedent estates, trust administration, adoption, guardianship, conservatorship, commitment, and adult protective custody.
5. "Domestic Relations" means case relating to divorce, annulment, maintenance, custody, visitation, support, paternity, and domestic abuse.

The above definitions of "Probate" and "Domestic Relations" are not intended to restrict the juvenile division of circuit court from hearing adoption, guardianship, support, custody, paternity, or commitment issues which may arise in juvenile proceedings.

#### IV. CASE ASSIGNMENT AND ALLOCATION

A. **Substantially Equal Apportionment.** Except for good cause to the contrary, the case assignment and allocation of cases shall be a substantially equal apportionment among the judges. In the year 2022 the average case load per Judge was 1,058 based on the number of new cases filed in the Tenth Judicial District. The assignment of case load below assigns cases on an equal basis as possible among the five judges.

#### B. Assignment of criminal cases

Effective January 1, 2024, all criminal cases in the District will be assigned by random selection as follows:

Division 1 – Fifty percent (50%) of cases in Ashley, Bradley, Chicot and Drew counties.

Division 3 – Fifty percent (50%) of cases in Ashley, Desha and Drew counties.

Division 4 – Fifty percent (50%) of all cases in Bradley, Chicot, and Desha counties.

*Civil Forfeitures.* All civil forfeitures will be assigned to the Division assigned the related criminal case.

**Drug Court** -- Effective January, 2004, a Drug Pilot Court Discretionary Grant Program was recognized and is being operated in Drew County, Arkansas as a Specialty Court Program pursuant to ACA §§16-98-301 -- 16-98-306. Under the present policy, offenders from other counties in the District can be referred there if they otherwise meet acceptance criteria, particularly ability and means to travel. Drug Court shall be presided over weekly, or as otherwise scheduled, by the Judges of Division One and Division Three, alternating every two (2) weeks or as otherwise agreed. This program primarily utilizes a post-adjudication process and is open to first time offenders who are recommended by the prosecutor. The program is conducted in conformance with state drug court statutes and complies with applicable laws involving the assessment of fines, fees, court costs and probation fees. The program receives staff funding from the Department of Community Corrections. The members of the drug court program include the prosecuting attorney, public defendant/defense counsel, treatment professionals, and staff from the Department of Community Corrections.

**Juvenile Drug Court** is assigned to Division Five – a Juvenile Drug Court is being operated as a Specialty Court Program pursuant ACA §§16-98-301 -- 16-98-306 in Ashley County, Arkansas and is presided over by Division Five. This court was originally started in January, 2010 and was funded by tobacco settlement funds, however, the juvenile drug court is now funded through the Accountability Court Funded Grant pursuant to Act 895 of 2015. Juvenile fees paid are also used for the drug court program as needed. The Drug Probation Officer is paid by the State of Arkansas. All other members of the drug court team are volunteers. The Prosecutor, Public Defender, as well as school counselors, treatment professionals, and staff from the community provider, Phoenix Youth & Family Services, are part of the Juvenile Drug Court Team. The Drug Court Probation Officer, a state employee, is also a part of the team. The program is conducted in conformance with state drug court statutes and conforms to all applicable sentencing laws including fines, fees, court costs and probation assessments. The program utilizes a post-adjudication process and is open to juveniles who have committed eligible offenses and are recommended by a referral process to this program and voted on by the team for acceptance. The drug court team meets prior to court to go over what has transpired with the juvenile since the last team meeting and vote on whether there should be incentives or sanctions and makes their recommendation to the Judge at the hearing.

**Swift and Certain Accountability Probation Pilot Program** are assigned to Division Four. In 2001, the Arkansas Legislature provided for the establishment of five pilot programs known as Swift Courts. The Swift Court is operating as a

Specialty Court Program under Arkansas Drug Court Act 16-93-1701 et seq. The pilots are modeled after the successful Hawaiian Hope Program and are designed to reduce recidivism among high risk probations by requiring swift, certain and graduated sanctions on a small number of easily verifiable behaviors to ensure compliance. The Swift Court in Desha County started in July, 2012. The plan provides for a maximum of 50 probationers who are referred from Desha County. Eligibility is based on a validated risk/need assessment designed to determine a high risk of re-offending and/or a high risk of failing traditional probation. No offense or conviction, previous or current, shall cause an offender to be determined ineligible for Swift Court as long as the offender is eligible for probation and lives in the Desha County. Division Four presides over Swift Court. Members of the program include the prosecutor, public defender/defense counsel, Department of Community Corrections Probation Officer and Sheriff's Office for the respective county. The Swift Court conforms to all applicable sentencing laws including fines, fees, court costs and probation assessments. All fines, fees, court costs and probation assessments are paid to the Department of Community Corrections.

**C. Assignment of Juvenile cases.**

Effective January 1, 2024 all juvenile cases will be assigned to Division Five.

**D. Assignment of child support enforcement cases**

Effective January 1, 2024 all domestic relations cases in the district involving establishment of paternity or enforcement of a child support obligation by the Office of Child Support Enforcement Unit of the Department of Human Services, shall be assigned as follows:

Ashley	Division 1
Bradley	Division 1
Chicot	Division 4
Desha	Division 4
Drew	Division 3

**E. Assignment of civil cases**

Effective January 1, 2024, all civil cases will be assigned by random selection as follows:

- Division 1 – Ten percent (10%) of cases in Ashley County.
- Division 2 – Forty percent (40%) of cases in Bradley County

Division 3 – Ninety percent (90%) of cases in Ashley County, Seventy percent (70%) of the cases in Chicot County, and Sixty percent (60%) of the cases in Bradley, Desha, and Drew Counties.

Division 4 – Forty percent (40%) of cases in Desha and Drew Counties and Thirty percent (30%) of cases in Chicot County.

However, for purposes of judicial economy and the effective use of the personnel resources in the prosecuting attorney's and public defender's offices, civil drug forfeiture cases shall be assigned to the criminal division judge presiding over any associated criminal charges, if any exist. Such assignment shall be done by the Circuit clerk, if they can identify the associated case, or administratively by the Trial Court Assistants.

**F. Assignment of domestic relations cases**

Effective January 1, 2024, all domestic relations cases will be assigned to Division 2 unless otherwise specifically provided for herein.

**G. Assignment of Paternity and Child Support Cases:**

Effect January 1, 2024, all Paternity Cases and Child Support Cases shall be assigned as follows:

Division One – one hundred percent (100%) of all cases in Ashley and Bradley County

Division Three – one hundred percent (100%) of all cases in Drew County

Division Four – one hundred (100%) of all cases in Chicot and Desha Counties

**H. Assignment of probate cases:**

Effective January 1, 2024, all probate cases will be assigned as follows:

Division Two – forty five percent (45%) of all cases in Ashley, Chicot, Desha, and Drew Counties and ninety percent (90%) of all cases in Bradley County

Division Three – forty five percent (45%) of all cases in Ashley County

Division Four – forty five percent (45%) of all cases in Chicot, Desha, and Drew Counties.

Division Five – all guardianships of a juvenile in Ashley, Bradley, Chicot, Desha, and Drew Counties which makes up approximately ten percent (10%) of all probate cases and one hundred percent (100%) of all mental or drug and alcohol commitments in Ashley, Bradley, Chicot, Desha, and Drew Counties.

**I. Random Assignment:**

The assignment of cases shall be random, based on case types as assigned to the various Divisions of Court as provided in Section IV above. The clerk is directed not to assign a case to the Division until such time as the file-mark of the Clerk has been affixed. The Clerk is prohibited from making the Division assignment known until the number is affixed to the pleading initiating the case. The Clerk is to maintain a separate Criminal, Civil, Domestic Relations, Probate, and Juvenile docket for each of the respective numerical Divisions. The Clerk's will not permit attorney nor parties to circumvent the random assignment process.

Pursuant to Administrative Order Number 14 as amended, "random selection" means that cases assigned to a particular subject matter division shall be randomly distributed among the judges assigned to hear those types of cases. The Clerks are directed not to assign a case to a Division until such time as the file mark of the Clerk has been affixed.

**J. Pending or supplemental proceedings filed after January 1, 2024:**

Effective January 1, 2024, all matters connected with a pending or supplemental proceeding, be heard by the Division whom the matter was originally assigned in the absence of good cause to the contrary.

**V. SUPREME COURT**

This administrative plan will be submitted to the Arkansas Supreme Court for its approval. Thereafter, a plan will be submitted to the Supreme Court as directed, if necessary. This plan may only be further amended if approved by the Supreme Court. Upon approval by the Supreme Court, the amended plan shall be filed with the Clerk of the Circuit Court in each of the five (5) counties of the Tenth Judicial Circuit and filed with the Clerk of the Supreme Court. In the event, the approved plan is not being followed; a judge should first bring the matter to the attention of the circuit judges for resolution. In the event the complaining judge deems the resolution of the circuit judges, as a voting body, does not resolve the issue, the complaining judge may bring the matter to the attention of the Chief Justice of the Arkansas Supreme Court by setting out in writing the nature of the problem. Upon receipt of a complaint, the Supreme Court may cause an investigation to be undertaken by appropriate personnel and will take other action as may be necessary to insure the efficient operation of the courts and the expeditious dispatch of litigation in the Tenth Judicial Circuit.

**VI. TRANSITION**

No change in divisions of circuit court will be effective as of now.

**VII. ELECTION OF ADMINISTRATIVE JUDGE**

Judge Robert B. Gibson, III was elected administrative judge at a meeting in December 2022, and will continue to serve until his term expires. At the called meeting in June 2023 all

circuit judges were in attendance and approved this plan. Administrative Judge Robert Gibson is forwarding this Plan today to all the circuit judges for their signature.

**VIII. ASSIGNMENT OF DISTRICT JUDGES IN THE COUNTY OR COUNTIES IN WHICH THEY WERE ELECTED.**

Tenth District has three District Judges: 28<sup>th</sup> District Judge Bruce Anderson, Bradley and Drew Counties; 26<sup>th</sup> District Judge Reid Harrod, Ashley County; and 27<sup>th</sup> District Judge Melinda French, Chicot and Desha Counties, who all participate in referrals from the circuit courts. All matters heard by the State District Court Judges will be heard in the respective Court room.

With the exception of first appearance and waiver of extradition when the responsibility is shared among Circuit and District Judges, a District Judge is assigned and shall have primary responsibility to preside over the following cases including scheduling and related administrative duties within their particular counties:

1. Issue search warrants pursuant to Rule 13.1;
2. Issue Arrest warrants pursuant to Rule 7.1 or A.C.A 16-81-104;
3. Conduct first appearances pursuant to Rule 8.1;
4. Appoint counsel pursuant to Rule 8.2;
5. Inform defendant pursuant to Rule 8.3;
6. Conduct pretrial release inquiry pursuant to Rules 9.1, 9.2 and 9.3

Following completion of the first appearance paperwork, that paperwork shall be forwarded to the circuit clerk, the prosecuting attorney, the defense attorney, and the circuit judges sharing the criminal docket for that county.

Additionally, the following matters may be referred to the state district judges:

1. Forcible Entry and Detainer and Unlawful Detainer; and
2. Petitions for mental, drug or alcohol commitments. If Judge Teresa French is not available, the district judge for that county shall handle that proceeding. If that district judge is unavailable, any of the circuit judges in the 10th Circuit may handle the commitment proceeding.

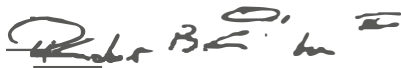
FURTHER, pursuant to Administrative Order 4 and the Administrative Office of the Courts Provisional Guidelines for digital audio in State District Courts all the State District Courts of the Judicial Circuit will utilize the equipment, software and operational abilities necessary to comply with the regulations and expectations of Order 4.

The District Court Judges do not preside over the circuit court specialty court programs.

This Administrative Plan to Become Effective on January 1, 2024. \_\_\_\_\_



Honorable Crews  
Puryear Division 1

  
Hon. Lauri Tidwell  
Division 2

Honorable Robert Bynum Gibson, III  
Division 3  
Administrative Judge



Honorable Quincey Ross  
Division 4



Honorable Teresa French  
Division 5