

## ADMINISTRATIVE PLAN OF THE FIFTEENTH JUDICIAL CIRCUIT

Pursuant to Administrative Order Number 14, the Fifteenth Judicial Circuit submits the following Administrative Plan for Circuit Court Administration which becomes effective January 1, 2024.

1. Cases filed in the Fifteenth Judicial Circuit shall be designated by the clerks of the various courts according to the following subject division: Criminal, Civil, Juvenile, Probate and Domestic Relations.

2. The Fifteenth Judicial Circuit is made up of four counties: Conway, Yell, Logan and Scott Counties. The Conway County Courthouse is located in Morrilton. Yell County has dual county seats with courthouses located at Dardanelle and Danville. Logan County has dual county seats with courthouses located in Paris and Booneville. The Scott County courthouse is located in Waldron.

3. The present Administrative Plan will break down division assignments by courthouse.

4. Circuit Court Division I is currently held by Circuit Judge Jerry Don Ramey. Division I shall be assigned 100 % of all criminal cases in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron, including criminal appeals from the Circuit Courts. Division I shall also be assigned 33% of the civil matters in Morrilton. In addition, Division I shall be assigned all Adult Civil Commitment matters in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron.

5. Circuit Court Division II is currently held by Circuit Judge David H. McCormick. Division II shall be assigned 100% of the domestic relations cases in Morrilton, Dardanelle, Booneville, and Waldron; 67 % of the Domestic relations cases in Danville and Paris. Additionally, as part of the domestic relations division, Division II shall be assigned 67% of the Office of Child Support Enforcement cases in Danville and Paris. Division II shall be also assigned 67% of all general civil matters in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron. Division II shall further be assigned 67% of the probate matters in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron.

6. Circuit Court Division III is currently being held by Judge Terry M. Sullivan. Division III shall be assigned 100 % of all juvenile cases in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron. Division III shall also be assigned 33% of the domestic relations cases in Danville and Paris. Additionally, as part of the domestic relation division, Division III shall be assigned 100% of the Office of Child Support Enforcement cases in Dardanelle, Booneville and Morrilton and 33% of the Office of Child Support Enforcement cases in Danville and Paris. Division III shall be assigned 33% of the probate cases in Morrilton, Dardanelle, Danville, Paris, Booneville and Waldron. As a further division of the probate cases, Division III shall be assigned all of the Adult Protective Services cases in Morrilton, Dardanelle, Danville, Paris, Booneville, and Waldron. Division III shall also be assigned 33% of all general civil cases in Dardanelle, Danville, Paris, Booneville and Waldron.

7. Random Assignment: All categories that have a percentage of the total number of cases divided between divisions shall be randomly assigned. The random assignments shall comply with method and regulations set out by the appropriate authority at the time of the assignment.

8. Pursuant to A.C.A. § 16-98-302 and § 16-101-101 et seq., Division I, which encompasses all criminal cases, shall maintain a Drug Court and Veteran's Court for qualified participants. Entry into the Drug Court and Veterans Court Programs shall be accessed through designated screening guidelines, with entry into the Drug Court and Veteran's Court program discretionary. Admission into the Drug Court and Veteran's Court Program shall be considered based upon the individual characteristics of the applicant, the statutory guidelines and acceptance by the presiding judge. The intent of the Drug Court and the Veteran's Court Program is to provide judicial intervention and support for effective treatment programs that reduce the incidence of drug use, drug addiction, and family separation due to parental substance abuse and drug related crimes. The Fifteenth Judicial Circuit Drug Court and Veteran's Court Programs shall be supported by Arkansas Community correction with services provided in Booneville, Danville and Morrilton. The Booneville Drug Court and Veteran's Court Programs will also provide services to Scott County and the Paris District of Logan County. The Danville Drug Court will also provide services to the Dardanelle District of Yell County. Veteran's Court participants shall additionally be supported by the Veterans Administration. Each Arkansas Community Correction team shall consist of a Supervision Officer, a Counselor and an Administrative Assistant. Monthly review shall be conducted in the respective jurisdiction by a team consisting of such participants, as the prosecuting attorney, or a designated deputy, a public defender, or private voluntary attorney, the Arkansas Community Correction staff listed above, a representative of the Veteran's Administrative team and other such individuals that may provide constrictive/positive assistance to the Drug Court and Veteran's Court Programs. The program conforms to all applicable sentencing laws, including fines, fees, court costs and probation assessments. Funding for the Drug Court and Veteran's Court Programs shall include state designate funds, grants, contributions and any other such funds that may be provided to each individual program as a whole. Supervision of the Fifteenth Judicial Circuit Drug Court and Veteran's Court Programs shall be provided by the presiding judge of Division I, of the Fifteenth Judicial Circuit.

9. Effective January 1, 2021, Administrative Order No. 1 and Administrative Order No. 16 were amended specifically setting forth that it is no longer necessary for the administrative plans to provide for the process for handling recusal, the reassignment of a case or requests for assignment of a judge by the Supreme Court. As such, recusal matters are not addressed in the present Administrative Plan.

10. The Fifteenth Judicial Circuit is served by two full-time state district courts. The Twelfth Judicial District consists of Conway County District Court, Yell County District Court (Dardanelle District and Danville District) and Logan County District Court (Booneville District and Paris District). It is served by District Judge Brian Mueller. (See attached Twelfth Judicial District Court Administrative Plan) The Twenty-fourth Judicial District Court consists of Montgomery County, Polk County and Scott County. It is served by District Judge Danny Thrailkill (See attached Twenty-fourth Judicial District Court Administrative Plan).

The above stated District Courts may have primary responsibility to preside over the following cases including scheduling and related administrative duties:

- (a) Pro se uncontested divorces;
- (b) Forcible Entry and Detainers and Unlawful Detainers;
- (c) Search Warrants pursuant to Rule 13.1;
- (d) Arrest warrants pursuant to Rule 7.1;
- (e) Collection cases- uncontested default judgment motions, uncontested garnishments, post judgment contempt hearings for debtor failure to file financial schedules, motions for extension of time for service of process, uncontested motions for summary judgment or judgment on the pleadings;
- (f) Orders of Protection, with the exception that Orders of Protection for Yell County and Conway County shall remain assigned to Circuit court as set forth in the present order;
- (g) Civil, domestic relations and probate cases upon the consent of all parties pursuant to Administrative Order No. 18(d);
- (h) Criminal case First Appearances pursuant to Rule 8.1 through 8.4; and bond hearings.

The above stated District Courts will not be primarily responsible for but will be authorized to handle the following matters when the Circuit Judge is unavailable:

- (a) Requests for rex-parte mental commitment orders;
- (b) Requests for ex-parte drug/alcohol commitment orders;
- (c) Transport orders for incarcerated litigants or witnesses.

11. An analysis has been made of the data provided by the Office of Research and Justice for the calendar year 2022. Based on this data, there were 4,440 new filings in the 15<sup>th</sup> Judicial Circuit.

Application of the case plan to the above numbers will result in approximately the following case numbers by division:

Division I - 1,498  
Division II - 1,676  
Division III - 1,178

Referrals to State District Judges – 88

12. It is agreed that judicial expediency and consistency is better achieved with only one judge presiding over the criminal subject matter cases and one judge presiding over the juvenile subject matter cases in the Fifteenth Judicial Circuit. Therefore, this plan provides that Circuit Court Division I will be assigned all criminal cases and Circuit Court Division III will be assigned all juvenile cases. This plan will allow the Prosecuting Attorney to be present at criminal jury trials and related matters.

13. This plan takes into consideration that this circuit is made up of four (4) counties with six (6) separate courthouses. Four (4) of the six (6) courthouses only have one (1) courtroom shared by three Circuit Court Judges and two (2) State District Court Judges.

14. This plan also takes into consideration the individual experiences of the judges and caseload of each judge.

15. It has been and will continue to be the policy of each judge in the Fifteenth Judicial Circuit to exercise jurisdiction over all matters, regardless of subject matter division, and to act for, in behalf, and in substitution of the other judges when exigent circumstances warrant, when it is appropriate for the convenience of the litigants, attorneys, witnesses and at all other times when not to act may likely cause justifiable criticism of the judiciary of the Fifteenth Judicial Circuit.

16. All judges of the Circuit Court of the Fifteenth Judicial Circuit shall at all times have the authority to hear the matters within the jurisdiction of the Circuit court. This administrative policy does not affect the right nor the power of the Circuit Judges to, by agreement, temporarily amend or modify any provision of this policy when, in their judgment, it is necessary for the fair administration of justice.

17. This plan does hereby take into consideration Senate Bill 159 of the 90<sup>th</sup> General Assembly which amends A.C.A. § 5-73-122(a)(1) regarding carrying a firearm in a publically owned building or facility. However, the authority of each circuit judge is reserved by each circuit judge to set individual policies of handguns/firearms with his individual courtroom.

18. Each of the three (3) circuit court judges do hereby unanimously vote that Circuit Judge David H. McCormick shall be designated as the administrative judge.

19. We believe that this plan provides a process which shall apportion the business of the circuit court among each judge within our judicial circuit on a fair and equal basis.

20. This plan is fully adopted by Circuit Judge Jerry Don Ramey. Circuit Judge Terry M. Sullivan adopts the case plan with the exception that he cannot stipulate to the numbers contained in paragraph 11. With this exception Circuit Judge Terry M. Sullivan withdraws his objection to the

previous case plan. Circuit Judge David H. McCormick objects to the plan upon the belief that it does not fairly allocate case loads between the three (3) respective circuit court judges.

  
9-28-23  
CIRCUIT JUDGE JERRY DON RAMEY - DATE

  
CIRCUIT JUDGE DAVID H. McCORMICK - DATE

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CIRCUIT JUDGE TERRY M. SULLIVAN - DATE