

**ADMINISTRATIVE PLAN
FOR
SEVENTH JUDICIAL CIRCUIT**

Effective January 1, 2024

Pursuant to Arkansas Supreme Court Administrative Order No.14, the Judges of the Seventh Judicial Circuit adopt the following administrative plan.

I. INTRODUCTION AND BACKGROUND

The Seventh Judicial Circuit consists of two (2) Circuit Judges, namely Chris E. Williams and Stephen L. Shirron. The Circuit shall be divided into two (2) divisions as follows:

DIVISION 1
DIVISION 2

CHRIS E. WILLIAMS
STEPHEN L. SHIRRON

All Circuit Judges within the Seventh Judicial Circuit shall at all times have the authority and affirmative duty to hear all matters within the jurisdiction of the Circuit Court, regardless of the designation of divisions. Scheduling of all cases for court shall be made by the parties through the Trial Court Administrators of the Circuit Judges.

For the purpose of judicial administration and caseload management, the following subject matter divisions shall be established in both Grant and Hot Spring County:

- A. Criminal
- B. Civil
- C. Domestic Relations
- D. Probate
- E. Juvenile

The establishment of these divisions shall in no way limit the power and duties of any Circuit Judge in the Circuit. Further, no Judge is excluded from hearing any case in any subject matter division which may come before him or her.

II. CASE ASSIGNMENT AND ALLOCATION

This plan has been designed taking into consideration special circumstances within the Seventh Judicial Circuit and the individual experience and expertise of all Judges.

In considering all circumstances and the individual experience of the Judges in this circuit, the division of all new cases filed in the Seventh Judicial Circuit, subject to the conditions set forth herein, are to be divided as follows, effective January 1, 2024:

	<u>WILLIAMS</u> DIVISION 1	<u>SHIRRON</u> DIVISION 2
Criminal	50%	50%
Civil	50%	50%
Domestic Relations	*50%	*50%
Probate	50%	50%
Juvenile	0%	*100%

* Note: District Judge Billy Jack Gibson handles all Orders of Protection. To offset for the differences in division of the cases, Judge Williams will handle all criminal arraignments, District Court appeals, and OCSE cases. Orders of Protection and OCSE cases will be excluded from the 50/50 assignment of all other Domestic Relations cases.

It has been, and will continue to be, the practice of this circuit to rotate between the Divisions of the court, every three (3) years, the assignment of OCSE, District Court Appeals, criminal arraignments, and Juvenile. Beginning January 1, 2024, Judge Williams will conduct all Criminal Arraignments and will be assigned all District Court appeals, Orders of Protection and OCSE cases; Judge Shirron will be assigned all Juvenile/DHS cases; it is understood that while Judge Williams will technically be assigned all Orders of Protection, these will be handled by the District Court Judge as

part of this plan. This assignment of cases will continue through December 31, 2026, at which time it is anticipated the Divisions will rotate the obligations again, unless the plan is modified by the Judges in the Seventh Judicial Circuit prior thereto.

Further, Judge Williams presides over the Adult Drug Court program and Judge Shirron presides over the Swift Court program. All cases where a Defendant will be participating in the Drug Court program or the Swift Court program will be transferred to the respective Judge's Division. These programs are outlined in more detail below.

Using the Contexte system, the Clerk of each subject matter division shall randomly assign to the Judges of the Seventh Judicial Circuit all civil, criminal, domestic, and probate cases equally, controlling for OCSE, District Court Appeals, Orders of Protection and Juvenile as outlined in the above paragraph.

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

Any case, including juvenile cases, in which any Judge in the Seventh Judicial Circuit is available, may be heard by the available Judge without the necessity of a specific exchange order submitted to the Administrative Office of the Courts. This practice has been followed by the Judges in our Circuit in the past for all types of cases, including juvenile, and it has resulted in a fair and equitable division of cases between the Judges and the prompt, efficient disposition of cases in the Seventh Judicial Circuit. The

above practice has also resulted in the prompt satisfactory disposition of cases for litigants and attorneys.

III. CASELOAD ESTIMATE

2022 Filings Data

Calendar Year 2022 Cases Filed by County/Issue/Division							
Year	County	Issue Area	Division			Grand Total	
			D01	D02	DJ30MV		
2022	Grant	Civil	83	80	0	163	
		Criminal	103	93	0	196	
		Domestic Relations	88	79	66	233	
		Juvenile	155	0	0	155	
		Probate	49	53	0	102	
		Total	478	305	66	849	
	Hot Spring	Civil	185	187	1	373	
		Criminal	198	197	0	395	
		Domestic Relations	166	119	58	343	
		Juvenile	126	0	0	126	
		Probate	103	107	0	210	
		Total	778	610	59	1,447	
	Total			1,256	915	125	2,296

The 2022 calendar year statistics indicate 2,296 case filings. Based on the currently used case allocation, there was a difference of 341 more cases in Division 1.

The breakdown is as follows:

Judge Chris E. William	1,256 cases
Judge Stephen L. Shirron	915 cases
Judge Billy Jack Gibson	125 Order of Protection cases

It should be noted that there was also a significantly higher number of DR cases filed in Division 1 than Division 2 at the time the previous administrative plan was

prepared. Instead of the administrative judge at the time analyzing the data to determine the cause of the anomaly, he assumed it was due to “numerous recusals by Division 2” (see statement in Paragraph 5 of the 2022-2023 Admin. Plan). Given that the Division 2 judge has only recused from a total of 16 cases since taking office, that does not account for the difference in filings. A further review of the historical data has now yielded that the anomaly has been ongoing since at least as far back as 2016, and likely longer. The actual cause appears to be due to the clerks not controlling for the OCSE and Order of Protection cases before making the 50/50 allocations of the DR filings. While one Division of the court will always necessarily have a higher number of cases due to the nature of the district’s plan, under this new plan the difference in DR case filings between the divisions should be reduced to a closer parity.

Caseload Estimates for 2024 and 2025 are as follows:

DIVISION 1 – Judge Chris E. Williams		
Case Type	Percentage of Cases	Estimated No. of Cases
Criminal	50%	295
Civil	50%	268
Domestic	50% + OCSE	239
Probate	50%	156
Juvenile	0%	0
	Total	958

DIVISION 2 – Judge Stephen L. Shirron

<u>Case Type</u>	<u>Percentage of Cases</u>	<u>Estimated No. of Cases</u>
Criminal	50%	295
Civil	50%	268
Domestic	50%	211
Probate	50%	156
Juvenile	100%	281
	Total	1,211

33rd DISTRICT -- Judge Billy Jack Gibson

<u>Case Type</u>	<u>Percentage of Cases</u>	<u>Estimated No. of Cases</u>
DR - Order of Protection	100%	125
	Total	125

IV. SPECIALTY COURT PROGRAMS

ADULT DRUG COURT

A. Description of Program

The Grant and Hot spring County Drug Court program has been in operation since July 20, 2005. Court sessions are conducted in Hot Spring County for both counties. The program utilizes a pre-adjudication process. As part of a negotiated plea agreement process, the Defendant is screened for acceptance into the program by Drug Court staff. If the Defendant is eligible and wants to proceed, the Defendant must, in consultation with defense counsel, enter a guilty plea as part of negotiated plea agreement. If the plea

agreement is accepted the Court, the sentence pursuant to the agreement is held in abeyance to allow the Defendant to enter the program. Successful completion of the program results in a dismissal of the charges and an Order to Seal the file. Failure to complete the program results in the imposition of the sentence that was held in abeyance pursuant to the plea agreement.

B. Statutory Authority

The program was established pursuant to Ark. Code Ann. §16-98-301 et seq.

C. Certification

By his signature at the bottom of this document, Circuit Judge Chris E. Williams certifies the Grant and Hot Spring County Drug Court program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

D. Use of Court Resources

The members of the Drug Court program team include Chris E. Williams, Circuit Judge; Melanie Rock, Chief Deputy Prosecuting Attorney; Phillip Wilson, Public Defender; Danny Marsh, Probation/Parole Officer; Haley Collins, Counselor; Amber Colson, Drug Court Coordinator. They have been consulted for purposes of scheduling to ensure that the necessary resources are available and to avoid any conflicts.

E. Source of Funding

The program receives staff and funding from the Department of Community Corrections, collection of court fees, and grants.

SWIFT COURT

A. Description of Program

Hot Spring County has been operating a Swift Court since July 1, 2012. The Hot Spring County Swift Court is an intensive probation program with frequent interactions between probation officers and high-risk probationers. The key feature to the program is swift and certain sanctions for probation violations. When a participant is sentenced to Swift Court, they are given multiple orientations to the program, including an initial interaction with the Swift Court Judge in open court. Swift Court participants maintain regular interaction with their DCC officer and DCC staff, including more frequent visits than regular probationers and random drug/alcohol testing on a more frequent basis. The Court holds a review at least quarterly with all participants to monitor progress and compliance.

B. Statutory Authority

The Hot Spring County Swift Court is authorized by A.C.A. §16-93-1701 et seq.

C. Certification

By his signature at the bottom of this document, Judge Stephen L. Shirron hereby certifies that the Hot Spring County Swift Court conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

D. Use of Court Resources

The Hot Spring County Swift Court consists of a Swift Court team with members including Circuit Judge Stephen L. Shirron, a Deputy Prosecuting Attorney, a Public Defender, a DCC Probation Officer; Counselors from private agencies; and a Swift Court Coordinator. The significant resources employed, other than the time of the members,

are drug/alcohol testing equipment, regular training, incarceration (for sanctions), and in-patient treatment for some participants.

E. Source of Funding

The probation officers and their supplies, equipment and training are provided by the DCC through state appropriations. The other members are allocated by their respective agency/department. The drug/alcohol testing supplies and other equipment used by the DCC members are provided by the DCC through state appropriations. Other funds may periodically be provided through state/federal grants received by the program.

V. STATE DISTRICT JUDGES

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

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

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

Name	District Court Judicial District	Assignment and Allocation of Cases
Judge Billy Jack Gibson	33rd District	100% of Referred Matters

While recognizing that the State District Judge maintains a full-time docket, the following matters may be referred if a Circuit Judge is not available.

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.

The state district judge will have the authority to hear all temporary and permanent ex parte orders of protection pursuant to A.C.A. §9-15-201 through §9-15-217.

Forcible Entry and Detainers / Unlawful Detainer.

The state district judge will have authority to sign Ex-Parte Orders in Forcible Entry and Detainers and Unlawful Detainers pursuant to A.C.A. §18-60-312 if a circuit judge is not available.

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 _____

The state district judge will have authority to sign Ex-Parte Emergency Involuntary Commitments pursuant to A.C.A. §20-47-209 and §20-47-210 if a circuit judge is not available.

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:

The state district judge will have authority to perform the following criminal duties if a circuit judge is not available:

- 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

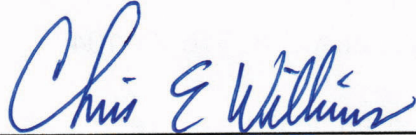
Circuit Court Specialty Court Dockets or Programs

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

- Yes
- No

VI. APPROVAL

This Administrative Plan is unanimously adopted by the undersigned upon the date of the final signature being appended hereto. The plan shall be effective from January 1, 2024, through December 31, 2025, or until otherwise amended.



CHRIS E WILLIAMS
CIRCUIT COURT JUDGE, DIV. 1

Dated: _____

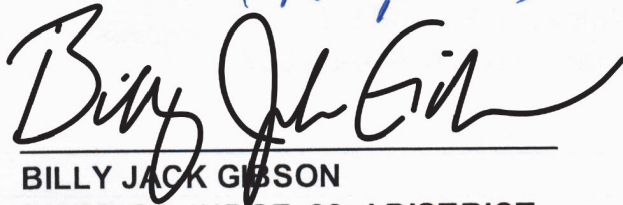
6/30/2023



STEPHEN L. SHIRRON
CIRCUIT COURT JUDGE, DIV. 2

Dated: _____

6/30/2023



BILLY JACK GIBSON
DISTRICT JUDGE, 33rd DISTRICT

Dated: June 30, 2023