

**AMENDED ADMINISTRATIVE PLAN
FOR THE
ELEVENTH EAST (11-E) JUDICIAL CIRCUIT**

Effective January 1, 2025

Pursuant to Administrative Order Number 14, the following Amended Administrative Plan for the Eleventh-East (11-E) Judicial Circuit is submitted to the Arkansas Supreme Court:

INTRODUCTION AND BACKGROUND

The 11-E Judicial Circuit consists of one county, Arkansas County. Arkansas County is divided into two separate districts – the Northern District, with the county seat in Stuttgart, and the Southern District, with the county seat in DeWitt. The two districts are treated as separate counties for judicial purposes. The 11-E is a one-judge judicial circuit in which the judge hears all cases in the county. Pursuant to Administrative Order Number 14, since there is only one circuit judge in the circuit, that judge is the administrative judge of that circuit by default.

On December 13, 2012, the Arkansas Supreme Court amended Administrative Order Number 14 to address the “specialty courts” operated by circuit and districts courts and the role of state district courts *vis-a-vis* circuit courts.

SPECIALTY COURTS

Subsection 2(d) of Administrative Order Number 14, requires that the 11-E Judicial Circuit submit an administrative plan to address its specialty court program.

Since 2004, the 11-E Judicial Circuit has operated a drug court under the authority of the Arkansas Drug Court Act (Ark. Code Ann. § 16-98-301, *et. seq.*). The following is a general summary of the drug court and how it is conducted:

1. Participants. Drug court participants are generally defendants who have been charged with drug possession crimes or crimes related to the need to obtain funds for drugs, such as theft, forgery, etc. The program is directed toward persons who are addicted to the use of drugs. Defendants who have a record of violent crimes or the sale of drugs are generally not eligible for the drug court program.

2. Selection. Prospective participants are recommended for drug court by the prosecuting attorney in consultation with the defendant's attorney. Once selected, the prospective participant is referred to the local officials of the Department of Community Correction for evaluation to determine his or her eligibility and suitability for the program. If the prospective participant is determined to be eligible and suitable for entry into the program, a recommendation is made to the court. The ultimate decision on whether to accept a prospective participant rests with the court.

3. Transfer to Drug Court. This is a post-adjudication drug court. To be admitted into drug court, a defendant must enter a voluntary plea of guilty to the underlying charge (or a reduced charge as determined by plea negotiations between the prosecuting attorney and defense counsel). Upon entry of the guilty plea, the defendant's case is then transferred to drug court for further proceedings. The drug court's policies and procedures are set out in a booklet which is given to each participant prior to admission into the program.

4. Operation. The drug court is presently conducted in five 8-12 week phases. The program includes intensive weekly meetings and/or counseling, education, and periodic drug testing which is conducted by the Department of Community Correction personnel. Weekly court appearances are required during Phases 1 and 2 which decreases to bi-monthly court appearances in Phase 3 and then monthly court appearances during Phases 4 and 5. The court, prosecutor, public defender and DCC personnel hold weekly staffings prior to the court appearances by the drug court participants. Upon successful completion of the program, the participant graduates and his or her case is then nolle prossed by the State and the record is sealed. An after-care program is available if deemed necessary.

5. Expulsion. Four strikes are allowed for violations of drug court rules. Each strike invokes a gradually increasing penalty. If a participant receives a fifth strike, he or she is expelled from the program. The case is then transferred back to the regular criminal docket and the participant is sentenced based on his or her previous guilty plea. The available sentencing options include all penalties to which the participant could have been sentenced

had he or she entered an “open” plea of guilty with no sentence recommendation from the state.

6. Court Resources. The prosecuting attorney is actively involved in the drug court program, as is the public defender (or the participant’s private attorney) as necessary. Participants also include the peer support recovery specialist, treatment professionals, DCC staff, and court staff.

7. Funding. The program is funded through state drug court appropriations and fees which the participants are required to pay. The Arkansas County Quorum Court’s budget includes a small appropriation to fund the cost of certificates and graduation ceremonies when a participant successfully completes the program.

8. Certification. The drug court program conforms to all applicable sentencing laws, including fines, fees, court costs, and probation assessments.

The 11-E has no other specialty courts.

DISTRICT COURTS

The 11-E will have 2 state district courts beginning in January 2025. The Honorable Elizabeth Skinner and the Honorable B. Park Eldridge, Jr. have been elected to preside over the state district courts which will include the Northern District of Arkansas County, the Southern District of Arkansas County and Monroe County, a county located within the 1st Judicial Circuit.

Judge Eldridge’s proposed Administrative Plan is attached.

Judge Skinner’s proposed Administrative Plan is attached.

REFERRALS FROM CIRCUIT COURT TO DISTRICT COURT PURSUANT TO ADMINISTRATIVE ORDER NO. 18

The following matters marked with an "X" are being referred by the 11E Circuit Court to the state district courts and are hereby included in the Circuit Court Amended Administrative Plan:

X Consent Jurisdiction - Upon the consent of all parties, the following types of cases are referred from circuit court:

- X Civil
- X Domestic Relations
- Probate

X Protective Orders.

X Forcible Entry and Detainers / Unlawful Detainer

X 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:

- X Issue Search Warrant Pursuant to Rule 13.1
- X 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)
- X Conduct First Appearance Pursuant to Rule 8.1
- Appoint Counsel Pursuant to Rule 8.2
- X Inform Defendant Pursuant to Rule 8.3
- Accept Plea of "Not Guilty" or "Not Guilty by Reason of Insanity"
- X Conduct Pretrial Release Inquiry Rules 9.1, 9.2 and 9.3
- Conduct Preliminary Hearing Pursuant to A.C.A. §16-93-307

X Specialty Court - Adult Drug Court

X 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 designates a district court judge to administer this specialty court program. The Honorable Elizabeth Skinner will be the designee.

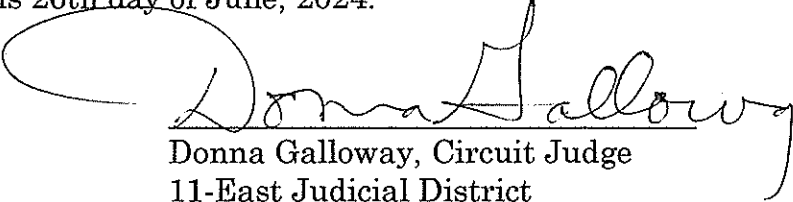
DIGITAL AUDIO RECORDING EQUIPMENT

Is digital audio recording equipment utilized to make a verbatim record of matters referred from the circuit court?

Yes

No, any matters that are heard by a District Court Judge will be recorded by the Circuit Court's Official Court Reporter.

This Administrative Plan is adopted and respectfully submitted to the Arkansas Supreme Court for approval on this 26th day of June, 2024.


Donna Galloway, Circuit Judge
11-East Judicial District