

1     **SECTION THREE**

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3     **CASE ASSIGNMENTS TO CIRCUIT JUDGES**

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5     **1. CASE ASSIGNMENTS TO DIVISION ONE.** The Circuit Judge for Division One  
6 of the Fifth Judicial District shall be assigned the following case filings:

7     **a. Criminal Cases (CR):** 100% of all Criminal (CR) filings in Pope, Johnson, and  
8 Franklin Counties.

9     1. The Division One Circuit Judge has the primary responsibility and authority  
10 for the criminal justice system in the Fifth Judicial District. The Division One  
11 Judge shall supervise all phases of the criminal justice system, and shall arrange  
12 for the regular participation of judicial officers in the following proceedings:  
13 Probable cause and pretrial release determinations; search warrant applications  
14 and returns; preliminary hearings in Petition to Revoke Supervision cases;  
15 requests for miscellaneous hearings in criminal justice matters.

16     2. The Division One Judge shall maintain forms and develop standardized  
17 procedures and practices, which shall appear on the website for the Division One  
18 Judge. An interested party should be able to generally understand the  
19 standardized procedures and practices of the criminal justice system in the Fifth  
20 Judicial District by reference to that information. The Division One Judge shall,  
21 with the participation and consent of the District Judges and Circuit Judges of the

1 Fifth Judicial District, establish a regular schedule for such hearings in  
2 consultation with the affected participants (e.g., law enforcement agencies, court  
3 clerks, Prosecuting Attorneys, Public Defenders, lawyers who regularly practice  
4 in the Fifth Judicial District, etc.). The Division One Judge shall maintain and  
5 publicize the usual forms and schedules of such hearings on a website  
6 designated as such and available to the public and persons who regularly  
7 participate in such cases.

8 **b. Domestic Violence Cases (DR):** Any case other than one arising under the  
9 Juvenile Code (which is assigned to Division Three) in which there is a  
10 suggestion that domestic violence is or may be a factor in the judgment of the  
11 Judge of the Division to which the case is originally assigned shall be transferred  
12 from the Division to which the case is originally assigned to Division I. For  
13 example, a civil case seeking an injunction; or a domestic relations case; or a  
14 probate case such as a guardianship; in any such cases in which there is a  
15 suggestion that domestic violence is or may be a factor as described above, and  
16 which case begins in Division Two, Three, or Four, the case shall be transferred  
17 to Division One upon the determination of the need to transfer. That  
18 determination is in the discretion of the transferring Judge, in consultation with  
19 the Division One Circuit Judge. Any disagreement regarding whether to transfer

1 the case shall be decided by the Administrative Judge prior to entry of the Order  
2 of Transfer.

3 **c. Pope County Domestic Abuse Act Cases (DR):** 100% of Pope County  
4 domestic relations cases in which there is a claim for relief under the Arkansas  
5 Domestic Abuse Act, Ark. Code Ann. §9-15-101 et. seq. shall be assigned to  
6 Division One.

7 **d. Civil Cases (CV):** All civil property forfeiture actions filed pursuant to Ark.  
8 Code Ann. §5-64-505 or otherwise designated as property forfeitures on the  
9 cover sheet submitted to the Clerk at the time of filing.

10 **e. Transfer of existing Civil (CV) Cases from Division One to Division Three  
11 and Division Four:** On January 1, 2022, the existing and open civil cases  
12 assigned to Division One shall be transferred to Divisions Three and Four as if  
13 they had been originally assigned to those Divisions. One-half ( $\frac{1}{2}$ ) of such cases  
14 shall be assigned to Division Three, and one-half ( $\frac{1}{2}$ ) of such cases shall be  
15 assigned to Division Four. The circuit clerk shall randomly assign these open  
16 cases to each Division as provided above. The Division One Judge may exempt  
17 individual cases from such reassignment by notice to the Clerk prior to  
18 reassignment (e.g., cases in which pretrial proceedings have occurred; cases that  
19 were transferred to Division One due to an earlier transfer or recusal; etc), in

1     which instance the cases exempted shall remain assigned to Division One.

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