

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS  
19<sup>TH</sup> WEST JUDICIAL DISTRICT  
ADMINISTRATIVE ORDER**

IN RE:           ASSIGNMENT OF NEW CIVIL, DOMESTIC RELATIONS,  
                    AND PROBATE CASES TO DIVISION VII

**ADMINISTRATIVE ORDER**

In order to efficiently create a case docket for Circuit 19W Circuit Court Division VII, the Benton County Circuit Clerk is hereby ordered to assign all domestic relations cases to Benton County Circuit Court Division VII, effective October 1, 2020, through December 31, 2020. Further, the Benton County Circuit Clerk is hereby ordered to assign all domestic abuse cases to Benton County Circuit Court Division VII, effective December 1, 2020, through December 31, 2020.

The Benton County Probate Clerk is hereby ordered to assign all probate cases opened between October 1, 2020, and December 31, 2020, to Benton County Circuit Court Division VII.

Effective January 1, 2021, all domestic relations cases, domestic abuse cases and probate cases shall be assigned to the 19W divisions as set forth in the attached Exhibit "A."

Both the Circuit Clerk and the Probate Clerk are to coordinate assignment of cases as set forth in this order with Court Information Services of the Administrative Office of the Courts.

IT IS SO ORDERED.

  
\_\_\_\_\_  
DOUG SCHRANTZ  
ADMINISTRATIVE JUDGE

cc:     Judge Robin Green – Division I  
       Judge Brad Karren – Division II  
       Judge Thomas E. Smith – Division III  
       Judge John R. Scott – Division IV  
       Judge Xollie Duncan- Division V  
       Judge-Elect Christine Horwart – Division VII

2020 OCT 1 9M 10 52  
FILED  
BENTON COUNTY, AR  
CLERK AND RECORDER

**IN THE CIRCUIT COURT OF THE 19TH JUDICIAL DISTRICT WEST**  
**ADMINISTRATIVE PLAN**

WHEREAS, the Arkansas Supreme Court has adopted Administrative Order No. 14, as amended; and

WHEREAS, said Administrative Order allows for the division of cases among the seven Circuit Judges with criminal, civil, and juvenile cases permitted to be separate; and

WHEREAS, the Circuit Judges of the 19th Judicial District West have taken into account the physical facilities, personnel available, historical statistical data from the Administrative Office of the Courts and the Benton County Circuit and Probate Clerks, the projected caseload of each Judge, the experience and abilities of the individual Judges to promote prompt and efficient resolution of cases; and

WHEREAS, there are seven (7) divisions of the 19th West Judicial District duly qualified to the designated Divisions of Circuit Court, as follows:

Robin Green	Division One
Brad Karren	Division Two
Thomas E. Smith	Division Three
John R. Scott	Division Four
Xollie Duncan	Division Five
Doug Schrantz	Division Six
Christine Horwart	Division Seven

IT IS, THEREFORE, CONSIDERED, ORDERED AND AGREED by the Circuit Judges of the 19th Judicial District West, as follows:

I.

**DIVISIONS**

The existence of Divisions shall not be construed to limit or preclude Judges from hearing other cases that may come before them. At times when one or more of the Judges may be absent or unavailable, another Judge may be called upon to act upon matters assigned to another Division of Circuit Court.

II.

**ASSIGNMENT OF CASES**

1. **CRIMINAL CASES:** Criminal cases shall be randomly and equally assigned to Divisions One and Two.

2. **JUVENILE CASES:** Juvenile cases and Juvenile drug court cases shall be assigned to Division Three.

3. **DOMESTIC RELATIONS CASES:** Domestic Relations cases shall be randomly assigned as follows, to-wit:

<b><i>Division Three</i></b>	<b>1%</b>
<b><i>Division Four</i></b>	<b>24%</b>
<b><i>Division Five</i></b>	<b>25%</b>
<b><i>Division Six</i></b>	<b>25%</b>
<b><i>Division Seven</i></b>	<b>25%</b>

Domestic Relations cases involving a child or party in an open and pending Juvenile proceeding shall be transferred to Division Three.

4. **PROBATE CASES:** Probate cases shall be randomly assigned as follows, to-wit:

<b><i>Division Three</i></b>	<b>10%</b>
<b><i>Division Seven</i></b>	<b>90%</b>

5. **DOMESTIC ABUSE AND CIVIL COMMITMENT CASES:** Domestic Abuse and Civil Commitment cases shall be randomly and equally assigned to Divisions Four, Five, Six, and Seven. It is intended that Domestic Abuse cases that are filed later than a Divorce or Paternity case filed in Division Three shall be transferred to Division Three.

6. **ADULT PROTECTIVE SERVICES CASE:** All Adult Protective Services cases shall be assigned to Division Three.

7. **CIVIL CASES:** The Circuit Clerk shall not accept for filing any original actions seeking a remedy pursuant to 2007 Ark. Acts, No. 1004. All other Civil cases shall be randomly assigned as follows, to-wit:

<b><i>Division One</i></b>	<b><i>0.0%</i></b>
<b><i>Division Two</i></b>	<b><i>0.0%</i></b>
<b><i>Division Three</i></b>	<b><i>0.0%</i></b>
<b><i>Division Four</i></b>	<b><i>34%</i></b>
<b><i>Division Five</i></b>	<b><i>34%</i></b>
<b><i>Division Six</i></b>	<b><i>32%</i></b>
<b><i>Division Seven</i></b>	<b><i>0.0%</i></b>

The total projected caseload for each Division based upon the above proposed allocation of cases is attached hereto as Exhibit "A". Estimated weighting of cases accounts for the differences in case numbers.

8. **SPECIALTY COURTS:** Veteran's Court cases, Adult Drug Court cases, Family Treatment Drug Court cases and Juvenile Drug Court cases shall be assigned to Division Three.

9. **RECUSALS AND TRANSFERS:**

a. No case shall be transferred from one Division to another solely on the basis that the case includes issues and/or remedies sounding in both law and equity.

b. Recusals from Criminal, Domestic Relations, and Probate cases shall first be transferred to the other Division(s) assigned to hear like cases. In the event both Divisions assigned to hear a Criminal case should recuse, the case shall be randomly assigned to Divisions Four, Five and Six. In the event all Divisions assigned to hear Domestic Relations and Probate cases shall recuse, the case shall be randomly assigned to Divisions One and Two. Recusals from Civil cases shall be reassigned in the manner provided for the initial assignment of Civil cases.

c. Recusals from Division Three on Juvenile cases originally assigned to that Division shall be randomly assigned to Divisions Four, Five, Six, and Seven. If recused from Four, Five, Six, and Seven, the recusal shall be randomly assigned to Divisions One and Two.

d. A Judge recusing from a case or transferring a case shall cause an Order of Recusal or Transfer to be entered of record. The Clerk of the Court shall assign an additional case to the recusing or transferring court in order to maintain equal distribution of cases among the divisions. (See Section III, Random Assignment.) This shall not apply to transfers from Division Three to Divisions One or Two of juvenile delinquency cases for disposition as an adult Criminal case.

e. The Clerk shall maintain a Recusal and Transfer Orders Book in which a copy of each and every Order of Recusal and/or Transfer shall be recorded and preserved in chronological order according to the Division of Court recusing or transferring the case and the Division to which the case is assigned or transferred.

f. In the event all Judges in the 19th Judicial District West shall recuse from a case, the Administrative Judge shall notify the Chief Justice of the Arkansas Supreme Court for appointment of a Special Judge to hear such case. All such cases shall be transferred to a Special Judge (to be assigned an identifier by the Circuit Clerk), and a

copy of the recusals, as well as the notification from the Administrative Judge to the Chief Justice, shall be placed in the Recusal and Transfer Orders Book by the Clerk of the Court.

g. The Circuit Clerk is hereby instructed to indicate in the administrative records and in the Transfer Orders Book the transfer of a Criminal case to Drug Court or Veteran's Court once the order from Drug Court or Veteran's Court approving the transfer of the criminal defendant's case to Drug Court or Veteran's Court is entered. If a defendant is terminated from Drug Court or Veteran's Court, the Criminal case shall be returned to the Division where it originated based on final ruling of Division Three.

h. A Judge may transfer a case to another Division for judicial economy to manage related cases or for purposes of redistribution of cases to assist in case management provided the Judge being assigned the case is in agreement. The order of transfer shall specify if the Clerk of the Court is to randomly assign a subsequently filed case to the transferring Division in order to maintain equal distribution of cases among the divisions in effectuating the transfer. If the order of transfer specifies that there be no transfer of a subsequently filed case to the transferring Division, the Clerk of Court shall take no action except to note the reassignment of the case. (See Section III, Random Assignment.) This provision shall not apply to transfers from Division Three to Divisions One or Two of juvenile delinquency cases for disposition as an adult Criminal case.

### **III.**

#### **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 II. The Clerk is directed not to assign a case to a 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.

**IV.**

**DOCKET MAINTENANCE**

Each Division shall periodically prepare and review docket reports. Each Judge shall review the docket reports in order to be fully aware of the status of his or her docket.

Each Division shall maintain a management system for the purpose of tracking responsibility and deadlines for presentation of orders by attorneys practicing before the Court.

**V.**

**ADMINISTRATIVE JUDGE**

The Administrative Judge shall be selected on or before the first day of February, unanimously and by secret ballot, every two years beginning at the end of the term of the current Administrative Judge. The term of the current Administrative Judge ends January 31, 2021. Any vacancy in the office shall be dealt with as provided in Administrative Order 14, as amended.

The Administrative Judge shall, in general, perform the duties as required under Administrative Order 14, as amended. The Administrative Judge shall, specifically, perform the following duties:

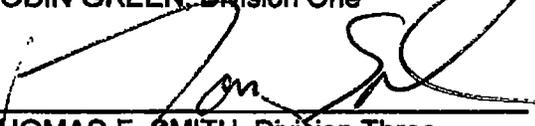
1. Communicate with the Chief Justice, as necessary, regarding administration of the Plan in the 19th Judicial District West. Copies of all written communication sent or received shall be provided by the Administrative Judge to the other six Judges in the Circuit. In the event the communication is not in writing, a summary of the communication shall be provided to the other six Judges in the Circuit by the Administrative Judge.

2. Ensure the Administrative Plan and its implementation are consistent with Amendment 80 and the orders of the Supreme Court.
3. Ensure that the business of the Court is apportioned among the Circuit Judges as equally as possible and that case assignments are made in accordance with the Administrative Plan. The Administrative Judge shall have the authority to enter orders and otherwise require the Circuit Judges in the district to perform the duties set out by the Arkansas Supreme Court in Rule 8.1 of the Arkansas Rules of Criminal Procedure when he/she deems it appropriate.
4. Call meetings to modify the Administrative Plan should the case apportionment become unequal. Modification of the Administrative Plan's apportionment of cases shall be done only by majority vote of the seven Judges.
5. Compute, develop, and coordinate case statistics and/or other management data for the 19th Judicial District West.
6. Submit the Administrative Plan of the 19th Judicial District West to the Supreme Court by July 1st of alternate years beginning with 2011.
7. Call meetings on his/her own accord or at the request of any other Judge.

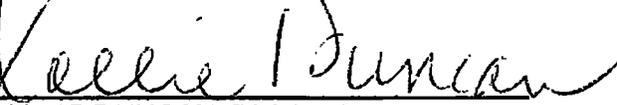
IT IS SO ORDERED AND AGREED this 12<sup>th</sup> day of April, 2020

  
 ROBIN GREEN, Division One

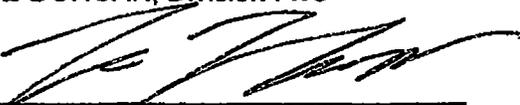
  
 BRAD KARREN, Division Two

  
 THOMAS E. SMITH, Division Three

  
 JOHN R. SCOTT, Division Four

  
 KOLLIE DUNCAN, Division Five

  
 DOUG SCHRANTZ, Division Six

  
 CHRISTINE HORWART,  
 Division Seven Judge Elect

**CERTIFICATION**

The undersigned, as Administrative Judge of the 19th Judicial District, certifies that, in accordance with Amendment 80 and Administrative Order 14, as amended, the foregoing Administrative Plan results in an equal apportionment of caseload among the Judges of the District, requires random assignment of cases, and takes into consideration the physical facilities, financial constraints, personnel available, and experience and abilities of the individual Judges in the 19th Judicial District and complies with the letter and the spirit of Amendment 80 and Administrative Order 14, as amended.

  
\_\_\_\_\_  
DOUG SCHRANTZ  
Administrative Judge

## Administrative Plan for the 19W Judicial District

Effective: January 1, 2021

County: Benton		Subject Areas							Specific Case Types				
Division	Judge Name	CV	CR	DR	JV	PR		DA Domestic Abuse	CV Civil Commits	PC Adult Protective Services			
1	Robin Green	0.0%	50.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%			0.0%
2	Brad Karren	0.0%	50.0%	0.0%	0.0%	0.0%		0.0%	0.0%	0.0%			0.0%
3	Thomas Smith	0.0%	0.0%	1.0%	100.0%	10.0%		0.0%	0.0%	0.0%			100.0%
4	John Scott	34.0%	0.0%	24.0%	0.0%	0.0%		25.0%	25.0%	0.0%			0.0%
5	Xollie Duncan	34.0%	0.0%	25.0%	0.0%	0.0%		25.0%	25.0%	0.0%			0.0%
6	Doug Schrantz	32.0%	0.0%	25.0%	0.0%	0.0%		25.0%	25.0%	0.0%			0.0%
7	Christine Horwart	0.0%	0.0%	25.0%	0.0%	90.0%		25.0%	25.0%	0.0%			0.0%
<b>Total</b>		<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>		<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>			<b>100.0%</b>

# Exhibit A