



STATE OF ARKANSAS

## Garland County District Court

GARLAND COUNTY COURTS BUILDING  
607 OUACHITA, ROOM 150  
HOT SPRINGS, ARKANSAS 71901

DAVID B. SWITZER DISTRICT  
COURT JUDGE, DIVISION I

RALPH OHM  
DISTRICT COURT JUDGE, DIVISION II

JASON LAWRENCE  
COURT ADMINISTRATOR

VICKIE ASHER  
DISTRICT COURT CLERK

April 7, 2010

Mayor Mike Bush  
City of Hot Springs  
133 Convention  
Hot Springs, AR 71901

PHONE (501) 321-6765  
FAX (501) 321-6764

Mayor Bush,

### Introduction

According to Ballentine's Law Dictionary, a court is defined as an organ of the government, consisting of one person, or of several persons, called upon and authorized to administer justice; a place where justice is judicially administered. Specifically, District Courts, formerly known as Municipal Courts before passage of Amendment 80 to the Arkansas Constitution, exercise county-wide jurisdiction over misdemeanor cases, preliminary felony cases, and civil cases in matters of less than \$5,000. The small claims division of District Court provides a forum in which citizens represent themselves to resolve minor civil matters. By definition that is what our agency does, but we do so much more. With Judge. David Switzer, Division I, and Judge Ralph Ohm, Division II, the District Court of Garland County continues to be the top producing Court in the State of Arkansas.

### Statistical Information

In regards to case filing for 2009, the District Court of Garland County had 14,079 criminal misdemeanor cases in the city division and state division, which resulted in a 16.33% increase in misdemeanor criminal cases compared to 2008. For felony cases, the Court had 1,419 filed in 2009 which was a 24.36 % increase compared to 2008. Driving while intoxicated cases grew to 926, which were 13.76% more than last year, and underage D.U.1. grew to 21, which are 31.25% greater than 2008, for a total of 947 cases involving operating a motor vehicle while impaired. Traffic cases increased by 24.04% compared to 2008, with a total of 27,322 cases filed in 2009. Our civil/small claims division had a total of 1,703 cases in 2009, which was a reduction of 1.39% compared to 2008. The Court had a total of 53,056 cases in 2009, which was an increase of 21.39% compared to 2008. This includes misdemeanor criminal, felony criminal, traffic, local ordinance city/state, game and fish, and civil/small claims cases. Additionally, the Court had 127,220 patrons visit our facility and 149 weapons/prohibited items confiscated. Specifically; knives, crack pipe, multi-tool, box cutter, pepper spray, 10 gage shell, 30-30 bullet, .357 bullet, .9mm bullet, .40mm bullet, corkscrew, razorblades, and fireworks.

The District Court of Garland County also saw a huge increase in the total collections for 2009. The collection of fines and fees is a large percentage of the duties that we perform, however, the expedient and efficient adjudication of cases is the main goal of the Court. The Court credits defendants for work performed in the community, jail time served, or for good behavior. Specifically, \$130,129.92 in jail time, \$314,437.50 in alternative service, and \$19,421.91 were credited in 2009. Fines/costs/assessments/fees/restitution totaled \$4,050,535.14, and credits totaled \$463,989.33, resulting in a grand total for collections and credits of \$4,514,524.41, which is an increase of 19.55% compared to 2008. It is important to note that this increase in case load and collections has been done

without the addition of new staff since 2000, and this will be an issue that needs to be addressed in the near future.

Under the direction of Judge David Switzer, Division I, and Judge Ralph Ohm, Division II, the District Court each year sets forth goals/objectives that we would like to accomplish for the following year. For 2010, our office wanted to implement video arraignments so that we no longer had to transport inmates from the Garland County Sheriff's Department. Under the direction of Judge David Switzer, this goal was accomplished early in 2010, it reduces the opportunity for escape and limits any security risk that might take place, while saving the taxpayers money by reducing the fuel cost for transporting the inmates each day. The implementation of a D.W.1. Court is next on our list of goals. Through the diligent work of Judge David Switzer and Chief Court Clerk Vickie Asher, our office was able to receive a grant for funding part of this court. We were able to receive funding for a part time probation officer, training for staff, and office supplies. While the funding for this program is worth noting, it is also important to note that the Court will have to become self sufficient within the next three (3) years, and due to the number of alcohol related offences, the need for a full time probation officer is paramount.

This District Court also is tasking our staff with implementing the security audit that was completed in 2008. Completing this goal will be very difficult, because our office will need approximately \$15,000 to do so. Our office has attempted to receive grant funding from the State of Arkansas, however, we were not successful in doing so. The Court is making every attempt possible to secure funding to complete this goal and is attempting to find creative and innovative ways to do so. The Court will also perform a court software audit in 2010. Our office prides itself on being the leader in the State in regards to court automation. We will audit our current system, determine our future growth under the current system under which we operate, and make recommendations as to what if any changes are needed. Lastly, the Court will seek new and innovative ways to collect outstanding revenue. Currently, the District Court has approximately \$33,000,000 in outstanding fines and cost. Our office diligently pursues the collection of fines and costs, however, due to the increased case load and insufficient number of employees that we currently have, we are unable to pursue the outstanding revenue as we would like. By adding new employees, we would be able to dedicate these new position(s) to the collection of the fines and cost.

### **Summary**

The District Court of Garland County has and will continue to provide a prompt, courteous, accessible atmosphere that is dedicated to ensuring equal justice, while promoting confidence within the judicial branch. We will continue to strive to be an innovative and creative Court, with an emphasis placed on treating the root problem with most crimes (drugs and alcohol) both District Court Judges will seek to improve the quality of life for the citizens of Hot Springs and Garland County. If you have any questions please feel free to contact at the above listed numbers.

Sincerely,

Jason W. Lawrence, M.P:A.