

SUPREME COURT OF ARKANSAS

Blevins v. Hudson

489 S.W.3d 165 (Ark. 2016) · Decided April 7, 2016

SUMMARY

The Arkansas Court of Appeals affirmed summary judgment in favor of a county judge and the Association of Arkansas Counties on claims for abuse of process and false light arising from county employee grievance proceedings. The court held that the county judge was entitled to judicial immunity for entering an order concerning the employment of deputy clerks and qualified immunity for his other challenged conduct, and that the complaint failed to establish independent liability against the Association.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Courtney Hudson Goodson, Associate Justice; Courtney Hudson Goodson; Chief Justice Brill; Justice Danielson
JURISDICTION	Arkansas
DECIDED	April 7, 2016
DISPOSITION	affirmed
PROCEDURAL POSTURE	Blevins appealed the Sebastian County Circuit Court's grant of summary judgment in favor of Hudson and the Association of Arkansas Counties on claims for abuse of process and false light.
STANDARD OF REVIEW	Summary judgment is proper when no genuine issue of material fact exists and the moving party is entitled to judgment as a matter of law. The evidence is viewed in the light most favorable to the nonmoving party, but summary judgment is also appropriate when allegations taken as true fail to state a cause of action. Whether conduct violated clearly established constitutional rights for qualified-immunity purposes is a question of law reviewable on summary judgment.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion; precedential.
PARTIES	Ken Blevins v. David Hudson, Association of Arkansas Counties

TOPICS

- summary judgment
- torts
- constitutional law
- municipal liability
- civil procedure

PRACTICE AREAS

Torts

Civil procedure

Constitutional law

Municipal law

QUESTIONS PRESENTED

1. Whether summary judgment was improper because discovery was ongoing and factual disputes existed.
2. Whether Hudson was entitled to judicial or quasi-judicial immunity for entering the order requiring Blevins to retain the deputy clerks.
3. Whether Hudson was entitled to qualified immunity for his remaining conduct, including appointing grievance-committee members and making public statements about the grievance proceedings.
4. Whether Blevins pleaded facts sufficient to establish liability against Hudson in his individual or official capacity.
5. Whether the Association of Arkansas Counties could be liable for Hudson's alleged conduct.

HOLDINGS

1. Hudson was entitled to absolute judicial immunity for claims arising from his entry of the order requiring Blevins to retain the deputy clerks.
2. Hudson was entitled to qualified immunity for his remaining activities because Blevins failed to plead facts showing the deprivation of an actual constitutional right or the violation of a clearly established statutory or constitutional right.
3. The complaint failed to state a legally sufficient claim against Hudson in either his individual or official capacity.
4. Summary judgment for the Association of Arkansas Counties was proper because Blevins pleaded no independent cause of action or facts establishing liability against the Association.

KEY QUOTATIONS

“Judicial immunity is absolute immunity from suit.”

“Qualified immunity shields government officials from liability for civil damages when they are performing discretionary functions ‘insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known.’”

FACTUAL BACKGROUND

Blevins became Sebastian County Circuit Clerk in January 2011 while Hudson was the county judge. Deputy clerks filed sexual-harassment grievances against Blevins, and Hudson appointed grievance committees that found harassment and later unlawful retaliation when Blevins sought to terminate two participating clerks. Hudson entered an order requiring Blevins to continue employing the clerks, and the county circuit judges adopted that order. Blevins later sued Hudson, alleging abuse of process, false light, constitutional violations, and ultra vires conduct.

PROCEDURAL HISTORY

Blevins, the elected Sebastian County Circuit Clerk, sued Hudson in his official and individual capacities and sought to impose liability on the Association of Arkansas Counties. The circuit court granted the defendants' motions for summary judgment, concluding that Hudson was immune and that Blevins had failed to plead facts establishing liability. The Arkansas Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Hotel Assocs., Inc. v. Rieves, Rubens & Mayton, 2014 Ark. 254, 435 S.W.3d 488
- Davis v. City of Blytheville, 2015 Ark. 482, 478 S.W.3d 214
- Lipsey v. Giles, 2014 Ark. 309, 439 S.W.3d 13
- Early v. Crockett, 2014 Ark. 278, 436 S.W.3d 141
- Sullins v. Cent. Ark. Water, 2015 Ark. 29, 454 S.W.3d 727
- Chambers v. Stern, 338 Ark. 332, 994 S.W.2d 463 (1999)
- Hall v. Jones, 2015 Ark. 2, 453 S.W.3d 674
- Robinson v. Langdon, 333 Ark. 662, 970 S.W.2d 292 (1998)
- Cleavinger v. Saxner, 474 U.S. 193, 106 S.Ct. 496, 88 L.Ed.2d 507 (1985)
- Wilson v. Layne, 526 U.S. 603, 609, 119 S.Ct. 1692, 143 L.Ed.2d 818 (1999)
- Smith v. Brt, 363 Ark. 126, 211 S.W.3d 485 (2005)
- Fegans v. Norris, 351 Ark. 200, 89 S.W.3d 919 (2002)
- Rainey v. Hartness, 339 Ark. 293, 5 S.W.3d 410 (1999)
- Key v. Curry, 2015 Ark. 392, 473 S.W.3d 1