

SUPREME COURT OF ARKANSAS

In re Amendment to Administrative Order No. 16

2026 Ark. 63 (Ark. 2026) · Decided January 29, 2026

SUMMARY

The Supreme Court of Arkansas formally adopts an amendment to Administrative Order No. 16 concerning the temporary assignment of circuit, district, retired, and appellate judges and justices. The order establishes procedures for recusals, temporary judicial unavailability, exchanges of jurisdiction, special-judge assignments, assigned judges’ authority to sign documents, and termination or reassignment of assignments.

CASE DETAILS

COURT	Supreme Court of Arkansas
JURISDICTION	Supreme Court of Arkansas
DECIDED	January 29, 2026
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of Arkansas exercised its administrative rulemaking authority to adopt fully, after expiration of the comment period, an amendment to Administrative Order No. 16 that had previously taken effect on an interim basis.
PRECEDENTIAL VALUE	Published

TOPICS

- rulemaking
- administrative law
- civil procedure

PRACTICE AREAS

- civil procedure
- administrative law
- judicial administration

QUESTIONS PRESENTED

- Whether the Supreme Court of Arkansas should adopt fully the previously issued interim amendment to Administrative Order No. 16 after expiration of the comment period.
- What procedures should govern the assignment and reassignment of circuit and district judges, including assignments resulting from recusals, temporary inability to serve, and other needs determined by the Chief Justice.

HOLDINGS

1. The Supreme Court of Arkansas adopted and published Administrative Order No. 16 fully, effective immediately, after the comment period expired.
2. When a judge recuses from a case, the judge must file an Order of Recusal, and the appropriate clerk must enter the case as a recusal in the case-management system for random reassignment; if all judges are recused, the clerk must request assignment of a special judge from the Chief Justice.
3. When an assigned judge is temporarily unavailable, the judge may request another judge from the respective circuit or district to preside temporarily, with prompt notice to the parties; a continuance requested to allow the assigned judge to preside must be granted unless the hearing is time-sensitive under state or federal law.
4. Temporary exchange of jurisdiction by joint order is permitted when a judge is temporarily unable to serve, but the reassignment process in section III must be used when a judge recuses from a case.

KEY QUOTATIONS

“The comment period expired and we now adopt it fully.” (at 1)

“This Order provides a process for the assignment of judges in the event of disqualification, temporary inability to serve, or other need as determined by the Chief Justice.” (at 2)

“Documentation of recusals and all logistics regarding reassignment shall be handled by the Circuit or County Clerk as an administrative function.” (at 3)

“When a judge presides over cases assigned to another judge or when a special judge is assigned by the Chief Justice, the cases shall not be permanently reassigned.” (at 5)

FACTUAL BACKGROUND

The court had previously issued an interim amendment governing the assignment of circuit, district, retired, and appellate judges and justices. After the public comment period expired, the court determined that the amendment should be adopted fully. The order establishes procedures for judicial assignments arising from disqualification, temporary inability to serve, and other needs determined by the Chief Justice.

PROCEDURAL HISTORY

The court had previously published the amendment for interim effectiveness in *In re Amendment to Administrative Order No. 16*, 2025 Ark. 6. After the comment period expired, the court adopted and published the amendment fully and made it effective immediately.

DISPOSITION

other

CASES CITED

- *In re Amendment to Administrative Order No. 16*, 2025 Ark. 6

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