

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

Mark Martin

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

 <p style="text-align: center;">ADMINISTRATIVE RULES</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number: AR 019 - DOC AR1.8 - DCP	Page Number: 1 of 2
	Board Approval Date: <p style="text-align: center;">9/21/00</p>	
	Supersedes: AR 019 – DOC AR1.8 - DCP	Dated: 2/14/95
	Reference:	Effective Date: 12/15/00
SUBJECT: Processing of Lawsuits		

I. AUTHORITY:

The Board of Correction and Community Punishment (Board) is vested with the authority to promulgate administrative rules by Ark. Code Ann. §§ 12-27-105, 16-93-1203 and 16-93-1205.

II. APPLICABILITY:

This rule applies to employees of the Department of Correction and the Department of Community Punishment (Departments), or members and former members of the Board who have civil lawsuits filed against them for actions undertaken in their official capacities.

III. POLICY:

The Board Compliance Division (Compliance) shall develop procedures pertaining to the processing of civil lawsuits filed against employees of the Departments and members or former members of the Board for inclusion in appropriate agency policy manuals. The compliance Office will not accept service for former employees. However, Compliance will accept service for present Department employees who have lawsuits filed against them by offenders.

IV. DEFINITIONS:

- A. **Employee.** For the purposes of this policy only, employee is defined as anyone employed by the Departments, or a member or former member of the Board at the time of occurrence of an event upon which a lawsuit is based.
- B. **Legal Documents.** Legal documents include complaints, summonses, hearing notices, noticed of deposition, interrogatories, requests for production of documents, and other documents.
- C. **Service.** Accepting delivery of legal documents by or on behalf of an individual.

V. GUIDELINES:

The Compliance Administrator shall establish procedures for processing civil lawsuits involving employees to include, but not limited to, the following topics:

- A. receiving lawsuits;
- B. notification to the named defendants and the Attorney General's Office;
- C. investigation and collection of information; and
- D. coordination of information with the Attorney General's Office.

VI. STANDARDS:

American Correctional Association Standards for Adult Community Residential Services, 3rd edition, 3-ACRS-1A-21, and Standards for Adult Probation and Parole Field Services, 3rd edition, 3-3031.

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