

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

**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, 3<sup>rd</sup> edition, 3-ACRS-1A-21, and Standards for Adult Probation and Parole Field Services, 3<sup>rd</sup> edition, 3-3031.

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