

ARKANSAS FORM BOOK 2023

TABLE OF CONTENTS

Preface
Introduction
Table of Contents

CHAPTER 1 ACKNOWLEDGMENTS AND AFFIDAVITS

Note on Acknowledgments
01-01 Acknowledgment: Individuals
01-02 Acknowledgment: Entities and Trusts
01-03 Acknowledgment: Attorney in Fact
01-04 Affidavit: General
01-05 Affidavit: Verification of Pleadings
01-06 Affidavit: Custodian (Hospital Records Act)
01-07 Affidavit: Custodian of the Records

CHAPTER 8 CRIMINAL PROCEDURE

PART A: STATE FORMS

Note: Formatting Instructions (Part A)
08-01 Affidavit of indigency
08-02 Entry of Appearance
08-03 Waiver of Arraignment
08-04 Motion to Reduce Bail
08-05 Waiver of Extradition
08-06 Protective Order for Arrest and Search Warrant Affidavits and Warrants
08-07 Motion for Discovery (Long Form)
08-08 Motion for Mental Examination of Accused
08-09 Order for Fitness to Proceed Examination of Defendant
08-10 Order for Criminal Responsibility Examination of Defendant
08-11 Notice of Intent to Cross-Examine
08-12 Motion for a Bill of Particulars
08-13 Motion for Preservation of Electronic, Video and Audio Evidence
08-14 Authorization to Arkansas Crime Information Center for Release of Information
08-15 Motion to Dismiss for Failure to Serve Stale Arrest Warrant
08-16 Motion for Return of Seized Things Pursuant to Ark. R. Crim. P. 15.2
08-17 Motion to Suppress Evidence, Search without a Warrant (Example: Vehicle Search)
08-18 Motion to Suppress Evidence, Search with a Warrant

- 08-19 Motion to Suppress Statement
- 08-20 Motion to Suppress [Photo] Lineup Evidence
- 08-21 Motion for Joinder of Offenses
- 08-22 Motion to Sever Charges
- 08-23 Motion to Sever Felon in Possession of Firearm Offense
- 08-24 Motion for Severance of Defendants for Prejudice
- 08-25 Motion for Severance of Defendants for Inadmissible Hearsay Statement of Co-Defendant
- 08-26 Motion to Disclose Identity of Confidential Informant as a Material Witness
- 08-27 Motion for Expert Witness Assistance for Indigent Defendant
- 08-28 Motion for Change of Venue
- 08-29 Motion for Continuance
- 08-30 Motion for Continuance Because of Absent Material Witness
- 08-31 Motion for Production of Documentary Evidence Before Trial
- 08-32 Motion for Fair Opportunity to Defend
- 08-33 Motion in Limine Against Hearsay Evidence as a Denial of Confrontation of Witnesses
- 08-34 Motion in Limine Concerning Defendant's Expunged Prior Conviction
- 08-35 Motion in Limine to Exclude Evidence More Prejudicial Than Relevant Under Ark. R. Evid. 403
- 08-36 Motion in Limine Concerning Impeachment of Defendant by Prior Juvenile Adjudication
- 08-37 Motion in Limine Concerning Impeachment by Prior Conviction
- 08-38 Motion in Limine Concerning Impeachment of [Defendant/Witness] by Prior Conviction Because Prejudice Outweighs Relevance
- 08-39 Notice of Intent to Use Ark. R. Evid. 404(b) Evidence and Brief in Support
- 08-40 Motion in Limine re 404(b) Evidence
- 08-41 Motion to Admit Evidence of Other Acts with Complaining Witness under the Arkansas Rape Shield Laws
- Out of State Subpoenas, Forms 08-42 – 08-47, Introduction and Note on Use
- 08-42 Out-of-State Subpoena [Form 1], Petition for Certification of Materiality of Witness
- 08-43 Out-of-State Subpoena [Form 2], Judicial Certification of Requesting Court
- 08-44 Out-of-State Subpoena [Form 3], Petition for Out-of-State Criminal Subpoena
- 08-45 Out-of-State Subpoena [Form 4], Order to Appear to Show Cause in Sending State
- 08-46 Out-of-State Subpoena [Form 5], Appearance and Waiver in Witness's Home County
- 08-47 Out-of-State Subpoena [Form 6], Order for Witness to Appear in Requesting State
- 08-48 Petition for Writ of Habeas Corpus Ad Testificandum for Prisoner to Testify
- 08-49 Writ of Habeas Corpus Ad Testificandum for State Prisoner to Testify
- 08-50 Writ of Habeas Corpus Ad Testificandum for Federal Prisoner to Testify ("10 Point Letter")
- 08-51 Motion for Defendant to Remain on Bail During Trial
- 08-52 Motion for Release of Defendant on Recognizance for Lack of Speedy Trial
- 08-53 Motion to Dismiss for Lack of Speedy Trial
- 08-54 Criminal Appeal Bond to Circuit Court
- 08-55 Motion to Plead Guilty to Other Offenses
- 08-56 Plea of Guilty [Reserved]

- 08-57 Conditional Plea of Guilty with Reservation of Right to Appeal
- 08-58 Motion for New Trial
- 08-59 Motion to Correct Judgment or Sentencing Order Nunc Pro Tunc for Jail Credit
- 08-60 Appeal from District Court to Circuit Court [Reserved]
- 08-61 Notice of Appeal and Designation of Record – Circuit Court
- 08-62 Notice of Appeal and Designation of Record – Death Sentence
- 08-63 [Agreed] Motion for Enlargement of Time to Lodge Appeal with Supreme Court Clerk
- 08-64 Order Enlarging Time to Lodge Appeal with Supreme Court Clerk
- 08-65 Motion for Authorization for Use of Medical Marijuana While on Probation or Suspended Imposition of Sentence
- 08-66 Petition to Seal [Nolle Prossed, Dismissed, Acquitted]
- 08-67 Order to Seal [Nolle Prossed, Dismissed, Acquitted]

State Post-conviction

- 08-68 Petition for Post-Conviction Relief under Rule 37
- 08-69 Petition for Writ of Error Coram Nobis (Example: Insanity at Time of Plea)
- 08-70 Petition for Writ of Error Coram Nobis (Example: *Brady* Violation)
- 08-71 Petition for Writ of Habeas Corpus – State Court [Reserved]
- 08-72 Petition for Writ of Habeas Corpus – Federal Court

PART B: FEDERAL FORMS

Note: Formatting Instructions (Part B)

- 08-101 Financial Affidavit (CJA 23)
- 08-102 Waiver of Appearance and Entry of Plea of Not Guilty
- 08-103 Waiver of a Preliminary Hearing (AO 468)
- 08-104 Notice of Waiver of Rights Under the Interstate Agreement on Detainers Act and Request for Return to Jurisdiction of Original Custody
- 08-105 Waiver and Consent to Teleconference for Arraignment
- 08-106 Waiver and Consent to Teleconference for Detention Hearing
- 08-107 Consent to Proceed Before a Magistrate Judge in a Misdemeanor Case (AO 86A)
- 08-108 Order to Produce Exculpatory Evidence
- 08-109 Pretrial Order for Criminal Cases
- 08-110 Motion for Disclosure and Production of Government Informants [Reserved]
- 08-111 Defendant’s Motion for Disclosure of Grand Jury Testimony [Reserved]
- 08-112 Defendant’s Motion for Bill of Particulars
- 08-113 Unopposed Motion for Continuance (Example 1)
- 08-114 Unopposed Motion for Continuance (Example 2)
- 08-115 Defendant’s Motion to Suppress Evidence from a Warrantless Search and Seizure (Example)
- 08-116 Defendant’s Motion to Suppress Evidence from a Search and Seizure With a Warrant [Reserved]
- 08-117 Defendant’s Motion for Severance
- 08-118 Defendant’s Motion to Suppress Identification Testimony
- 08-119 Motion to Suppress Statements

- 08-120 Motion to Transfer from the District for Trial
- 08-121 Subpoena to Testify at a Hearing or Trial in a Criminal Case (AO 89)
- 08-122 Subpoena to Testify at a Deposition in a Criminal Case (AO 90)
- 08-123 Federal Records Center Retrieval Form (AO 92)
- 08-124 Defendant's Motion in Limine
- 08-125 Defendant's Motion in Limine for 404(b) Evidence [Reserved]
- 08-126 Defendant's Motion for Production of Alleged Co-Conspirator Statements
- 08-127 Motion to Dismiss for Speedy Trial Violation [Reserved]
- 08-128 Defendant's Ex Parte Motion for Subpoenas
- 08-129 Ex Parte Order for Subpoenas
- 08-130 Ex Parte Subpoena (AO 89)
- 08-131 Subpoena to Produce Documents, Information, or Objects in a Criminal Case (AO 89B)
- 08-132 Motion for Determination of Mental Competency
- 08-133 Motion for Criminal History Determination for Career Offender or ACCA
- 08-134 Motion for Extension of Time to Respond to Presentence Report
- 08-135 Defendant's Objections to Presentence Report
- 08-136 Waiver and Consent to Teleconference for Sentencing
- 08-137 Notice of Appeal
- 08-138 Transcript Request Form
- 08-139 Motion for Modification of Sentence (Example)
- 08-140 Motion to Withdraw as Counsel (Example 1)
- 08-141 Motion to Withdraw as Counsel (Example 2)
- 08-142 Notice of Intent to Redact
- 08-143 Statement of Redaction

Federal Post-conviction

- 08-144 Waiver of Rule 32.1 Hearings (Violation of Probation or Supervised Release) (AO 466)
- 08-145 28 U.S.C. § 2241 Petition
- 08-146 Section 2254 Petition (State Custody) (AO 241)
- 08-147 Section 2255 Motion (Federal Custody) (AO 243)
- 08-148 Application to Proceed Without Prepayment of Fees and Affidavit (AO 240)

CHAPTER 20 MISCELLANEOUS

Note: Formatting Instructions

- 20-01 Durable Power of Attorney
- 20-02 General Power of Attorney
- 20-03A Statutory Form POA
- 20-03B Statutory POA Certification
- 20-04 Living Will Declaration
- 20-05 Optional Organ and Tissue Donation
- 20-06 Petition for Change of Name
- 20-07 Order for Name Change
- 20-08 Petition for Removal of Disabilities

- 20-09 Order for Removal of Disabilities
- 20-10 Notice of Representation
- 20-11 School Records Authorization

Assignments

- 20-12 Assignment on Written Instrument
- 20-13 Assignment of Open Account
- 20-14 Assignment by Separate Instrument
- 20-15 Assignment of Mortgage and Note
- 20-16 Assignment of Judgment
- 20-17 Assignment of Lease

HIPAA - Health Insurance Portability and Accountability Act

- 20-18 HIPAA-Compliant Medical Records Release
- 20-19 Checklist for Valid Authorization
- 20-20 Business Associate Agreement
- 20-21 Request for Information – Individual
- 20-22 Request for Information – Covered Entity
- 20-23 Joint Qualified Protective Order
- 20-24 Confidentiality Agreement for Subcontractor of Business Associate