

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2024

***In the Matter of Amendments to the
Rules Governing Judicial
Participation in Court Supervised
Treatment Programs***)
)
)
)

**ORDER RENAMING AND AMENDING THE
RULES GOVERNING JUDICIAL PARTICIPATION IN COURT
SUPERVISED TREATMENT PROGRAMS**

The Behavioral Health Committee of the Wyoming Judicial Council has recommended the Court amend the Rules Governing Judicial Participation in Court Supervised Treatment Programs. This Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that, henceforth, the “Rules Governing Judicial Participation in Court Supervised Treatment Programs” shall be known as the “Rules Governing Court Supervised Treatment Programs”; and it is further

ORDERED that the amendments to Rules 1, 6, 12, 17, and 18 of the Rules Governing Court Supervised Treatment Programs, attached hereto, are hereby adopted by the Court to be effective July 1, 2024; and it is further

ORDERED that the Wyoming Treatment Court Standards referenced in Rule 18 be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page and where otherwise appropriate; and it is further

ORDERED that this order and the attached amendments be published in the advance sheets of the Pacific Reporter; the attached amendments be published in the Wyoming Court Rules Volume; and that this order and the attached amendments be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page. The amendments shall also be recorded in the journal of this Court.

DATED this 23rd day of April, 2024.

BY THE COURT:

/s/

KATE M. FOX
Chief Justice

Rules Governing ~~Judicial Participation in~~ Court Supervised Treatment Programs

Rule 1. Scope and Purpose of Rules.

These rules shall govern the operation of treatment courts, including the conduct of judges who act as either a “referring judge” or a “participating judge” under the Court Supervised Treatment Programs Act.

Rule 6. Prohibition on Contractual Relationships.

No judge shall be a signatory on any court supervised treatment program financial account, nor shall any judge or court or agency of the judicial branch enter into an employer-employee relationship with any treatment program employee, nor shall any judge or court or agency of the judicial branch enter into a contract with a non-judicial branch entity limiting or proscribing any judge's exercise of judicial discretion. Nothing herein shall prohibit judges from entering into Agency-level Memoranda of Understanding and Team-level Acknowledgments as specified in the Wyoming Treatment Court Standards to facilitate the effective operation of treatment courts.

Rule 12. Burden of Proof as to Sanctions.

Before sanctions may be imposed by the participating judge pursuant to Wyo. Stat. Ann. § ~~7-13-1608~~ 5-12-110, the State shall prove the participant's unsatisfactory performance by a preponderance of the evidence, unless the participant voluntarily admits an act sanctionable by incarceration or expulsion.

~~Rule 17. Payment of Magistrates. [Reserved]~~

~~Hourly circuit court magistrates shall not act as participating judges on a routine basis, but shall act as participating judges only at such times as a full-time judge or full-time equivalency magistrate is not available, unless the costs of said magistrate employed on a regular basis is absorbed in total by the circuit court budget.~~

Rule 18. Wyoming Treatment Court Standards.

All treatment courts operating in Wyoming must adhere to the *Wyoming Treatment Court Standards* maintained by the Wyoming Supreme Court and published on the Wyoming Judicial Branch Website under Wyo. Stat. Ann. § 5-12-107(c). As the presiding officers over treatment courts, participating judges shall ensure compliance with the standards.
