

## Minutes

May 19, 2000

### Board of Judicial Policy and Administration

The first meeting of the Board of Judicial Policy and Administration was held May 19, 2000 in the conference room of the 7<sup>th</sup> Judicial District Court in Casper, Wyoming. Members present were: Chief Justice Larry Lehman, Justice Richard Thomas, Justice William Hill, Judge Gary Hartman, Judge Bart Voigt, Judge Jeffrey Donnell, Judge Rob Denhardt, Judge Frank Zebre, Judge Wade Waldrip, Judge Scott Cole, and Holly Hansen, Court Administrator.

As a prelude to its official business Ingo Keilitz, from Sherwood Associates, spoke to the Board about judicial governance issues.

The first order of business was the selection of a name for the body. After discussion, the group unanimously selected the name Board of Judicial Policy and Administration. The members reviewed a draft of the order establishing the Board. It was agreed that the Chief Justice would enter the order as soon as possible.

After selecting the name, the members discussed a variety of issues relating to the Board's organization. The members agreed that there would be no ex-officio members.

In terms of replacing members as vacancies occur, the group decided that vacancies would be filled by a vote of the members of the respective judicial division. The term of service for a member will be three years, members' may be elected by their respective division to more than one term. Initial appointments to the board will be staggered, so that approximately one-third of the board will be replaced each year. Annually, in May, each division will hold an election to fill its respective vacancy on the Board.

Along the same lines, the members discussed the issue of attendance. It was decided that if a member missed three meetings the Chief Justice would give the member a call to determine if the member was interested in serving on the Board. In addition, a vacancy would be declared due to a member's death or resignation and if a member missed three meetings during a given year. The resulting vacancy would be filled by a vote of the respective judicial division.

The members agreed that the Board would meet quarterly in March, June, September and December. Scheduled meeting dates will be the second Friday of March, June, and December. The September meeting will be held in conjunction with the annual meeting of the Judicial Council and Wyoming State

Bar. The group agreed that actual attendance at the quarterly meetings is preferable, but that telephone participation, while discouraged, could be arranged.

In addition to the quarterly meetings, the Board decided that it would meet other times as needed, at the call of the Chief Justice. It was also decided that telephone conference calls and e-mail would be used to conduct business between scheduled quarterly meetings.

A discussion was held regarding Board procedures. It was decided that for the purpose of conducting business and making decisions, a quorum will consist of seven members. A majority vote of five is necessary at any meeting where less than ten members are present. The Chairperson is entitled to a vote. It was clarified that when the ten members are present, a tie vote would mean that an item failed.

Business items considered at this meeting included:

1. The selection of magistrates. It was agreed that the Chief Justice would communicate in writing with the county courts judges regarding the process for appointing magistrates prior to July 1, 2000. Before the letter is mailed, the Chief will circulate a draft to the members of the Board for comment. The county court judges could then use the communication from the Chief Justice in their contacts with their county commissioners.

The members also discussed the need to get this section of the Court Consolidation Act amended in the upcoming legislative session.

2. Forms for assignments between courts pursuant to the Court Consolidation Act. After some discussion, it was decided that a member of the Supreme Court's staff would be asked to draft forms for the assignment of cases.

3. Protocol for Justice of the Peace counties, when they make the election to join the circuit court system. A discussion was held concerning the need to determine the location of circuit court judges. Several criteria, including scheduling problems and caseload, were mentioned as items that should be considered in making the final determination. It was agreed that this is area needs more information and development and it will be considered at later board meetings.

4. Transition to Circuit Courts. New oaths of office should be prepared and administered for the new circuit court judges on July 1, 2000. In addition, Holly Hansen will contact the Secretary of State's Office to determine where the oaths of office need to be filed.

5. Judicial Identification cards. Holly Hansen will prepare a letter for each judge and each judicial employee to take to the local drivers' license office and get a state employee identification card. Holly Hansen advised the Board that the cards cost \$2.00.

6. Dale LeFever to make presentation at the judicial council meeting. Holly Hansen will contact Dr. LeFever about attending the September, Judicial Council meeting in Gillette.

7. Out of State Travel Policy. The Board unanimously agreed that with respect to out-of-state travel, the Chief Justice will continue to have the authority to approve travel within the 50 states. Based on direction from the Board, international travel requires the Board's approval.

8. Legislative issues to be addressed by the Board for the 2001 session. The first issue identified was the removal of appointment and retention of magistrates who perform duties in a county with a sitting circuit court judge. Second, removal of district court judges from the selection process for magistrates. Third, changes necessary to assure that circuit court judges will not have to stand for retention in justice of the peace counties.

9. Five State Judicial Conference. For future discussion, the Board was asked to consider Wyoming's continued participation in the Five State Judicial Conference. It was noted that Wyoming's participation has been minimal and as such may not warrant the work necessary to host the conference in 2002.

10. Next meeting. The next meeting will be June 23, 2000 in Jackson, Wyoming. Several members of the Board will be in Jackson. Further information will be provided. Board members who cannot attend will be encouraged to participate by telephone.