

Minutes  
June 23, 2000  
Board of Judicial Policy and Administration

The June 23, 2000 meeting of the Board of Judicial Policy and Administration was held at the Teton Justice of the Peace Court, Jackson, Wyoming. Members present were: Chief Justice Larry Lehman, Judge Gary Hartman, Judge Jeffrey Donnell, Judge Bart Voigt, Judge Rob Denhardt and Judge Frank Zebre. Teleconference participants included: Justice Richard Thomas, Justice William Hill, Judge Wade Waldrip and Judge Scott Cole. Holly Hansen also attended in Jackson.

The minutes from the May 19, 2000, meeting were approved.

The first order of business was a discussion of the Order Adopting Rules and Procedures Governing the Board of Judicial Policy and Administration.

- a. Rule 1. Supreme Court. The Board agreed on a concept that would reiterate that the Supreme Court has given over authority to the Board and that reference would be made to the order establishing the Board. This will be drafted and reviewed at the Board's September meeting.
- b. Rule 2. Board of Judicial Policy and Administration – Statement of Purpose. After a lengthy discussion, the Board directed Holly Hansen to draft a statement that incorporates the language from the Constitution with respect to the Supreme Court's general superintending authority over the inferior courts. It was recommended to make this a general statement. This will be drafted and reviewed at the Board's September meeting.
- c. Rule 9. Board Minutes. The Board asked Holly Hansen to ask the State Bar if it would be willing to print our Board minutes in the Wyoming Lawyer.

The Board considered several items under New Business.

1. Library Fees. After a discussion of the practice of assessing library fees on civil cases filed in the district courts, the Board unanimously decided to recommend that the Supreme Court issue an Administrative Order which states that the district courts may assess the library fee; however, the district courts cannot make the fee mandatory for filing. The Board emphasized that payment is voluntary.
2. Personnel Rules. The Board decided to circulate the personnel rules in draft form to the district court and circuit court judges. The Board agreed that the Chief Justice should write a letter to district and circuit court judges advising them that the personnel rules will not apply to the district courts, but that the Board would

appreciate comments from the district court judges, as well as from the circuit court judges.

3. Assignment Forms. The Board reviewed the forms and recommended two additions. In the first line, after “Wyo. Stat. Ann. 5-3-112” the Board decided to insert “and with the consent of the judge being assigned”. The Board further amended the fifth line of the form to include the words “or a criminal case in which the defendant is charged with any crime for which the aggregate sentences for all crimes charged exceed 5 years in prison.”
4. Order for Fees in Appeals. The Board discussed the draft order and decided to make the fee for docketing an appeal from a circuit court, justice of the peace court or municipal court \$60.00, of which \$10.00 shall be for court automation. Pending that change, the Board approved the order as presented.
5. Continuing Judicial Education Rule. The Board approved the Rules for Continuing Judicial Education as distributed, with the addition of three organizations that routinely provide continuing judicial education. Those organizations are: The American Academy of Judicial Education, The National College of District Attorneys, and The National Council of Juvenile and Family Court Judges.
6. Five State Judicial Conference. There was a brief discussion about Wyoming’s continued participation in the Five State Judicial Conference. It was discussed that Wyoming’s attendance has been low in recent years. The Board decided to postpone a decision pending a report from those who attend this year’s Five State Judicial Conference in Bismarck, North Dakota.
7. Oath of Office for the Circuit Court Judges. It was agreed that the circuit court judges should take a new oath of office on or after July 1<sup>st</sup>. The oath of office needs to be filed with the Secretary of State and the county clerk’s office, with a copy forwarded to the Court Administrator’s office. The magistrate’s oath of office should be filed in the county clerk’s office and a copy should be forwarded to the Court Administrator’s office.
8. Other Business. Judge Donnell reported on the activities of the Technology Task Force. He indicated that the task force is working on a pilot project in Johnson and Sheridan counties that would integrate the courts and related entities. Since the task force was formed before the Board, there was some discussion about the task force’s relationship to the Board. Board members agreed that the task force is an arm of the Board of Judicial Policy and Administration.

Chief Justice Lehman reported that the Hot Springs County Commissioners had voted to become a circuit court effective July 1, 2000, and that Judge Bob Skar would be the circuit court judge covering both Hot Springs and Big Horn counties.