

Minutes  
Conference Call of October 9, 2001, 7:30 am  
Board of Judicial Policy and Administration

The Board of Judicial Policy and Administration met by conference call on October 9, 2001. Chief Justice Larry Lehman, Justice Bill Hill, Justice Bart Voigt and Judges Jeff Donnell, Ed Grant, Keith Kautz, Wade Waldrup, Frank Zebre, Rob Denhardt, and Scott Cole attended. Judges Gary Hartman and John Perry attended for the discussion of judicial salaries. Holly Hansen and Linda Burke also attended.

Judge Hartman updated the Board about the activities of the Judicial Salary Committee. Representatives of the Salary Committee attended the Joint Interim Judiciary Committee meeting in Laramie on September 28<sup>th</sup>. Contacts have been made with a number of legislators. After a brief discussion of possible candidates, the Board decided to hire a lobbyist to work for a judicial salary increase and to delay a strategy plan until after the lobbyist has been hired.

Judge Denhardt presented his proposed changes to the Judicial Retirement legislation. The proposal would give circuit court judges, who are not members of the Judicial Retirement System, the opportunity to join the Judicial Retirement System. Their individual retirement accounts in the "Wyoming Retirement Act" (State Employees Retirement System) would be left as is. If desired, any individual circuit judge could transfer one or more years of prior service as a county/circuit judge into the Judicial Retirement System by transferring into the Judicial Retirement System his retirement moneys for the year or years in question plus paying an additional 3.65% of each year's annual salary plus regularly accruing interest on the 3.65% for the year or years in question. The judge would have the option to leave all of his State Employee Retirement funds and benefits in the State Employee Retirement System and begin as a new judge in the Judicial Retirement System. In addition, district court judges and Supreme Court justices who are currently enrolled in the Judicial Retirement System would have the opportunity to transfer prior years of service as county/circuit judges in the same manner as circuit court judges. Denhardt explained that Jerry Fox, Director of the State Retirement System, advised him that the proposed changes would not cause any problems or fiscal impact to the retirement systems. Judge Zebre moved and Judge Donnell seconded a motion to allow sitting circuit court judges to become part of the Judicial Retirement System as long as there is no fiscal impact to the retirement systems. Judges Grant and Kautz voted against the motion. Motion carried. A copy of the proposed changes is attached to these minutes.

Judge Cole initially reported that the majority of the Justices of the Peace and future magistrates would probably choose to stay in the State Retirement System. If magistrates are to be considered judicial officers, however, Cole wondered if they would fit more appropriately in the Judicial Retirement System. Chief Justice Lehman suggested that as long as there is no fiscal impact on the existing retirement systems, the concept of giving judges the same choice of retirement systems seems appropriate. The Board asked Judges Denhardt and Cole to speak with Jerry Fox and determine whether there would be any fiscal impact if new magistrates joined the Judicial Retirement System and paid for prior service as described by Judge Denhardt's proposal for the circuit court judges. Judge Denhardt will then email new language to the Board members for their consideration.

Judge Denhardt discussed the meeting in Evanston between the chief clerks for the circuit courts and Judges Denhardt, Zebre, and Waldrup. In reference to the fourth item (\$20 charge for record checks), Judges Denhardt and Zebre assured the Board that most of the clerks supported the \$20 charge. The clerks advised the judges that record checks can be very time consuming and

must be completed in 48 hours. Judge Kautz reported that his district court charges \$5 for such checks. The Board decided to deal solely with fees for the circuit, justice of the peace, and municipal courts. The district courts will not be involved at this time. Judge Denhardt moved to accept the six (6) suggested charges from the circuit court clerks and Judge Zebre seconded the motion. Motion carried. A copy of the suggested charges is attached to these minutes.

Judge Grant will check to see if the Restitution Policy passed previously by the Board would be burdensome to the district court clerks.

Chief Justice Lehman requested Board members who travel to Casper to stop by and look at the proposed facility for a third courtroom and report back to the Board on its adequacy.

After a brief discussion of holiday closures, Chief Justice Lehman advised that Court Administration would check with the various circuit courts to see what, if any, holiday closures would affect their courthouses. The Court will then issue a notice to the courts concerning the proposed holidays.

The Board adjourned at 8:55 am.