

Board of Judicial Policy and Administration
Minutes
December 19, 2012

The Board of Judicial Policy and Administration held a phone meeting on December 19, 2012. In attendance were Chief Justice Marilyn Kite, Justice Jim Burke, Justice Mike Davis, Judge Dan Price, Judge Jeffrey Donnell, Judge Tom Campbell, Judge Wes Roberts, Judge Curt Haws, Georgia Tibbetts, Joann Odendahl, Ronda Munger, and Becky Craig.

Chief Justice Kite advised that the first item for discussion by the Board was to determine the “Judge Year.” Ronda Munger explained that the new judicial workload study necessitates a policy decision determining how many days a year a judge is available to work, and that the number that has been used in the past studies is 206 days. Judge Donnell moved and Justice Davis seconded a motion to approve a 206 day judge year for use in the new judicial workload study. Motion carried unanimously.

Chief Justice Kite explained that the second item before the Board was to reexamine the proposed amendment to Rule 3 of the Wyoming Rules of Civil Procedure for Circuit Courts that was brought before the Board at the December 6th meeting. Lengthy discussion was held. It was suggested that reference to Rule 3(b) of the Wyoming Rules of Civil Procedure be inserted into the proposed rule amendment. Judge Donnell moved and Judge Haws seconded a motion to recommend to the Court that the proposed amendment to Rule 3 of the Wyoming Rules of Civil Procedure for Circuit Courts, as amended, be adopted. Motion carried unanimously.

Chief Justice Kite addressed the third item for discussion which was the legislation aimed at eliminating mandatory transcripts. Judge Campbell reported that the District Court Conference voted at its meeting that it was not in favor of any statutory change in that regard. Lengthy discussion was held. Judge Campbell moved and Judge Price seconded a motion that the Board of Judicial Policy and Administration reconsider and withdraw its support for legislative change that would make it discretionary instead of mandatory that arraignment, plea, change of plea, and sentencing hearings in the district courts be transcribed. Further discussion was held. The motion to reconsider failed on a vote of 2 to 6. Judge Donnell requested that his position be put on the record. He feels that this Board has made an effort to try to gain control over the judiciary’s budget in this particular area. He stated that if the proposal was to eliminate these transcripts entirely, he would vote against such a change; however, that is not the case. Judge Donnell pointed out that this change merely allows district judges to use their discretion in determining whether or not they want a transcript to be furnished for these particular criminal proceedings.

Chief Justice Kite explained that the fourth item to come before the Board was the creation of Section IV to Rule 908 of the Uniform Rules for District Courts. This section would require that a standard invoice form be used by the court reporters for the payment of transcript fees, and would provide for payment of court reporter fees in multi-defendant proceedings. Discussion was held and revisions were suggested. Justice Davis moved and Justice Burke seconded a motion that the creation of Section IV and the standard invoice form to Rule 908 of the Uniform Rules for District Courts, as amended, be recommended to the Supreme Court. Motion carried unanimously.

Meeting was adjourned.

Approved by email on February 14, 2013

The Board of Judicial Policy and Administration's meetings are not open to the public unless the Board, in its discretion, determines that a particular meeting or agenda item should be open to the public. The Board will disclose what is discussed at the meetings at its discretion.