

## **Judicial Conference Notes**

**December 3, 2010**

1. Those present: Young, James, Perry, Price, Park, Skavdahl, Sullins, Campbell, Deegan, Arnold, Davis, Kautz, Cranfill, Waldrip, Donnell.

### **2. Chief Justice Kite:**

- a. Circuit Court jurisdictional change increasing civil level to \$50,000.
  - i. Clerks of court are generally in favor but are concerned about the impact on the smaller districts.
  - ii. Presentation to legislature
  - iii. Level set at \$50,000 to insure there is a real impact
  - iv. Three too few district judges statewide and long 2.66 circuit court judges
  - v. Roving circuit court clerk
  - vi. Asked us to approach legislators
  - vii. Asked for feedback on handout
  - viii. Kautz registered concern about timing with regard to potential changes to be requested in the domestic relations area
  - ix. James wondered if CJ's would use it as a request to increase their salaries.
  - x. Campbell thinks cj's are under-utilized and will like it
  - xi. Small claims to be increased from \$5m to \$7m which cjs dislike because they take so long but to be consistent that level has go up.
  - xii. She is meeting with Mead next Thursday who wants to emphasize technology
  - xiii. She is meeting with Kermit next week as the chair of the Judiciary Committee
  - xiv. Remove concurrent jurisdiction
- b. Rule 1
  - i. Can things be done better
- c. Domestic Relations
  - i. Should all rules of civil procedure apply to divorces?
  - ii. Consider requiring clients to attend scheduling conferences
- d. Case processing times

- i. Study done in Laramie County which reflects those guys really know what they are doing. Well she didn't really say that, just a gratuitous addition by your scribe.
- e. Electronic filing/technology
  - i. Road blocks
    - 1. Confidential data
  - ii. E-ticketing
  - iii. Web-based video meetings/hearings/arraignments
  - iv. Rules for use of technology
  - v. Wyoming is in the dark ages regarding technology compared to other states
  - vi. Board meeting where all attended by video saved \$3,500 in travel expenses
- f. Juveniles-Gary Hartman
  - i. Mandatory diversion for certain offenses
  - ii. Discontent about his efforts regarding juvenile family courts
- g. GAL/public defenders
  - i. Reduction due to funding problems

### **3. Westlaw presentation**

- a. WestlawNext presentation
- b. Options suggested by rep
  - i. Option 1-same as current plan
  - ii. Option 2 –
- c. Unlimited users within the plan-ie, three judges, two clerks can now get 5 user ids.
- d. Motion to move to option 2 by davis, seconded by Deegan. Unanimous.

### **4. Good of the order**

- a. Peremptory challenge rule
  - i. Conference call with BJPA
  - ii. Cranfill: humiliating the way it was implemented
  - iii. Davis, leave it as is
  - iv. Motion, feedback by letter from Norm: rule should be repealed but if not leave the rule as it is by Wade seconded by Deegan. We are strongly opposed to the proposed change. Motion passed unanimously
- b. DUI penalty for 4<sup>th</sup> or subsequent offense

- i. Nick sent request to Ethics advisory committee
  - ii. Discussion to the effect whether it is our business as a group to suggest changes to the statute.
  - iii. Park moved, Waldrip seconded: The group takes no position on the issue.
- c. Park: How settlements for minors are handled-conservatorship requires a hearing
  - i. Jeff moved, seconded by Price: recommend to BJPA this become a uniform dc rule
- d. Waldrip: do we want rules on use of live video in criminal matters?
  - i. Leave it as it is without rules
- e. Price: PRAC is considering findings of fact and conclusions of law in every case
  - i. Motion by Price, seconded by Skavdahl. We are unanimously opposed
- f. Kautz: Redaction rule status
  - i. Problems with transcripts because rule required court reporter to notify parties/attorneys that transcript is complete and to request notification of what needs to be redacted. Issues of payment for transcript, etc.
  - ii. Criminal cases present special problems because they are reported automatically
  - iii. Tom and Scott will brainstorm and come up with forms?
- g. Cranfill: how do we handle vacations for ct reporters
  - i. They do not accumulate vacation time.
  - ii. No common practice, but most just wing it as long as the office is covered and she is present when judge is.
- h. Scott: Computer/video issues
  - i. Money available from Supreme Court to pay for one set for every district. Contact Steven Dreher.
  - ii. Be aware, the money allows them to use your facility for other purposes.

**5. April 28<sup>th</sup> and 29<sup>th</sup> in Lander**

**Peter G. Arnold  
Faithful Scribe**