

## **Wyoming District Judges Conference**

### **Business Meeting**

**December 8, 2023**

The Winter 2023 meeting of the District Judges Conference was held on December 8, 2023, at the Thyra Thomson Building in Casper, Wyoming. The meeting occurred in person and via the TEAMS platform. Present in person at the meeting were Judges Catherine Rogers, Catherine Wilking, Misha Westby, Rick Lavery, Dawnessa Snyder, Jason Conder, Kate McKay, Joe Bluemel, Ed Buchanan, James Kaste, Tom Campbell, Dan Forgey, Scott Peasley, Peter Froelicher, Kerri Johnson, Bobbi Overfield, and Matt Castano. Present at the meeting via TEAMS were Judges Darci Phillips, Melissa Owens, Ben Kirven, Stu Healy, and Michael Causey. Absent were Judges Steve Sharpe, Suzannah Robinson, Josh Eames, and Bill Simpson.

Chairman Rogers called the meeting to order at 9:00 a.m.

Minutes of the September 6, 2023 business meeting were presented, reviewed, and accepted. The Treasurer's Report of December 6, 2023, was presented, reviewed, and accepted.

### **Old Business**

Judge Rogers discussed a Web Scrubbing Service she subscribed to after the last meeting. She paid for a premium service and monitored the process of the company scrubbing her information from the internet. Judge Rogers would gladly share any information for those who are interested.

Justice Fox reminds everyone to participate in the Christmas pet photo contest.

Mental Health Diversion Update – Judge Castano. The program is getting ready to kick off in Campbell County. The program has identified its first participant. The goal is to minimize participation in the justice system and relieve the burden on the detention center. “Everybody has a plan until they are punched in the mouth” – Mike Tyson. The community is very supportive.

Court Navigator Update – Judge Johnson. Judge Wilking and Judge Johnson are on the court navigator project, which started a couple of months ago. They meet every other Tuesday with the National Center for State Courts, and are reaching out to Casper College to work with the program to get navigators to work for credit. Hope to start February or March. September is when the grant ends. They are looking for

commissioners or courthouse space for navigators. This probably needs to be a paid position versus a volunteer position. The navigators are going to serve in Circuit and District Court. Once the pilot goes, it is looking to expand to the rest of the state. Also working with the forms committee to dovetail the forms into the court navigator program.

Chancery Court discussion – Judge Bluemel raised the issue of a court reporter in the Chancery court and the need. Currently, Judge Sharpe and Judge Lavery use their own court reporters. The conference discussed concerns about proper funding for the Chancery Court for staffing, including a court reporter and staff attorney, and not continuing to require District Judges to cover the specialized Chancery Court. The WJC meets on Monday and these details need to be discussed. There needs to be a provision for cases to be assigned to district judges and retired judges with consent (for example: conflict cases). The time has come for Chancery Court to stand alone.

#### District Court Conference Rules

WJC Amendments/Overhaul – Our conference rules need to be reviewed and updated. Judge Lavery needs some help with this project to present to the conference in April. Judge Froelicher, Judge Kaste, and Judge Buchanan will assist.

Records Retention (General and Docket Review). Judge Bluemel organized the conference documents last year and they are in good condition. The docket review reports are held by the Conference Chair, and a discussion was held about retention of the docket review records. The purpose of the docket review is to ensure assistance is available when needed for a judge struggling. All essential records will be retained for one year as determined by the executive committee.

#### Committee Reports

Human Resources Committee – Judge Froelicher. Two primary focuses have been to finalize the job classification schedule and finalize the plan and methods for challenging (review request) where the employee fits and the method the judiciary uses to tell employees about the job classification structure. They are updating the employee handbook to reflect the job classification procedure and compensation processes. This will be before the WJC on Monday for adoption. Four things will be presented to the WJC: Job classification structure, classification review procedure, how is new classification structure and challenge process going to be presented to employees (HR vs. supervising judge), and modifications to the employment

handbook adopting the classification structure. Judge Froelicher recommends the adoption of the proposal by the WJC.

Wyoming Judicial Council Update – Judges Rogers, Bluemel, and Snyder

Legislative Liaison Committee – Judge Peasley. Please send any thoughts you have on pending bills to Judge Peasley. They are attending JJC meetings and communicating with the LRC committee. Discussed proposed legislative committee WJC policy.

Court Reporter Committee/Issues – Judge Causey reached out to court reporting schools but has not had much interest. Judge Causey will join the court reporter committee.

Docket Review Committee – Judge Rogers. We have another review coming. Judge Snyder will be sending letters out soon.

### New Business

Follow up on CJ Fox's solicitation of input from the DJ Conference

Judge Overfield suggested strategic planning for our conference. Judge Rogers proposes we use our April meeting all day Thursday and all day Friday for strategic planning and the National Center for Courts can assist.

Discussion about sending invitations to retired judges to attend our meetings.

### Committee Assignments

Commission on Judicial Conduct and Ethics (Judge Lavery off effective March 1, 2024 – Judge Peasley has agreed to serve if that is the will of the Conference) Judge Buchanan moved and Judge Campbell seconded, unanimously passed.

Human Resources Committee (Judge Forgey's resignation creates an immediate need for replacement – Judge Robinson has agreed to serve if that is the will of the Conference)

Children's Justice Project Advisory Council (Judge Wilking has resigned). We are recommending no replacement due to the overwhelming committee assignments.

File & Serve Express rollout – will be in all counties by the end of 2024 and the District Clerks are interested in making the e-filing mandatory.

Summer Trial Institute volunteers – Judge Rogers would like our conference to have a designee for events to which our conference is invited.

Legislative Breakfast 2024

Attendance of retired judges at our meetings

Future Meeting Dates

### **Good of the Order**

Members present then addressed the Good of the Order

### **Adjournment**

Judge Campbell then moved to adjourn the meeting, Judge Snyder seconded the motion and members present unanimously approved the motion.

Submitted this 25 day of April 2024.



Dawnessa A. Snyder  
Secretary/Treasurer

## **DISTRICT COURT JUDGES' CONFERENCE**

### **RULE (e) Special Question Vote Tally**

#### **Special Question: Amendment to Rule 908 – Second Question**

<b>Name</b>	<b>Date</b>	<b>Yes</b>	<b>No</b>
Thomas "T.C." Campbell			
Catherine E. Wilking			
Richard L. Lavery			
Steven K. Sharpe	2.26.24	X	
Daniel L. Forgey	2.27.24	X	
Catherine R. Rogers	2.26.24	X	
Joseph B. Bluemel			
Dawnessa Snyder	2.27.24	X	
William L. Simpson			
F. Scott Peasley	2.27.24	X	
Bobbi Overfield	2.27.24	X	
Kerri M. Johnson	2.27.24	X	
Peter H. Froelicher			
Jason Condor	2.29.24	X	
Suzannah Robinson			
Stu Healy	2.26.24	X	
Michael Causey			
Melissa Owens			
Matthew Castano	2.27.24	X	
Darci Phillips	2.29.24	X	
Josh Eames	2.27.24	X	
Misha Westby	2.27.24	X	
Ben Kirvin			
Ed Buchanan	2.27.24	X	
James Kaste	2.29.24	X	
Kate McKay			

**Rule 908. Rules for Court Reporters; Retention of Court Reporter Stenographic Notes; Certification and Continuing Education of Official Court Reporter; Equipment and Supplies; Payment of Fees.**

**I. Court Reporter Stenographic notes.**

(a) All Official Court Reporters shall maintain or cause to be maintained a log of all electronic stenographic notes of any District Court proceeding that is reported by them. This log shall list the name of the case, date of the proceeding, and an assigned reference number. ~~If both paper notes and electronic notes are made at the time of the proceeding, then both shall be reflected on the log.~~

(1) All notes, ~~paper and/or electronic~~, as well as the log shall be maintained in the offices of the District Court, in a location known to the District Court Judge.

(2) All notes, ~~paper and/or electronic~~, shall be considered the property of the District Court.

(b) All Official Court Reporters who perform their official duties with the use of an electronic writing device shall maintain a current copy of their "Personal Dictionary" in electronic format in the offices of the District Court, in a location known to the District Court Judge, and such electronic copy of the "Personal Dictionary" shall be considered the property of the District Court.

(c) Each District Court shall create an individual "emergency" contingency plan regarding the production of transcripts that shall be implemented upon the death or incapacitation of the Official Court Reporter. Such plan shall include, but need not be limited to:

(1) The location of the Official Court Reporter's Case Log.

(2) The location of the disks (or other storage device) of the reporter's electronic notes.

(3) The location of the hardware/software used by the reporter to produce transcripts, including the name of the software and phone number of the software vendor.

(4) A list naming at least two individuals who are capable of reading the reporter's notes, if available.

(d) Court reporters shall use a uniform backup system for electronic notes, audio recordings of proceedings, dictionary, and emergency "contingency" plan as recommended by the Wyoming Professional Court Reporter's Association, and shall ensure and certify that all files are backed up monthly. In addition to the foregoing, the District Court Judge may require his/her Official Court Reporter to take further precautions to protect court transcripts.

(e) All court transcripts are the work-product of the Official Court Reporter. Arrangements shall be made through the Official Court Reporter regarding purchase of any and all transcripts, even though the original is contained in a court file.

(f) Unless otherwise provided for by statute, court reporters shall follow the federal maximum per page transcript rates for expedited transcripts.

**II. Certification and continuing education of official court reporter.**

(a) All persons performing the duties of Official Court Reporter shall be certified. The reporter may obtain Wyoming certification by:

(1) Passing the Registered Professional Reporter examination administered by the National Court Reporters Association; or

(2) Passing the United States Court Reporter Association examination;

or

(3) Passing a certification test from any other certifying state in which the requirements for certification are equivalent to the Registered Professional Reporter examination; or

(4) Having certification from the National Verbatim Reporters Association.

(5) ~~(4)~~-Serving in the capacity as a full-time Official Court Reporter in a Wyoming District Court for a minimum of one year immediately prior to the adoption of this rule.

(b) Any noncertified reporter hired hereafter shall be given two (2) years from the date of hire in which to obtain certification per the requirements of (a)(1), (2) or (3) of this Rule.

(c) All Official Court Reporters shall be required hereafter to earn three (3) continuing education units during each consecutive three (3) year period



as per the National Court Reporters Association. (The record of continuing education units are to be held by the Wyoming Supreme Court.)

### **III. Equipment and supplies.**

(a) All Official Court Reporters shall provide the equipment necessary to report and create transcripts of District Court proceedings. This equipment may include, but need not be limited to, voice writing and stenographic writing machines, computers for transcription, and printers.

(b) All Official Court Reporters shall provide the software necessary for the production of transcripts.

(c) The State shall provide for the Official Court Reporter's use those other items necessary to report and create transcripts of District Court proceedings. These items may include, but need not be limited to, stenograph paper, printer paper and toner.

### **IV. Payment of fees; multi-defendant proceedings.**

(a) All Official Court Reporters shall submit transcript invoices on a standard form. The invoice form shall identify the title and number of the cause for which the transcript was required to be furnished, the nature of the proceedings transcribed, and the fee approved therefore.

(b) If the District Court conducts multi-defendant proceedings, such as arraignments, the Court Reporter shall be compensated by the District Court for one original transcript, and shall be compensated for copies of said transcript for each of the additional defendants' court files. If a court proceeding entails one defendant with multiple counts or cases, the Court Reporter shall be compensated by the District Court for one original transcript, and shall be compensated for copies of said transcript for each of the defendant's additional court files. The rates for original transcripts and copies shall be as set forth in paragraph (c) below.

(c) The reporter may charge three dollars and eighty-five cents (\$3.85) per page of twenty-five (25) lines, for all transcripts, records and other papers required to be made and issued as the official reporter for hearings conducted after August 31, 2023. At no additional charge, the reporter shall include one (1) copy for the party ordering the original. The reporter may charge one dollar and twenty-five cents (\$1.25) per page for each additional copy, and may require payment in advance.

**Reporter:** \_\_\_\_\_ **District:** \_\_\_\_\_

**Note: In multiple defendant proceedings only bill for one original and the others at the statutory copy rate.**



## **DISTRICT COURT JUDGES' CONFERENCE**

### **RULE 106(e) Special Question Vote Tally**

#### **Special Question: Amendment to Rule 908II(a) Voice Stenographers**

<b>Name</b>	<b>Date</b>	<b>Yes</b>	<b>No</b>
Thomas "T.C." Campbell	2.8.24	X	
Catherine E. Wilking			
Richard L. Lavery	2.7.24	X	
Steven K. Sharpe	2.7.24	X	
Daniel L. Forgey	2.7.24	X	
Catherine R. Rogers	2.7.24	X	
Joseph B. Bluemel	2.7.24	X	
Dawnessa Snyder	2.7.24	X	
William L. Simpson			
F. Scott Peasley	2.7.24	X	
Bobbi Overfield			
Kerri M. Johnson	2.7.24	X	
Peter H. Froelicher	2.7.24	X	
Jason Condor	2.7.24	X	
Suzannah Robinson	2.7.24	X	
Stu Healy	2.7.24	X	
Michael Causey	2.7.24	X	
Melissa Owens	2.7.24	X	
Matthew Castano	2.7.24	X	
Darci Phillips	2.7.24	X	
Josh Eames	2.7.24	X	
Misha Westby			
Ben Kirvin	2.9.24	X	
Ed Buchanan	2.7.24	X	
James Kaste	2.7.24	X	
Kate McKay	2.7.24	X	

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## Reporter: District:

I certify that the above transcripts were received by the court and are approved for payment per W.S. 5-3-407.

**Note: In multiple defendant proceedings only bill for one original and the others at the statutory copy rate.**