

## Wyoming Judicial Council

### TEAMS Meeting

June 12, 2023

9:00 a.m. – 12:00 p.m.

### MINUTES

**Members Present:** Chief Justice Kate Fox (Chair), Justice Lynne Boomgaarden, Justice Kari Gray, Judge Catherine Rogers, Judge Joseph Bluemel, Judge Nathaniel Hibben, Judge Wendy Bartlett

**Others Present:** Judge Sean Chambers and Elisa Butler

<b>Welcome</b>	Chief Justice Fox welcomed the committee members and called the meeting to order at 9:00 a.m.
<b>HR Committee</b>  The Judicial Council approved the HR Committee's recommendation.	<u>HR Committee recommendation regarding employee compensation</u>  Chief Justice Fox introduced Judge Chambers who chairs the HR Committee and asked him to present the HR Committee's recommendation on employee compensation. She thanked him for his hard work on that committee and for presenting the HR Committee's recommendation at the meeting.  Judge Chambers thanked Chief Justice Fox, and noted the Wyoming Judicial Council should have in their materials the HR Committee's recommendation that the Wyoming Judicial Council adopt the pay classification and structure they see in Appendix A and the allocation summary in Appendix B and a recommendation of retention bonuses he will review with the Council along with a brief overview of the HR Committee's process and how it came up with these recommendations. The HR Committee had two main objectives, one was to come up with a classification structure for all employees Branchwide so the Branch can look at its positions objectively and compare them with other positions within the Branch, in state government, and more generally positions in the market. The second objective was to figure out how to spend the 1.6 million dollars the Legislature allocated for market-based pay adjustments. The first step was to look at every single position in the Branch and review the job descriptions for those positions. Last year, the Branch adopted the Hay Methodology of job classification. The committee looked at all the job descriptions and made revisions based on feedback. Once the job descriptions were completed, Brenda Reedy and Claire Smith scored them according to the Hay Method job evaluation criteria. The Hay Method looks at the three dimensions of a job which includes the know how required to perform the job, the problem-solving requirements of a job, and the accountability associated with that job. From those three criteria and the job description there is an objective score for every position, and once scored, the positions can be laid out to see how the positions fit together. According to the Hay Method, this is called the "sore thumb" analysis where the committee was really looking for the positions that stand out and don't fit well anywhere. After this sorting process the committee settled on the structure the Council sees in Appendix A. With the classification, the Branch can now compare its positions to the market. The market data comes from the Executive Branch as it

uses this exact same classification structure, and has done so for about 11 or 12 years. The data reflects what we all believed, that our employees are paid substantially below market across the board from the top of the house to the bottom of the house. The employees paid farthest from market will benefit the most from this project today, but it is important to remember that most Wyoming Judicial Branch employees are below market. When considering the amount allocated to the Branch from the Legislature and after insurance and benefits are taken out, the committee looked at several options, from various combinations of across the board raises, along with market-based adjustments, percentage raises before or after the market adjustment, the committee settled on what is shown in Appendix B which is a straight market-based raise. Appendix B is the committee's recommendation, it gets all employees to at least 81.5% of market. In comparison, with this most recent batch of raises, the Executive Branch will be at 90-94% of market. Judge Chambers indicated that he is proud of the committee's work, and proud of this recommendation.

The committee also recommends retention bonuses, the recommendation is a \$2,500 bonus for those not receiving a raise, and those receiving a raise that is less than a \$1,000 will receive the difference in a one-time bonus to equal \$1,000 between the raise amount and a bonus. The Council asked Judge Chambers for an explanation on the committee's thought process concerning the retention bonus for those that are getting a raise that is less than \$1,000 annually, that they would only be getting a bonus amount to equal \$1,000 between their annual raise and a retention bonus. Judge Chambers explained that the \$1,000 threshold was chosen because it fit within the budget. Even though \$1,000 is less than the one-time \$2,500 retention bonus, the raise is permanent and worth more long-term. Chief Justice Fox asked if there were any other questions, hearing none she thanked Judge Chambers for his hard work on the HR Committee, and Judge Chambers left the meeting.

Chief Justice Fox asked if there was a motion to accept the HR Committee's recommendation, Justice Boomgaarden moved to accept the recommendation, Justice Gray seconded. Chief Justice Fox asked for any discussion, Judge Bluemel moved to amend the recommendation – that the cut off of \$1,000 for anyone receiving a raise be moved to a cut off of \$2,500 and anyone receiving a raise less than that also get a retention bonus of up to that \$2,500. Chief Justice Fox asked if there is a second, Judge Rogers seconded the motion, Chief Justice Fox asked for any discussion on the amendment. The Council discussed the proposed amendment, highlighting that a one-time bonus is not as valuable as a raise. Chief Justice Fox asked for any further discussion, hearing none she asked for a vote regarding the proposed amendment to the HR Committee's recommendation, three voted in favor, six voted opposed, the amendment did not pass. Chief Justice Fox asked for a vote of the original proposed recommendation from the HR Committee, all voted in favor with none opposed.

#### Employee Compensation Notification

The Council discussed how to inform the employees of the raises and retention bonuses. Some ideas were to have Chief Justice Fox sign letters, or the State Court Administrator sign the letters after the individual Judges have a chance to review the letters. The Council decided to have Elisa Butler sign the letters and send them out to the Judges and supervisors to distribute to their employees. The Council discussed whether there was any additional money set aside to provide bonuses and

	<p>raises to employees outside of this raise period. The Council determined that the HR Committee should review potential bonuses again next spring to determine how much money is left in vacancy savings as the Branch gets closer to the end of the biennium.</p>
<p><b>Lehman Award</b></p> <p>The Judicial Council approved the suggested Lehman Award recipient to be Judge Perry.</p>	<p>Chief Justice Fox explained to the Wyoming Judicial Council the Lehman Award is for excellence in the Judiciary. If no one has any suggestions Chief Justice Fox put forth the suggestion of Judge Perry, because he has chaired the Judicial Branch Innovation Task Force, and done a great job, in addition to volunteering a lot of his time to help in courts throughout the state. The Council enthusiastically supported that recommendation. Chief Justice Fox called for a vote, all members voted in favor, none opposed. She asked that it remain confidential until he is given the award.</p>
<p><b>Judicial Branch Innovation</b></p> <p>Wyoming Judicial Branch Strategic Plan – Proposed Amendment (Appendix C)</p> <p>The Judicial Council adopted the amended Wyoming Judicial Branch Strategic Plan.</p> <p>Strategic/Operational Plan (Appendix D)</p> <p>The Wyoming Judicial Council adopted the Strategic/Operational Plan.</p> <p>Draft Communications Plan (Appendix E)</p>	<p><u>Wyoming Judicial Branch Strategic Plan – Proposed Amendment</u></p> <p>Chief Justice Fox reviewed with the Council the suggested amendment to the strategic plan to include a provision addressing the security of Judges and court staff and asked if there was any discussion, hearing none, Chief Justice Fox moved to add this to the strategic plan, Judge Bluemel seconded. All members voted in favor with none opposed.</p> <p><u>Strategic/Operational Plan</u></p> <p>Elisa Butler presented the timelines set forth in the Wyoming Judicial Branch Strategic Plan. Elisa reviewed the timelines with her Division Heads to determine when items in the strategic plan can, realistically, get done. The items of highest priority would be the primary focus initially. Justice Boomgaarden added that some items need to be updated such as the Court Navigator Proposal, it shows expected at the end of 2023, but we are ahead of the game because that will be presented today. Also, the Fee Waiver item provided that Access to Justice was expected to present a proposal for the Wyoming Judicial Council’s consideration at this meeting. Access to Justice got feedback from the conference in mid-May and so that committee is still working and is expected to be ready for presentation at the September Wyoming Judicial Council meeting. Elisa Butler suggested that, with the Council’s approval, she can come back at each Wyoming Judicial Council meeting and give a brief update to review original timelines and if they have changed to keep the Council up to date on how things are moving forward. Chief Justice Fox added that this was a great exercise to break down the components and figure out the actions that need to occur, and who would do them and put a timeline even if that needs to be adjusted along the way. She called for a motion to approve the timeline, Judge Bluemel moved to approve, Judge Hibben seconded. All voted in favor with none opposed.</p> <p><u>Draft Communications Plan</u></p> <p>Chief Justice Fox asked that the Council skip this topic for now because the Judicial Branch Innovation Task Force is primarily focused on communication and when it gives its final report to Wyoming Judicial Council it will include this plan. There was no opposition.</p>

<p><b>Access to Justice</b></p> <p>Access to Justice Commission Purpose and Structure (Appendix F)</p> <p>The Judicial Council adopted the Access to Justice Commission Purpose and Structure document.</p> <p>Letter from ATJ 2.0 re Court Navigator (Appendix G)</p> <p>Court navigator proposal (Appendix H)</p> <p>The Judicial Council approved the Court Navigator proposal.</p> <p>Letter from ATJ 2.0 re Forms (Appendix I)</p> <p>Forms proposal (Appendix J)</p> <p>The Judicial Council adopted the amended forms proposal.</p>	<p><u>Access to Justice Commission Purpose and Structure</u></p> <p>Chief Justice Fox introduced the Purpose and Structure document for the Access to Justice Commission. Justice Boomgaarden added this document would replace the bylaws that have been in effect since the Access to Justice Commission was formed. The substance of this document comes from those bylaws, so it doesn't change substantively any of the mechanics of the commission and the commission is pleased to be a standing committee of the Wyoming Judicial Council which ties its mission and goal closer to the Branch. Justice Boomgaarden moved to approve the purpose and structure document, Judge Bluemel seconded. All voted in favor with none opposed.</p> <p><u>Court Navigator</u></p> <p>Justice Boomgaarden explained the Access to Justice Commission 2.0 worked hard to find some innovations in the areas of forms and navigator. The recommendation is to start standing up the navigator program in the first quarter of 2024. The model program would be stood up in the Seventh Judicial District, where there has been very strong participation in both the circuit court and district court. It would be a dual program that would benefit both the district court and the circuit court. The model navigator would be hybrid as there will be in-person navigators in Natrona County, but the Branch will also work toward the ability to make services available remotely. There will be a facilitated panel at the Wyoming State Bar convention, which will be a natural opportunity to roll this out to the Bar and the broader public. There has been some work started to better align Equal Justice Wyoming with the Administrative Office of the Courts to optimize the use of resources that Equal Justice Wyoming has available to assist in getting this program started. Chief Justice Fox added this is a great recommendation and thanked Justice Boomgaarden for her part in putting it together. We may be requesting a grant from State Justice Institute to hire a person from NCSC to put together forms, and to plan all the logistics of this and then eventually we will probably need to hire a person to coordinate all the volunteers and moving parts of this project. Chief Justice Fox called for a vote to approve the Court Navigator Proposal. All members voted in favor with none opposed.</p> <p><u>Forms</u></p> <p>Right now, there are two kinds of forms out there – court approved forms on the Supreme Court's website that are made available at the clerks' offices as they have been for many years and Equal Justice Wyoming has its own set of forms. Forms play a role in the success of the navigator program as they are tools that navigators can use to guide self-represented litigants through the court process. There is an independent need for self-represented litigants to have access to forms that they can use to obtain access to justice as well. To summarize, if the Wyoming Judicial Council approves this proposal, it is saying that we need to make a commitment to standardization, to staffing and to approval of the process to get a more robust, standardized set of forms out there. You can see the current forms available through both avenues in appendix I, and Appendix J provides an action item checklist. Chief Justice Fox added that there is work to automate forms, which will make life easier for self-represented litigants, it will also make the forms less daunting. There was some discussion by the Council members of whether a committee should be formed to do this work. Justice Boomgaarden moved for the</p>
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	<p>Wyoming Judicial Council to approve Appendix B of the proposal, Chief Justice Fox seconded the motion. Judge Bluemel moved to amend 3b to delete “consider” replace with “include diverse stakeholders, such as judges, clerks, practicing attorneys, lay people.” Chief Justice Fox called for a vote for those in favor of adopting Appendix B of the proposal as amended. All members voted in favor with none opposed.</p>
<p><b>Security</b></p> <p>Proposed security survey (Appendix K)</p> <p>The Judicial Council voted to adopt and distribute the court security survey.</p>	<p>Elisa Butler presented the topic of court security; she mentioned that all circuit and district court judges received a presentation on court security at their conference meetings in the spring. This has been a push recently within the Judiciary, and the Joint Judiciary is also working on a few things. One of the things that came out of those presentations at the conference meetings was discussion about a survey that went around to the judges in Texas in terms of what they experienced at their locations for court security. It may be a good idea to have a similar survey sent around to the judges and justices and possibly to other participants like clerks of district court, or chief clerks to indicate the security levels across the state. It would be very helpful when the Judiciary talks to the Legislature about security across the state. This would provide baseline on what the judges are experiencing and where the Branch needs to go with court security.</p> <p>Chief Justice Fox added that the State Justice Institute was also keen on the Wyoming Judicial Branch applying for another grant to do a security audit around all the courts as was done approximately fifteen years ago. That will take some time, but for now with the survey we can get the results faster to bring to the Legislature. A council member asked what we as a Branch would be asking for from the Legislature as it concerns security in our county courthouses. Chief Justice Fox answered there are two things that the Joint Judiciary Committee is working on, one is to firm up the statute that says the Sheriff will be in attendance and the other was to look at the statute pertaining to threats and violence towards judges and to have a stronger penalty for that. Elisa Butler added the JJC is also looking into a bill draft, similar to other states, to allow for scrubbing judge data off the internet. Judge Rogers moved to adopt and distribute the security survey, Justice Boomgaarden seconded the motion. Upon discussion, the Council decided it should be distributed to all Judges, chambers’ staff, chief clerks, and clerks of district court, and to aggregate the results into separate categories. Chief Justice Fox called for a vote, all members voted in favor of sending the survey out with none opposed.</p>
<p><b>Education Committee</b></p> <p>The Judicial Council approved directing the Education Committee to begin work on adding a session on legislative priorities, brown bags on caseload management, and to update the judicial orientation for new judges.</p>	<p>Judge Bartlett explained the JBI Task Force has been talking about the Education Committee. Historically, the Education Committee focused primarily on the fall meeting and the lineup for training during that meeting. The discussion has been centered around ways to make that committee more robust and come up with a revised program for judicial orientation. Some other suggestions have been to give a training in the fall to judges, since we have so many new judges to bring them up to speed on what some of the legislative priorities are and work on some talking points for the Legislature especially when it comes to the budget.</p> <p>Chief Justice Fox added she would like the Council to vote on all three of these decision points together. The case flow management session is something the NCSC is offering, and the Chief suggested this would be a good topic for the brown bag sessions. The JBI recommended that the Education Committee offer the mini</p>



	<p>case flow management training in the one-hour brown bags or two different lunches and then see if anyone wants the more in-depth training.</p> <p>Judge Bartlett added that traditionally judicial orientation has just been a one-day program done in Cheyenne. Lisa Finkey has some great ideas on revamping that program where it is split up into administrative items for the first part and then a lot of the topical substantive education at the court where the Judge will preside. She has talked to several of the new judges, and they are in favor of revamping the judicial orientation. Judge Bartlett moved to direct the Education Committee to begin work on these three items and make them a priority, Chief Justice Fox seconded the motion.</p> <p>The Council discussed the time commitment of the Judges in making the committee more robust. Judge Bartlett indicated that the Education Committee currently meets once a year, though creating a more engaged committee would require additional work, it wouldn't be a substantially heavier lift. Primarily, it's a matter of needing the support of the Wyoming Judicial Council to get the ball moving. Chief Justice Fox agreed and added that the legislative priority discussion during the Judicial Conference and the brown bags on caseflow don't really ask the committee to do anything except to recognize this as a priority and put it in the schedule. Revamping the judicial orientation, that will be a heavier lift, even if Lisa Finkey does most of the work, the judges will need to guide it. Elisa Butler added that as far as Wyoming Judicial Council Committees, the admin staff is doing the legwork, we are providing the materials, doing all the research, getting everything gathered prior to the meeting so that the judges can make the decision, but it still requires judge time to engage in those decisions. Judges will need to continue to be engaged in committee work even as the Administrative Office of the Courts grows with more staff members. Chief Justice Fox called for a vote, all members voted in favor with none opposed.</p>
<p><b>Behavioral Health Committee</b></p> <p>The Judicial Council approved piloting a diversion program in Campbell County.</p>	<p>Chief Justice Fox presented recent updates to the Behavioral Health Committee. There are two big things going on right now, there is the transition of treatment courts from the Department of Health which will occur July 1, 2024, and Ben Burningham has been leading that effort. We have ARPA funds that helped to hire a consultant that has done a lot of work talking to the treatment court coordinators, people at the Department of Health, and everyone who is currently involved in Treatment Courts as we work on this transition. We are on track to be ready for the transition on July 1, 2024. The challenge is always ensuring that the Judicial Branch has the resources it needs to make the program successful.</p> <p>The other item the Behavioral Health Committee is working on is the Mental Health Diversion Project. In March, a group of Judges, Legislative and Executive Branch representatives went to Miami and saw a system to divert people who are charged with low level misdemeanors from the justice system to behavioral health and other kinds of support that are more constructive and less of a burden on courts and jails. Work is now being done on a pilot program in Campbell County, which was selected, in large part, because we have very enthusiastic judges there to do this project. The recommendation of the Behavioral Health Committee is to go forth with planning this pilot in Campbell County. Members of both the Legislative and Executive Branches are in support of this project.</p> <p>The Council asked whether legislation would be required for the project. Chief</p>

	<p>Justice Fox indicated that legislation for this project is not necessary, but funding is necessary – there may be a few different options for funding. The Council also addressed the involvement of behavioral health providers and how that would play into the pilot. Chief Justice Fox answered that the Behavioral Health Redesign that the Department of Health is going through is intended to put into place a more robust community mental health system and that will be happening in 2024. Statewide diversion would require community mental health support. Chief Justice Fox moved to approve the pilot diversion project in Campbell County, Judge Bluemel seconded the motion. Chief Justice Fox called for a vote, all members voted in favor with none opposed.</p>
<p><b>Legislative Relations Committee</b></p>	<p>Elisa Butler gave the Wyoming Judicial Council members an update on the Joint Judiciary Committee meeting, explaining that the Judicial Branch presented on three areas. The topics were security, the diversion project, and the strategic plan for the Wyoming Judicial Branch and what the goal is moving forward. The Wyoming State Bar also talked to the Joint Judiciary about a rural attorney program that would mirror what is happening in South Dakota to provide some incentive for new attorneys to practice in rural areas in the state. The Joint Judiciary was receptive to what was presented, and there were a number of bill draft requests from JJC members that came out of the Committee meeting.</p> <p>Chief Justice Fox added that the Legislative Relations Committee is working to put together a plan and talking points for the upcoming budget session. The Branch should also be looking into grant opportunities from the State Justice Institute for items such as forms, court navigator, treatment courts, security, the Wyoming Judicial Branch website, and possibly diversion. The Council members discussed possible priorities for grant money. Chief Justice Fox suggested that the AOC put together a proposal and circulate a draft for the Wyoming Judicial Council to weigh in on and prioritize.</p>
<p><b>Use of Retired Judges</b></p> <p>Proposed Retired Judge Guidelines (Appendix L)</p> <p>The Judicial Council adopted the amended Retired Judge Guidelines.</p>	<p>Chief Justice Fox presented to the Wyoming Judicial Council the Proposed Retired Judges Guideline which outlines using retired judges for various situations such as letting current judges take time off, getting additional help if they feel like they are under water, family emergencies and any other situation where a retired judge can be used to help. The Judiciary is not asking for any sort of statutory support at this time, which is a recommendation of JBI. Ultimately, the ideal would be to have statutory framework for the use of retired judges that provided them with additional compensation, like they do in Idaho and Colorado, so you get something like an enhanced retirement bonus if you sign up for so many hours. For now, the JBI wanted to do this in-house and not get the Legislature involved. The guidelines were circulated to the JBI, and there were some small, suggested changes. The Wyoming Judicial Council discussed suggested edits to the guidelines and added their own edits. Judge Bluemel moved to adopt the newly edited guidelines and Judge Rogers seconded the motion. All members voted in favor with none opposed.</p>
<p><b>FY2025-2026 Budget</b></p>	<p>Chief Justice Fox asked the Council members, since it was nearing the end of the scheduled meeting, if they would prefer to stay through lunch to discuss the budget or to have a special supplemental meeting at a later date. All members agreed to have a special meeting later to discuss the budget.</p>

<b>For the Good of the Order</b>	<p>Chief Justice Fox led a discussion about whether the WJC meetings should be extended based on the breadth of the topics and important discussions being had at each meeting. She asked that the Council members consider whether an extended meeting might be helpful moving forward.</p> <p>Also Judge Prokos, Judge Wilking, and Justice Gray, have terms expiring on June 30<sup>th</sup>. Judge Bartlett confirmed Judge Prokos was reappointed from the circuit court judges' conference.</p>
<b>Adjourn</b>	<p>Chief Justice Fox thanked the Council members and added that they we will meet again to discuss the budget and new materials and adjourned the meeting at 11:52 a.m.</p>

Post Meeting Action Items	
<u>Owner</u>	<u>Item Description</u>
Elisa Butler	Admin to draft employee compensation letters and send them out to the judges for their review.
Elisa Butler	Ask the HR Committee before the March 2024 WJC meeting to look at using vacancy savings for additional bonuses.
Elisa Butler	Amend the court security survey and distribute to all Judges, chambers staff, Chief clerks, and Clerks of district court, and aggregate the results into separate categories.
Elisa Butler	Send out suggested dates and times for a special meeting to discuss the budget. And send out an updated Appendix M to the Wyoming Judicial Council members.
Elisa Butler	Put together a proposal and circulate a draft for the Wyoming Judicial Council to weigh in on and prioritize before the August Grant cycle.
Elisa Butler	Work with Chief Justice Fox and conferences to create a forms committee of the Wyoming Judicial Council.

**Attachments are designated in blue text.**

**Committee decisions are designated in green text.**



# Wyoming Judicial Branch STRATEGIC PLAN

FY2023–2024



## *Mission Statement*

As an independent branch of government, we provide access to justice through the timely, fair, and impartial resolution of legal disputes.

## *Vision Statement*

The Wyoming Judiciary is a cohesive and collaborative court system, characterized by excellence, that provides justice for the individual and society through the rule of law.

### *The Wyoming Judicial Branch is committed to excellence in:*

Delivering just and efficient resolution of people's disputes;

Promoting public confidence in the law and providing access to justice;

Faithfully discharging our duties as judges through adherence to the law;

Ensuring fairness and impartiality by providing quality service that continuously improves, that meets or exceeds the public expectations, and that ensures that all are treated with courtesy, dignity, and respect;

Fostering an expectation of excellence in the work of the Judiciary through recruitment, training and retention of all judicial officers and employees;

Acting as a cohesive system that speaks with a single voice and shares a common purpose; and

Ensuring the highest professional conduct, integrity and competence of the bench and bar.

# 1 *Access to Justice*

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**Advance the just and efficient resolution of people's disputes by:**

**Providing resources for self-represented litigants to assist in accessing and navigating the court system.**

- Establish a court navigator program for the judicial branch.
- Create and maintain standardized forms that are fillable or take the litigant through a guided interview process.
- Make Access to Justice Commission a standing committee of the Wyoming Judicial Council.
- Ensure that indigent litigants have access to the courts through fee waiver or reduction for qualified applicants.

**Ensuring that the members of the bar are well trained and accessible.**

- Explore incentives to promote practice in rural areas of Wyoming.
- Facilitate a mentoring program for attorneys.
- Explore opportunities for collaboration with the University of Wyoming and the Wyoming State Bar to enhance the skills of lawyers.

**Providing resources for the courts to efficiently move cases to resolution.**

- Investigate the possibility of expanding the role commissioners and magistrates play in the courts.
- Evaluate alternative approaches to resolving domestic relations cases and cases that involve families by:
  - Exploring family courts.
  - Investigating the shift of child support cases to the Office of Administrative Hearings.
  - Exploring a position to screen and triage domestic relations cases.
- Improve the reports Judges can use to manage their dockets.
- Investigate positions for circuit courts – circuit court judicial assistant and circuit court law clerk.

## **2 Effective Operation of the Judicial Branch**

**Establish branch wide priorities through the Wyoming Judicial Council.**

**Promote a quality workplace for judicial officers and employees.**

- **Ensure a safe workplace for judicial officers, staff, jurors, and the public.**
- Develop secondary trauma and well-being programs and services for judicial officers, staff, and jurors.
- Formalize and fund the use of retired Justices and Judges to provide assistance as needed.
- Create formalized education opportunities for employees.
- Create a mentorship program and expectations for new employees and Judges.
- Provide a more robust and effective judicial orientation for new Judges.
- Create a new employee onboarding program.
- Increase workplace flexibility where possible.
- Maintain adequate compensation for judicial officers and Judicial Branch employees.

**Enhance consistent technological infrastructure and associated education to ensure our increased reliance on technology is supported while maintaining strong cybersecurity standards.**

- Conduct training with judicial officers and court staff on remote interpretation software and Bizmerlin.
- Continue to provide routine security awareness training to all members of the branch.
- Upgrade or replace aging infrastructure hardware/software to ensure network security.
- Create uniform cybersecurity and technology standards for the branch.

**Meet the needs of our courts by providing excellent branch wide administrative support.**

- Centralize administrative functions of the circuit courts as appropriate.
- Create a court services office to better support the Judges and their staffs.

**Enhance the use of problem-solving (drug) courts.**

- Conduct training on problem-solving courts with judges, court staff and other stakeholders.

## 3 *Public Trust and Accountability*

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**Promote public confidence in the law, ensuring fairness and impartiality by providing quality service that continuously improves, that meets or exceeds public expectations, and that ensures that all are treated with dignity and respect.**

- Assess public expectations and obtain feedback.
- Publish annual State of the Judiciary.

**Provide proactive communication to and from the public about the Judiciary.**

- Educate the public on the accessibility of the Judicial Learning Center and the courts.
- Plan and implement Law Day activities statewide.
- Secure funding for a public information office for the AOC.
- Ensure media coverage of the State of the Judiciary.
- Create an outreach strategy.

**Establish internal criteria, policy, and procedures to ensure data quality and integrity.**

- Train judicial officers and court staff on procedures for entering data and the importance of data quality and integrity.
- Perform annual audit on data integrity.
- Consider a data access policy for internal and external customers.
- Create a data governance policy for the Branch.

## 4 *Adequate, Stable and Predictable Funding for a Fully Functioning Branch*

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**Maintain sound budgeting principles and practices by application of data-driven information for forecasting, planning, and follow-up each biennium.**

- Update 10-year budget need projection for IT support and hardware and long-term projection for other areas.
- Update the statistical workload model.

**Establish and maintain relationships with legislative committees to promote understanding of the financial needs of the Judicial Branch.**

- Develop informational resources to provide to legislators.
- Educate members of the Judicial Branch on operations of the Judicial Branch so they may convey a consistent message to members of the other branches of government.
- Provide civics for legislators course.
- Support court administration in its role as legislative liaison.

## Appendix D

### Wyoming Judicial Branch



#### Wyoming Strategic Plan Objectives: Timelines and Responsibility

Objective	Tasks	Timeline	Lead/Responsible Entity	Priority High, Medium, Low	Effort High, Medium, Low	Status In Progress/Complete	Other Considerations	Column1
Objective 1 - Access to Justice	Establish a Court Navigator program for the judicial branch.	1st Quarter 2024	Access to Justice Commission Court Administration Equal Justice Wyoming	High	High	In Progress	Proposal from ATJ 2.0 expected at end of 2023.	
Objective 1 - Access to Justice	Create standardized forms.	Initial set of forms - 1st Quarter 2024 Remaining forms - 4th Quarter 2024	Access to Justice Commission Court Administration Equal Justice Wyoming	High	High	In Progress	Initial forms to be completed on same timeline as court navigator program. Rest of forms by end of 2024.	
Objective 1 - Access to Justice	Maintain standardized forms.	Ongoing	Court Administration Equal Justice Wyoming	High	Medium	In Progress	Just below Navigator- they have forms now that are workable if not ideal.	
Objective 1 - Access to Justice	Make Access to Justice Commission a standing committee of the Wyoming Judicial Council.	COMPLETE	Wyoming Judicial Council	High	Low	Completed		
Objective 1 - Access to Justice	Ensure that indigent litigants have access to the courts through fee waiver or reduction for qualified applicants.	3rd Quarter 2023	Access to Justice Commission Equal Justice Wyoming	Low	Low	In Progress	Proposal from ATJ expected at June Judicial Council meeting.	
Objective 1 - Access to Justice	Explore incentives to promote practice of law in rural areas of Wyoming.	1st Quarter 2024	Wyoming State Bar UW Law School Court Administration	Medium	High	In Progress	Interim topic of JJC.	
Objective 1 - Access to Justice	Facilitate a mentoring program for attorneys.	3rd Quarter of 2024	Wyoming State Bar Chief Justice	Medium	Medium	In Progress	Unsure of court admin role.	
Objective 1 - Access to Justice	Explore opportunities for collaboration with the University of Wyoming and the Wyoming State Bar to enhance the skills of lawyers.	3rd Quarter of 2024	Wyoming State Bar UW Law School Chief Justice	Medium	High	In Progress	Unsure of court admin role.	
Objective 1 - Access to Justice	Investigate the possibility of expanding the role commissioners and magistrates play in the courts.	1st Quarter 2025	Judicial Counsel	Medium	Medium	In Progress	Court admin to implement and maintain, if WJC decides to move forward.	
Objective 1 - Access to Justice	Evaluate alternative approaches to resolving domestic relations cases and other cases that involve families.	4th Quarter 2023	Judicial Branch Innovation	Medium	High	In Progress	Court admin to implement and maintain, if WJC decides to move forward.	

Objective 1 - Access to Justice	Explore Family Courts.	4th Quarter 2023	Judicial Branch Innovation	Medium	High	In Progress	Court admin to implement and maintain, if WJC decides to move forward.	
Objective 1 - Access to Justice	Investigate shift of child support cases to the Office of Administrative Hearings.	4th Quarter 2023	Judicial Branch Innovation	Medium	Medium	In Progress	Court admin to implement and maintain, if WJC decides to move forward.	
Objective 1 - Access to Justice	Explore the possibility of hiring staff to screen and triage domestic relations cases.	4th Quarter 2023	Judicial Branch Innovation	Low	Medium	In Progress	Court admin to implement and maintain, if WJC decides to move forward.	
Objective 1 - Access to Justice	Improve the reports judges can use to manage their dockets.	4th Quarter 2023	Technology Committee Court Administration	Medium	Medium	In Progress		
Objective 2- Operations	Develop secondary trauma and well-being programs and services for judicial officers, staff and jurors.	Program = 3rd Quarter 2024 (dependent on funding) Educational sessions underway	HR Committee Court Administration	High	Medium	In Progress	Training occurring at DJ and CJ conferences this spring. Ongoing program TBD.	
Objective 2- Operations	Formalize and fund the use of retired justices and judges to provide assistance as needed.	3rd Quarter 2024 (dependent on funding)	Wyoming Judicial Council Court Administration	High	Medium	In Progress		
Objective 2- Operations	Create formalized education opportunities for employees and judges.	2nd Quarter 2024 and Ongoing	Education Committee Court Administration	Medium	Medium	In Progress	Need Judge input on education plan for employees and Judges.	
Objective 2- Operations	Provide a more robust and effective judicial orientation for new judges.	4th Quarter 2023	Education Committee Court Administration	Medium	Medium	In Progress	Hope to have new orientation format by fall 2023, dependent upon Education Committee.	
Objective 2- Operations	Create a new employee onboarding program.	2nd Quarter 2024	Education Committee/HR Committee Court Administration	Medium	High		Much needed, but will need to be tailored to different positions - clerk, JA, admin, etc.	
Objective 2- Operations	Increase workplace flexibility where possible.	Ongoing/currently under	HR Committee Court Administration	Medium	Medium	In Progress	This is already happening where it can, though we may be able to work with Judges to determine if there's any flexibility in their courts.	
Objective 2- Operations	Maintain adequate compensation for judicial officers and judicial branch employees.	Ongoing	Legislative Relations Committee Court Administration	High	Medium	In Progress		
Objective 2- Operations	Conduct training with judicial officers and court staff on remote interpretation software.	Initial training complete Ongoing	Court Administration	Low	Medium	In Progress	Training has been offered to all courts, and has occurred in some. Use dependent upon court.	
Objective 2- Operations	Continue to provide routine cybersecurity awareness training to all members of the branch.	Ongoing/currently underway	Court Administration	High	Low	In Progress	Members of the Judicial Branch complete monthly training.	Need to clarify if this is just in the IT context or not.



Objective 2- Operations	Upgrade or replace aging infrastructure hardware/software to ensure network security.	Ongoing	Technology Committee Court Administration	Medium	Medium		Network is continuously updated to ensure security. Hardware refresh will be expensive and time-consuming for court admin, but necessary. Decisions on when to refresh, how often, and with what kind of equipment to be made by Tech Committee and WJC.	
Objective 2- Operations	Create uniform cybersecurity and technology standards for the branch.	3rd Quarter 2024	Technology Committee Court Administration	Medium	Medium		Looking at cybersecurity audit by the NCSC. Have some policies in place, but will require review and revision.	
Objective 2- Operations	Centralize administrative functions of the circuit courts as appropriate.	3rd Quarter 2024 (dependent on funding)	Wyoming Judicial Council Court Administration	Low	High		Will determine what functions make sense to centralize based on workload study results, and determine whether staffing is adequate to centralize functions.	
Objective 2- Operations	Create a court services office to better support the judges and their staffs.	Court Services employee = 3rd Quarter 2024 (dependent on funding)	Court Administration	Medium	Medium		Requesting court services position in next budget cycle.	
Objective 2- Operations	Conduct training on problem-solving courts with judges, court staff and other stakeholders.	Ongoing	Court Administration	Medium	Medium	In Progress	Judges received monthly training last fall until attendance fell off a bit. An annual training began last spring, and will continue with a conference in May.	
Objective 2 - Operations **new**	Evaluate and assess security and facility needs for the Wyoming Judicial Branch	Ongoing	JB/JWC/Court Security Commission	High	High		Ensure that members of each branch of government fully understand the high security needs and funding required to attain enhanced security for the Judicial Branch	
Objective 3- Public Trust	Assess public expectations and obtain feedback.	Initial assessment = 2nd Quarter 2024	Wyoming Judicial Council Court Administration	Medium	Medium	In Progress	Discussion of creating a survey for people who come into contact with the court. Could create and distribute fairly easily.	High Medium
Objective 3- Public Trust	Publish annual State of the Judiciary.	Ongoing	Court Administration	Medium	Medium	In Progress		
Objective 3- Public Trust	Educate the public on the accessibility of the Judicial Learning Center and the courts.	When/if PIO is hired	Court Administration	Low	Low	In Progress	Need a strategy to ensure outreach is effective.	
Objective 3- Public Trust	Plan and implement Law Day activities statewide.	4th quarter 2024	Wyoming Judicial Council Court Administration	Low	Low	In Progress	Requesting position in upcoming budget - part of JJC interim topics.	
Objective 3- Public Trust	Secure funding for a public information office for the AOC.	1st Quarter 2024	Legislative Relations Committee Court Administration	High	High	In Progress		
Objective 3- Public Trust	Ensure media coverage of the State of the Judiciary.	Ongoing	Court Administration	Medium	Low	Completed	Currently covered by Wyoming PBS, but we could probably do better.	

Objective 3- Public Trust	Create an outreach strategy.	4th Quarter 2023	Judicial Branch Innovation Court Administration	Medium	Medium	In Progress	Part of mission for JBI this year.	
Objective 3- Public Trust	Train judicial officers and court staff on procedures for entering data and the importance of data quality and integrity.	Training plan = 4th Quarter 2023	Court Administration	High	High	In Progress	Will be working to hire a data trainer. Have consolidated the data team. Creating a data governance policy to be reviewed by WJC. Will need to get feedback from Judges on data that is helpful to them.	
Objective 3- Public Trust	Perform annual audit on data integrity.	3rd Quarter 2024	Court Administration	High	Medium	In Progress	High to create, but effort will taper off once initially created. Need to determine which data should be audited.	
Objective 3- Public Trust	Consider a data access policy for internal and external customers.	4th Quarter 2023	Technology Committee Court Administration	Medium	Medium	In Progress	Will likely be encompassed in the data governance policy.	
Objective 3- Public Trust	Create a data governance policy for the branch.	4th Quarter 2023	Technology Committee Court Administration	Medium	Medium	In Progress		
Objective 4- Funding	Update 10-year budget need projection for IT support and hardware and long-term projection for other areas.	Currently have 10-year projection Ongoing	Court Administration	Medium	Medium	In Progress	Have a 10-year projection. Ongoing task to update.	
Objective 4- Funding	Update the statistical workload model.	Circuit Court = 3rd Quarter 2023 District Court = ?	Court Administration	High	High	In Progress	Will have a final report for the circuit court workload by the end of the July. Need to think carefully about when to request funding for a district court workload study.	
Objective 4- Funding	Develop informational resources to provide to legislators.	Ongoing	Legislative Relations Committee Court Administration	High	High	In Progress		
Objective 4- Funding	Educate members of the judicial branch on operation of the branch so they may convey a consistent message to members of other branches of government.	Immediate and Ongoing	Wyoming Judicial Council Court Administration	Medium	Medium	In Progress		
Objective 4- Funding	Provide civics for legislators course.	Completed in 2023 Ongoing	Wyoming Supreme Court	High	Medium	Completed	Chief Justice Fox and Justice Kautz provided course before 2023 session. Should make it ongoing, if possible?	
Objective 4- Funding	Support court administration in its role as legislative liaison.	Ongoing	Wyoming Judicial Council	High	High	In Progress		

## **Wyoming Judicial Council/Judicial Branch Innovation Communications Plan Outline**

This draft plan will serve as the basis for communications strategies intended to advance the goals of the 2023 Wyoming Judicial Branch Innovation committee, as well as develop the first steps of a wholistic, multi-year communications plan for the entire branch. The plan is intended to raise awareness to make legislators, other justice-system partners, the media, and the public more attuned to the ongoing hard work of the judicial branch.

The plan begins with the assumption that in the near term, staffing resources to support communications efforts are minimal. As staff support resources grow, this plan can be expanded to identify additional strategies and tactics. When a full-time resource joins the team, that person should immediately engage with the national Conference of Court Public Information Officers (CCPIO) to grow their own professional development and to “import” lessons learned from other court PR professionals. It is hard to understate the value of not reinventing the wheel.

This plan identifies five short-term goals. All goals are assumed to be given the same priority.

### **Goal 1: Articulate common messages, identify themes and develop branding to be used throughout the multi-year communications effort**

- Develop fact sheets and talking points for common use by members of the judicial branch
- Prepare a basic toolkit of branding elements for use by a contract designer (or staff) to ensure consistency in the look and feel of products
- Develop messaging that focuses on the role of the courts, their critical role in our democracy, and mechanisms for providing fair, impartial and accountable justice. Clearly articulate that messaging should rarely (if ever) focus on individual cases

### **Goal 2: Support stronger internal communications amongst judges and court staff to build the identity of the branch and promote unification efforts**

- Use technology like Zoom or Teams to host regularly scheduled briefings from the CJ
- Develop internal communications platform for email communications to all judges; funnel key messaging through this platform on an established, consistent schedule
- In an effort to issue-spot and head off conflict, provide opportunity for all members of the judicial branch to share opinions (online form) and feel heard

- Consider developing a database of cell phone numbers that be used to issue text messages for special notices or emergencies
- Begin a system of media monitoring, to note relevant media mentions, and circulate a periodic list of media clips to all members of the judicial branch

**Goal 3: Build awareness of, and buy-in to, the work of JBI with other justice-system partners**

- Identify key liaisons within state bar association and district court clerks association
- Encourage dissemination of JBI communications to these audiences; prepare special, targeted, “what’s in it for me” communications to these audiences as needed
- Identify additional opportunities for engagement following the July listening session

**Goal 4: Enhance public trust and confidence in the state’s judicial system by reaching key target audiences**

- Continue existing public engagement activities, such as traveling oral arguments
- Develop a social media presence that focuses on positive messages that builds awareness and puts human faces on the work of the courts (investiture and robing; anniversaries; professional accomplishments of judges; holidays and special events; etc.)
- Write plain language summaries to accompany Supreme Court opinions, and disseminate the summaries to the public and the media on a routine basis
- Communicate routine work of the courts and special events to local media
- Assist members of the media with locating primary source materials, such as orders, decisions, and other records

**Goal 5: Engage in public education about the state’s existing system of judicial selection**

- Engage with in-state, regional and national partners to raise awareness of pitfalls of other systems of judicial selection, and to build allies who can be called upon at a later date if necessary
- Coordinate messaging with ongoing public trust (Goal 1) themes that focus on how the current system of judicial selection provides fairness, impartiality and accountability of the courts; avoid messages that focus on separation of powers or judicial independence, which are documented to be ineffective with the public

## Rules and Procedures Governing the Access to Justice Commission

### Rule 1. Purpose.

The Access to Justice Commission was established by Court order on December 16, 2008, with a mission to promote fair and equal access to civil justice in Wyoming. The Commission became a standing committee of the Wyoming Judicial Council in 2023. As such, the Commission's purpose is to assist the Wyoming Judicial Council in furthering access to justice initiatives identified in the Wyoming Judicial Branch strategic plan.

### Rule 2. Commission Membership, Meetings, and Voting.

1. Membership. The Access to Justice Commission membership shall be members of the Wyoming State Bar or Wyoming Residents with a demonstrated interest in access to justice. Membership will include the Chief Justice or designee; one district court judge as recommended by the District Court Conference; one circuit court judge as recommended by the Circuit Court Conference; two members of the Wyoming State Bar recommended by the President of the Wyoming State Bar; one representative of the University of Wyoming, College of Law, recommended by the Dean of the College of Law; one clerk of district court as recommended by the President of the Clerk of District Courts' Association, and one circuit court chief clerk as recommended by the President of the Wyoming Association of Circuit Court Clerks; one state senator and one state representative from the Wyoming Legislature recommended, respectively, by the President of the Senate and Speaker of the House; the Wyoming Attorney General or designee; and one Member at Large, selected by the Commission Chair as needed based on expertise necessary to accomplish the Access to Justice Commission's mission.
  - a. Membership terms will be three years.
  - b. Members may serve successive terms, with the approval of any party authorized to designate or recommend such member.
  - c. An Order of the Wyoming Supreme Court making such appointments and reappointments and listing all Commission members shall be published by January 1 each year.
  - d. Officers will be elected at the Annual Meeting.
2. Meetings. The Commission will meet twice a year, and more often as the Chair may determine. The first regular meeting of each calendar year will be the Annual Meeting.

- a. The Commission may complete its work through ad hoc committees staffed by Commission members and non-member stakeholders with particularized expertise.

### **Rule 3. Roles and Responsibilities.**

1. The Executive Secretary will be responsible for:
  - a. The Executive Secretary will prepare and keep the minutes of all meetings. The Chair's Judicial Assistant or the State Court Administrator will serve as the executive secretary.
2. The Commission members will be responsible for:
  - a. The Commission Chair shall be the Chief Justice of the Wyoming Supreme Court or his or her designee. The Chair will be the principal officer and spokesperson of the Commission, will preside at all Commission meetings, and will carry out all other duties as the Commission may authorize or assign; and.
  - b. The Vice Chair will perform the duties and exercise the powers of the Chair when the Chair is absent or unable to act and will fulfill other duties as the Commission may authorized or assign.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

BY THE WYOMING JUDICIAL COUNCIL:

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Kate M. Fox, Chief Justice  
Chair, Wyoming Judicial Council



**LETTER OF TRANSMITTAL**

From the Wyoming Access to Justice Commission's  
ATJ 2.0 Court Navigator Subcommittee

May 19, 2023

Wyoming Judicial Council  
c/o Elisa M. Butler, State Court Administrator  
2301 Capitol Ave.  
Cheyenne, WY 82002  
E-mail: EButler@courts.state.wy.us

Greetings,

The Wyoming Access to Justice Commission's ATJ 2.0 Court Navigator Committee respectfully submits the attached "Recommendation to the Wyoming Judicial Council for Establishment of a Model Dual-Court and Hybrid Court Navigator Program." The Committee is a multistakeholder group consisting of judges, court clerks, court administrators, lawyers, and other experts and interested stakeholders. We appreciate this opportunity to make this proposal and invite any questions from the Council.

The Committee is holding its final meeting on this phase of the project on May 25, 2023. If we have any revisions to the attached recommendation following that meeting, we will send a revised document to you immediately.

The attached document proposes a model dual-court and hybrid court navigator program in the Seventh Judicial District in Natrona County. "Dual-court" means the program would work in both the District and Circuit Courts; "hybrid" means the program would provide in-person and remote services. Based on our conversations with judges, court administration, and court clerks, the Committee believes the model program described in the attached proposal could be implemented during the first quarter of 2024.

If the Wyoming Judicial Council approves this proposal, the Committee believes there are five follow-up issues that could be addressed:

- 1) The Committee has held preliminary conversations with representatives of the Casper College Paralegal Studies Program and the Natrona County Library. The Committee believes these two programs might provide volunteers and other support to the model court navigator program. If the Council approves the attached proposal, the Committee believes discussions should continue with Casper College and the Natrona County Library.
- 2) The Committee recommends continued study of the possibility of AmeriCorps Members serving as volunteers for the model program. See attached proposal at

pp. 12-13. The Committee believes contact with the AmeriCorps Wyoming State Commission, ServeWyoming, would be important.

3) The Committee believes potential funding resources for the administrative component of the court navigator program should be addressed. Funding will be necessary for several functions including training, supervision, facilities, technology, and forms management. We believe there may be resources within the judicial branch, including through Equal Justice Wyoming, and through external sources including federal, state, and philanthropic sources. The Committee recognizes that reliable funding is necessary for an effective and sustainable court navigator program.

4) The Committee addressed necessary facilities and support in the attached proposal. See attached proposal at pp. 11-12. However, the Committee believes the ability to provide remote services is particularly important and if the Council approves the model program proposal, the Committee recommends that equipment resources, office space, and other items necessary to provide remote services should be identified.

5) The Committee believes there are several documents and “best practices” that should be developed to ensure a successful court navigator program. If the Council approves this proposal and wants additional input from the Committee, the Committee could draft:

A) Job Descriptions for Navigators and Navigator Supervisors;

B) Agreements that Self-Represented Litigants (“SRLs”) would sign before engaging with Navigators, explaining the role and limitations of the court navigation program;

C) Feedback forms that SRLs would complete at the conclusion of their contact with Navigators; and

D) Recommendations for webpages and printed materials to inform the public of the court navigator program.

The Committee is pleased and proud to present this proposal to the Wyoming Judicial Council at the conclusion of this phase of our work. We thank you for your consideration and invite any questions or comments from Council members. We stand ready to address any additional tasks identified by the Council.

Respectfully submitted,

Wyoming Access to Justice Commission’s  
ATJ 2.0 Court Navigator Committee

***RECOMMENDATION TO THE WYOMING JUDICIAL COUNCIL FOR  
ESTABLISHMENT OF A MODEL DUAL-COURT AND HYBRID  
COURT NAVIGATOR PROGRAM***

Dated as of May 19, 2023

Prepared and Submitted by the Wyoming Access to Justice Commission's  
ATJ 2.0 Court Navigator Committee

Committee Members:

Hon. Lynne Boomgaarden, Justice, Wyoming Supreme Court  
Hon. Kerri M. Johnson, District Court Judge, Seventh Judicial District  
Hon. Bobbi Overfield, District Court Judge, Fifth Judicial District  
Hon. Catherine E. Wilking, District Court Judge, Seventh Judicial District  
Hon. Timothy C. Day, District Court Judge, Ninth Judicial District (Retired)  
Hon. Nichole Collier, Circuit Court Judge, Seventh Judicial District  
Hon. Shelley Cundiff, Circuit Court Judge, Fourth Judicial District  
Hon. Paul Phillips, Circuit Court Judge, Sixth Judicial District

Jill Kiester, Clerk of Court, Seventh Judicial District Court  
Janet K. Montgomery, Clerk of Court, Ninth Judicial District Court  
Jennifer Beeston, Chief Clerk, Circuit Court of the Second Judicial District  
Wendy Sutherland, Chief Clerk, Circuit Court of the Ninth Judicial District  
Elisa Butler, State Court Administrator, Administrative Office of the Courts  
Lisa Finkey, Chief Education Officer, Administrative Office of the Courts

Anna Olson, Attorney at Law and President-Elect of Wyoming State Bar

Tawnya K. Plumb, Director, George W. Hopper Law Library, Univ. of Wyo. College of Law

Kristie Gordy, Senior Legal & Policy Analyst and IV-D Director, Dept. of Family Services

Angie Dorsch, Executive Director, Equal Justice Wyoming  
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## EXECUTIVE SUMMARY AND FOUNDATIONAL PRINCIPLES

Judges and clerks of Wyoming State District and Circuit Courts report large numbers of self-represented litigants (“SRLs”) appearing in Wyoming Courts. SRLs appear in many different types of cases including but not limited to family law cases in District Court and small claims cases in Circuit Court. While Wyoming judges and clerks have experience, training, and expertise addressing cases involving SRLs, cases with one or more SRLs can impair the efficiency of court systems and outcomes.

Based on these conditions, in its Fiscal Year 2023-2024 Strategic Plan, the Wyoming Judicial Branch identified the priorities of “[p]roviding resources for [SRLs] to assist in accessing and navigating the court system” and “[e]stablish[ing] a court navigator program for the judicial branch.”<sup>1</sup>

Many SRLs do not understand basic court processes. Wyoming’s Civil Needs Assessment published in August 2020 confirmed that the leading barrier faced by SRLs in court is “trouble understanding court rules and procedures.”<sup>2</sup> Court Navigators operating under a robust Court Navigator Program would give SRLs functional information about court processes and will improve access to justice for SRLs.

Over the past nine months, the Access to Justice Commission’s ATJ 2.0 Multistakeholder Court Navigator Committee (“Committee”) has studied self-help centers, court navigator programs, and other similar resources available in jurisdictions outside Wyoming. The multistakeholder group includes judges, court clerks, and many other contributing parties.

In basic terms, a court navigator gives SRLs information about court processes, assists with forms, and makes referrals to legal and other assistance. Court Navigators help put SRLs in position to handle their own legal matters. Navigators provide these services in person, face-to-face with SRLs, and remotely by telephone, e-mail, text messaging, and video.

The Committee supports the Wyoming Judicial Branch’s strategic priorities and, having completed this study, concludes that a Model Dual-Court and Hybrid Court Navigator program would benefit Wyoming’s judicial system. “Dual-Court” means the program would include

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<sup>1</sup> Plan at 2, available at: <https://www.courts.state.wy.us/wp-content/uploads/2023/01/2022-Judicial-Branch-Strategic-Plan.pdf>

<sup>2</sup> Executive Summary (August 2020) at 4, available at: [https://www.courts.state.wy.us/wp-content/uploads/2020/09/20200827\\_LAW\\_ExecSum\\_FINAL.pdf](https://www.courts.state.wy.us/wp-content/uploads/2020/09/20200827_LAW_ExecSum_FINAL.pdf); see also “Wyoming Civil Needs Assessment,” Full Report (August 2020) available at: [https://www.courts.state.wy.us/wp-content/uploads/2020/09/20200827\\_LAW\\_FinalReport\\_FINAL.pdf](https://www.courts.state.wy.us/wp-content/uploads/2020/09/20200827_LAW_FinalReport_FINAL.pdf)

District and Circuit Courts. “Hybrid” means the program would provide in-person and remote services.

Specifically, the Committee believes a Navigator program would benefit Wyoming courts, SRLs, and all participants in Wyoming’s court system, including represented litigants, because of the overall improvement in efficiency that will be gained from Court Navigator activities.

a. The Committee identified four foundational principles for its study, analysis, and recommendations. These principles guided the Committee’s work:

1) The Court Navigator Program is designed for the mutual benefit of self-represented litigants and courts.

2) Navigators act as guides who provide information but never provide legal advice, analysis, or advocacy. Strong guidance documents should be developed to clearly define the Navigator role.

3) The Court Navigator Program will complement, and not duplicate, services and resources already provided by existing entities, including Court Clerks.

4) The Court Navigator Program will focus on pre-appearance filing, preparation, and referral.

b. Based on these principles and our research and analysis, the Committee makes this proposal to the Wyoming Judicial Council for establishment of a Model Dual-Court and Hybrid Court Navigator Program.

## **BACKGROUND AND COMMITTEE PROCESS**

The Wyoming Access to Justice Commission established the Access to Justice 2.0 (“ATJ 2.0”) working group in April 2022. ATJ 2.0 was charged with identifying obstacles to access to justice and removing those obstacles. Initially, ATJ 2.0 identified several issues it would study; this included examining court navigator programs that exist across the country with a goal of determining if a navigator program would benefit Wyoming’s citizens and judicial system. ATJ 2.0 formed the Court Navigator Committee in July 2022. Initially, the Committee was a small team, but it quickly expanded to include representatives of key stakeholder groups. The Committee was fully constituted, as listed on the first page of this document, in early February 2023.

Committee members represented and communicated with various stakeholder groups including District and Circuit Court Judges, District and Circuit Court Clerks, Court Administration, and others.



The Committee analyzed existing navigator and self-help programs in other states and jurisdictions.<sup>3</sup> Committee members held in-depth conversations and interviews with their stakeholder groups to gather information from around the state. We also assessed Wyoming's existing programs, including victim/witness programs and family violence/sexual assault victim advocates,<sup>4</sup> but ultimately determined those programs are not analogous to court navigator programs.

In addition to research, analysis, and internal discussions, we communicated and met with Mary McClymont, a Senior Fellow at the Georgetown University Law Center's Justice Lab and a national expert on court navigator and self-help centers. In 2019, Ms. McClymont led a team at the Justice Lab who authored a comprehensive report on court navigator programs across the country.<sup>5</sup> Ms. McClymont is continuing her work on these issues and provided us with information on other jurisdictions' programs. She is currently updating her 2019 report and remains willing to work and communicate with our Committee.

We also met with Professor Tawnya Plumb, Director of the George W. Hopper Law Library at the University of Wyoming College of Law. Prof. Plumb has studied and published articles on the connections between libraries and access to justice issues. She has visited public libraries around Wyoming, has trained librarians on legal information issues, and can provide on-going guidance on how we might utilize various library resources around the state.

## **BENEFITS OF A WYOMING COURT NAVIGATOR PROGRAM**

Mary McClymont identified four general benefits of navigator programs across the country. Effective navigator programs:

- enhance the effectiveness of, and build public trust in, the courts;
- facilitate access to justice for SRLs by helping them understand and navigate their cases;
- provide an additional opportunity for justice advocates to supplement their own client services while freeing lawyers to operate “at the top of their licenses”; and

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<sup>3</sup> Appendix A is the Committee's summary of other programs. Appendix B is a list of Frequently Asked Questions (FAQs) and responses.

<sup>4</sup> See, e.g., Wyo. Stat. Ann. § 1-12-116.

<sup>5</sup> “Report: Nonlawyer Navigators in State Courts: An Emerging Consensus” (McClymont 2019; “McClymont Report”); available at:

<https://www.srln.org/system/files/attachments/Final%20Navigator%20report%20in%20word-6.11.hyperlinks.pdf>

- enable an array of community actors to better understand the plight of SRLs and to help SRLs manage the often unfamiliar and daunting court process.

Our research and analysis have shown that a Court Navigator Program in Wyoming would help provide individuals meaningful access to judicial branch information, education, guidance, and support, to the benefit of the Wyoming court system. Navigators will help SRLs understand and appropriately contribute, participate in, and pursue their legal matters. Additionally, Navigators will increase the likelihood that SRLs submit timely and complete filings, as well as help SRLs identify other appropriate and available legal and nonlegal resources.

In addition to these benefits, the Committee believes the Court Navigator Program will benefit Judges, Clerks, and other judicial employees by giving SRLs a foundational understanding of court processes. An effective Navigator will reduce the burden on Judges, Clerks, and others to explain basic processes to SRLs. This program will also give Judges, Clerks, and their staffs the ability to refer SRLs to a reliable resource—a Court Navigator—to improve the efficiency and effectiveness of SRLs’ participation in legal processes.

### **MODEL DUAL-COURT AND HYBRID PROGRAM DESCRIPTION**

The Committee recommends the following Court Navigator Program to the Wyoming Judicial Council. We begin with four preliminary matters.

1. The Committee recommends a “dual-court program,” providing assistance for both State District Courts and State Circuit Courts. We recognize District Court cases present different issues from Circuit Court cases, but we believe a unified Navigator program would be beneficial to both courts.
2. The Committee recommends that the program be “hybrid” in nature, meaning the program will involve individual navigators meeting self-represented litigants in person, as well as a remote component allowing self-represented litigants to receive assistance by video, e-mail, chat/text messaging, or telephone.
3. The Committee recommends that the Wyoming Judicial Council start with a model Court Navigator Program in one county. Mary McClymont noted: “Creating pilots is a good way to explore and refine navigator program operations, as well as to secure buy-in from judges and court staff, the bar, and other relevant stakeholders.”<sup>6</sup> We agree. A model program would (1) allow for revisions and improvements before the program expands to other counties, and (2) provide baseline data on costs and resource needs before the dedication of long-term resources and the seeking of funding. We note here that, for the duration of the model project, the remote

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<sup>6</sup> McClymont Report at 7, point 2.

elements of the Navigator program are intended to be used by parties unable to go to the courthouse in person and those parties who are located outside the county but who have cases in the jurisdiction with the model program. The Committee believes that including a remote component to a model program will be instructive for the future as the program expands to provide remote assistance to SRLs in smaller jurisdictions where an in-person Navigator may not be feasible.

4. The Committee recommends that the Court Navigator Program not be income-based. That is, the Court Navigators should work with SRLs regardless of any SRL's income level. According to District and Circuit Judges, SRLs span the income spectrum, particularly in small claims and family law. The reasons SRLs represent themselves vary but the strain on court and clerk resources is the same regardless of income class. Therefore, the Court Navigator Program will not require SRLs to complete financial affidavits or otherwise income-qualify for services. As needed, low-income SRLs can be referred to income-based services.

As described below, the Committee recommends that the model program be initiated in the Seventh Judicial District in Casper and Natrona County.

#### **Oversight/Supervision — Court Administration**

Early in our work on these issues, the Committee determined that a successful Court Navigator Program in Wyoming should be administered and supervised by the Administrative Office of the Courts. State Court Administrator Elisa Butler and Chief Education Officer Lisa Finkey represent the Administrative Office of the Courts on the Committee. Locating this program within the judicial branch would not be unusual. Nine western states have self-help programs located within and funded by their state's judiciary.<sup>7</sup> There are more across the country. Court navigator programs are a growing trend nationwide, in more than 26 states, and many of those are likewise housed within court systems, although there are other models. Locating this program in Wyoming's judicial branch offers a variety of benefits and is appropriate for Wyoming's unique characteristics.

Ms. Butler provided the Committee with a comprehensive list of issues that should be addressed as part of the creation of a Court Navigator Program. The list included: supervision, recruitment, training, outreach and marketing, technology, data collection and program evaluation, physical/office space needs, and HR issues. Those topics are discussed in detail below.

The Committee recognizes that consistent staffing will be important to a successful Court Navigator Program. SRLs will rely on the Navigator program and Navigators must be available

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<sup>7</sup> Appendix A, attached.

when advertised. The Court Navigator Program should strive to have back-up staffing available, rather than relying on a single Navigator, even during the model program.

Ideally, program hours will be convenient and accessible for SRLs. While there would be some advantages to having a Court Navigator in a courthouse during business hours, it could be important to have a Navigator available after regular business hours so SRLs have access to a Navigator without having to miss work. Public libraries may be good venues for Navigators to offer evening hours.

State and federal labor laws must be followed by the Court Navigator Program.

The Committee recognizes this proposal depends heavily on Court Administration staff and resources for the model phase of the program. Ms. Butler has informed the Committee that administrative staffing can be provided for a model program. It is noted that a model program will allow Court Administration to estimate and advise on the fiscal cost of a permanent program.

As discussed in detail below, the Committee contemplates that the model program may initially be staffed with volunteer navigators. Other jurisdictions are successfully working with volunteers to staff their programs, including AmeriCorps volunteers, students, seniors, and retired judges and lawyers. Partnerships with existing community resources for the model program (and any expanded program) are possible, such as with community college paralegal programs, local libraries, University of Wyoming law students, social workers, student social workers, and others. However, the program may ultimately need to employ paid Navigators, and this option should be considered when evaluating the model program's effectiveness.

### **Scope of Services and Ethics**

A Court Navigator must never give SRLs legal advice and must never advocate for SRLs inside or outside of the courtroom.

Navigators may provide the following to SRLs:

- Basic procedural information;
- Explanations of case status and court processes;
- Assistance selecting and reading court forms;
- Referrals to entities and services such as the Wyoming State Bar lawyer referral service, the State Bar's Modest Means program, other legal services organizations, libraries, Wyoming Child Support Services, social service organizations, and nonprofit groups; and
- Referrals to web-based resources.

Additional details on these points are provided below.

Navigators should clearly explain program parameters to SRLs at the beginning of any meeting, whether in person or remote. The Committee recommends that the Navigator program develop forms and guidance documents explaining the scope and limits of services. Scripts should also be developed that explain general legal processes, procedures and courtroom demeanor. Any documents should be written in plain language, avoiding legal jargon.

Navigators should be familiar with, and receive training on, local and statewide resources and services so they can make helpful referrals.

Navigators should explain to SRLs that, while meetings with Navigators are free, pursuing a legal matter in the courts will likely result in court costs that must be paid by the SRL.

Because Court Administration will supervise the Navigator program, the public will see the court system as responsible for program operations. Services must be neutral and professional.

The Committee notes that there could be circumstances when a Navigator might be asked to assist SRLs and represented parties who arrive together seeking help in some capacity. This issue is addressed below.

Navigators should read and understand the Wyoming Rules of Procedure Governing Unauthorized Practice of Law.<sup>8</sup>

The Committee recognizes the possibility that an SRL could be aggressive or even abusive towards a Navigator. In such a case, a Navigator should have complete discretion to immediately discontinue all services and contact with the SRL. Procedures, both emergency and to document these events, should be developed for use in these circumstances.

Navigators should make clear to SRLs that Navigators are **not** responsible for the outcome of an SRL's case. It is the SRL's responsibility to make sure all appropriate forms are completed and timely filed as required by the rules of procedure and other law. The performance of Court Navigators and the Court Navigator Program should not be assessed based on the success or failure of SRL cases.

### **Navigator Job Description**

Navigators will interact directly with SRLs. As such, Navigators must have strong communication skills. They should be professional and respectful to SRLs.

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<sup>8</sup> UPL Rules available at: <https://www.courts.state.wy.us/supreme-court/court-rules/>

As described above, Navigators must have a complete understanding of the difference between legal information (which Navigators should give to SRLs) and legal advice (which Navigator must not give to SRLs).

Navigators are expected to provide the following:

1. Education and assistance with court processes
  - Help SRLs understand court processes and policies
    - ◊ explain how to appear in courtroom hearings including required procedure and etiquette
    - ◊ explain document filing, rules, and definitions
    - ◊ explain public computer terminal use and, when the rules require, e-filing
  - Explain the roles of people in the courtroom
  - Explain steps in specific case types, including opportunities for resolution
  - Explain what to expect after a filing occurs
  - Explain, in general terms, what the court can and cannot resolve
  - Explain the range of possible outcomes so a litigant has realistic expectations from the beginning
  - Educate litigants about the role of formal and informal mediation, encourage trust in the mediation process, and help litigants understand how to retain, work with, and prepare for a mediator
  - Educate litigants about the role of Guardians ad Litem (“GALs”), what GALs do, how GALs can move a case to resolution without additional court time, and how GALs can decrease the stress on the family (The Committee recognizes that SRLs may not be able to afford the services of a GAL.)
2. Preparation
  - Help litigants organize paperwork
  - Help litigants complete appropriate pro se packets/court forms, including by providing definitions and more explanation and detail than clerks can currently provide
  - Help litigants complete appropriate court filings
  - Explain to litigants how to file (including e-filing when available) and serve documents. Specific areas identified include:
    - ◊ Protection orders
    - ◊ Small claims
    - ◊ Name changes
    - ◊ Domestic relations
    - ◊ Summons and service of process procedures (Navigators will direct SRLs to the appropriate entity to serve documents; Navigators will not serve documents.)
  - Help litigants manage expectations
3. Direction to available and appropriate resources (legal and nonlegal)
  - Provide information on the Wyoming State Bar lawyer referral service
  - Provide information on the Wyoming State Bar Modest Means program



- Provide information on Limited Scope Representation
- Provide information on Wyoming Free Legal Answers
- Provide information on Equal Justice Wyoming services
- Provide information on Legal Aid of Wyoming services
- Provide referral to other relevant agencies or services
- 4. Communication, coordination, and collaboration
  - Coordinate with Clerks' Offices and Court Administration to identify needs and priorities
  - Develop and maintain strategic relationships and partnerships with key stakeholders
  - Conduct public outreach to increase awareness of the Navigator program
- 5. Other required tasks
  - Attend meetings and trainings
  - Maintain files and manage internal data and work records (See the Data Collection section, below.)
  - Complete duties as assigned by Judges and Clerks' Offices (This needs to be developed, but it could provide flexibility for Judges and Clerks' Offices to adapt the program to benefit individual courthouses.)
- 6. Contact with Represented Parties
  - Navigators should avoid contact and communications with parties represented by attorneys. However, the Committee recognizes there could be situations when Navigators are asked to assist an SRL in the presence of a represented party.
  - For example, an SRL could ask a Navigator for assistance with a court form and the SRL could be accompanied by a represented party.
  - In such a case, the Navigator must notify the party's attorney immediately.
  - Because Navigators do not represent SRLs, no conflict of interest will be created vis-à-vis parties adverse to SRLs. Navigators will not act adverse to an SRL's adverse party.

## **Training**

The Committee is in agreement that Court Administration should oversee the training and mentoring of Navigators. The training should include instruction on the scope and limitations of the Navigators' work, ethical issues, program policies and documents, and data collection.

All training should make clear that the Navigator is not responsible for the outcome of any case.

Training should stress that Navigators must endeavor to avoid contact and communications with parties represented by attorneys. However, the Committee recognizes there could be situations when Navigators are asked to assist an SRL in the presence of a represented party. For example, an SRL could ask a Navigator for assistance with a court form and the SRL could be accompanied by a represented party. Policies and procedures must be developed so Navigators can

be trained to handle such situations ethically. These policies should include the requirement that the Navigator notify the represented party's attorney.

Training should stress that Navigators do not at any point or in any capacity represent SRLs. It is important to emphasize that no conflict of interest will be created vis-à-vis parties adverse to SRLs, and that Navigators do not act adverse to an SRL's adverse party.

### **No Liability for Navigators or Program**

Because the Court Navigators will not give legal advice or represent SRLs, liability and insurance issues faced by lawyers will not apply to the Navigators or the Navigator program as a whole. Unauthorized practice of law rules should never be triggered because Navigators will be trained not to practice law.

Mary McClymont recognized that because navigators "do not act or operate under an attorney/client relationship, [there is] no 'traditional professional liability' accruing to the navigators, the entities under which they operate, nor to their supervisors, even if the supervisors happen to have law degrees."<sup>9</sup>

The Committee recommends development of an intake agreement that describes the roles and limitations of the Court Navigator in plain terms. The agreement should be explained to and signed by the SRL and should include a provision disclaiming any liability for the Navigator or the Navigator Program.

The Committee believes that a robust training program for Navigators, clearly defining the role of the Navigator, is essential for ensuring the Navigators and the Court Navigator Program do not exceed their limited roles.

### **Data Collection by Navigators and Program Evaluation**

In order to evaluate and improve the Court Navigator Program, Court Administration should require regular and comprehensive reporting by Navigators on the services they provide. Addressing this issue, Mary McClymont wrote: "Securing good data to measure and determine the results of navigator programs is vital to making wise program decisions and sustaining or expanding operations. Both financial resources and leadership commitment are needed to make this happen."<sup>10</sup>

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<sup>9</sup> McClymont Report at 12.

<sup>10</sup> *Id.* at 7, point 4.

The Committee recognizes that data collection will be critical to successful requests for long-term funding and community/stakeholder support.

### **General Data Collection Issues**

A standard intake/record form should be developed and should require the Navigators to collect the following information for all SRLs they meet:

- SRL's demographic data;
- Amount of time the Navigator spent with the SRL;
- Amount of wait time the SRL experienced before meeting with the Navigator;
- Case type;
- Procedural status of case;
- Titles of any court forms provided to the SRL; and
- Any referrals made by the Navigator to the SRL.

Information should be collected in an electronic format that can be easily compiled and retained.

Personal identifying information such as names or email addresses may be collected for check-in or scheduling purposes; but the Navigator must keep the information separate from the data collection described above, and it should be kept confidential.

### **Data Collection During Model Phase of Program**

During the model program, the Committee believes Judges, via their staff as they see fit, in the jurisdiction with the model program should collect data on the program. Court Administration should ask those Judges to track how many proposed orders/requests they send back because they are insufficient, how many times that occurs for each case, how many status conferences Judges hold to get deficiencies resolved when a "bounce back" letter doesn't work, and the quality of the proceeding when SRLs appear in court unprepared.

Court Administration should review data collected during the model program.

### **Physical/Office Needs**

If the Wyoming Judicial Council decides to implement a model program, Court Administration should work with the jurisdiction with the model program on office/desk space for in-person meetings between Navigators and SRLs. Court Administration should also manage needs for remote operations, including video conferencing capabilities.

### **Remote Contact and Technology**

Remote operations will require computer(s), internet access, telephone(s), and a space for Navigators to use that equipment. The Committee recommends that Court Administration establish a state-wide toll-free telephone number from the outset of the program rather than rely on a local

number for the jurisdiction with the model program. The Committee also recommends establishing a general or common e-mail address for the program that can continue to be used as the model program expands to other jurisdictions in Wyoming.

### **Recommended Model Program Location**

The Committee recommends that the Wyoming Judicial Council consider starting the Court Navigator model program in the Seventh Judicial District in Casper and Natrona County. Committee members from the Seventh Judicial District have been strong supporters of the Committee's efforts, and we believe Casper and Natrona County are ideally sized for the initial Navigator program.

The Committee is grateful to the representatives of the Seventh Judicial District for their support of this proposal.

### **Staffing**

The Committee believes the model navigator program may initially be staffed with volunteers. Committee members have made initial contact with the Casper College paralegal studies program and the Natrona County Library about the model program proposal and the possibility of volunteer assistance through those programs. If the Wyoming Judicial Council decides to move forward with the model program, the Committee is ready to continue those conversations.

The Committee also notes that in many self-help centers across the country, court navigator positions have been effectively filled by AmeriCorps Members.<sup>11</sup> AmeriCorps is a federal volunteer program established in 1993 with a mission "to improve lives, strengthen communities, and foster civic engagement through service and volunteering."<sup>12</sup> AmeriCorps is an umbrella organization for several types of nationwide volunteer service programs.

If AmeriCorps resources will be used for staffing Wyoming's Court Navigator Program, the AmeriCorps State system would likely be the most suitable option. AmeriCorps State Members are adult volunteers who commit to serving with a non-profit or government entity for one year. It is possible to use AmeriCorps Members in part-time roles, but full-time service would likely be best for recruiting and retaining Members to serve as navigators.

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<sup>11</sup> For example, Justice for Montanans is a well-established and well-respected program that uses AmeriCorps volunteers in court navigator roles. <https://www.mtlsa.org/ameri-corps-state-justice/>

<sup>12</sup> <https://americorps.gov/about>

There are a few methods for establishing AmeriCorps State programs. The most common method is to become a sub-grantee of an AmeriCorps State Commission. Wyoming's State Commission is ServeWyoming.<sup>13</sup> Funding opportunities through ServeWyoming are fully open once every three years; in the intervening two years, funding for new programs may or may not be available. The next fully-open competition year will be 2026. Selected programs are granted between 5 and 50 Member "slots" (i.e., positions for which Members can be recruited). Each slot is funded at approximately \$20,000 for the service year (to cover a modest living allowance for the Member as well as some administration costs). Non-federal matching funds, including in-kind, must be provided at a rate of 24% of the program operating costs.<sup>14</sup>

The Committee has identified several advantages of staffing through AmeriCorps:

- AmeriCorps Members are likely to be enthusiastic volunteers who are interested in learning more about courts, legal processes, and justice before attending law school.
- Members commit to serving full-time for a year with their service role as their top priority.
- Recruitment and training can be streamlined with a regular, annual schedule; and a new corps of volunteers begins service together each year.
- Some funding for administration costs is included in the grant from ServeWyoming.
- Current staff members of the Supreme Court have experience managing an AmeriCorps program.

There may be disadvantages to staffing through AmeriCorps:

- AmeriCorps Members are likely to be relatively new to the professional world and may require extra management and support.
- From one year to the next, applicant pools vary widely. Therefore, there is never a guarantee that all navigator positions will be filled.
- Funding through ServeWyoming will require non-federal matching funds.

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<sup>13</sup> <https://servewyoming.org/>

<sup>14</sup> Instructions available at: <https://servewyoming.org/wp-content/uploads/2022/02/2022-rolling-SERVEWYOMING-AMERICORPS-CONCEPT-PAPER-INSTRUCTIONS.pdf>

- Partnership with AmeriCorps and ServeWyoming adds two layers of requirements and restrictions, as well as potential for changes in oversight structure.

If the Judicial Council approves this model program proposal, the Committee recommends that it continue investigating volunteer possibilities including the Casper College, Natrona County Library, and AmeriCorps programs.

### **Funding, Fiscal, and Human Resources Considerations**

The Committee recognizes that funding issues will be substantial in the model program phase of the Navigator program and will remain significant as the program expands after the model program phase.

#### **Model Program Phase**

As noted above, the Committee recognizes management of the model program will rely on Court Administration staff and resources. The Committee is thankful to Court Administration for their support of this proposal.

Based on conversations with Court Administration and other resources within the judicial branch, we believe organizational, oversight, and training staff can be provided from existing Judicial Branch staff for a model program, thereby obviating the need to seek new resources at this time. The Committee will continue to discuss these issues with Court Administration to develop cost estimates for the model program. In addition, the Committee will continue to investigate funding opportunities, such as grants for the model program. The model program phase may rely upon volunteers to serve as Navigators.

#### **Expanded Program**

When the model program expands to a statewide Court Navigator Program, the Committee believes permanent funding will be needed for Court Administration staff, advertising/outreach, instructional materials, and the computer, telephone, videoconference, and office/desk space requirements identified above. These requirements may require state funding if other sources of funding and support are not identified. Information and data collected during the model program is expected to inform a budget request and related stakeholder engagement.

The Committee will continue investigating possible grant funding to support a permanent program. Reliable funding will be required for a robust and sustainable state-wide program. Jurisdictions outside Wyoming have successfully used AmeriCorps funding and other governmental or private grants for, or as part of, their financial support.<sup>15</sup>

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<sup>15</sup> See Appendix A.

## **CONCLUSION**

For all the reasons explained above, the Wyoming Access to Justice Commission's ATJ 2.0 Court Navigator Committee respectfully recommends that the Wyoming Judicial Council approve and implement a Model Dual-Court and Hybrid Court Navigator Program in Natrona County. The Committee would be happy to respond to any questions or comments about this recommendation from the Wyoming Judicial Council or any other entity.

The Committee would be happy to provide any additional information requested by the Wyoming Judicial Council and will conduct any additional research requested by the Council. The Committee has suggested that Court Administration develop forms and policies addressing certain program functions. Committee members would be happy to assist with the development of those documents.

We thank the Wyoming Judicial Council for its consideration.

## APPENDIX A

### **Overview of Court Navigator Programs and Self-Help Centers:**

There are two major types of programs assisting self-represented litigants (“SRLs”). Many state judicial branches, and a few federal courts, have dedicated self-help centers, housed within the judicial branch.<sup>i</sup> A more recent addition are court navigator programs which can either serve the role of a self-help center or complement existing self-help centers. Both types of programs share similar characteristics, namely to share legal information, assist with forms, and make referrals. The Court Navigator Committee uses the nomenclature of court navigator to refer to both types of programs.

Court navigator programs are in use in various forms in what the Committee estimates to be more than half of the states. In general, these programs use nonlawyer “navigators” to assist SRLs with basic civil legal problems. The basic framework is to provide legal information (not legal advice), assist in filling out forms, and make referrals to other resources. Some programs also intermix lawyers within their staffing and some use specially licensed or certified paraprofessionals. The specific nature of each program varies between the states, each tailoring their programs to the needs of their state’s courts and topic areas with the most SRLs. Some programs have focused on single areas of the law, primarily family law. Some programs include multiple case types in other discrete areas such as housing, debt collection, small claims, guardianships/conservatorships, and protection orders.

Navigators often operate physically within a courthouse to provide direct person-to-person assistance to SRLs. The navigators’ responsibilities vary depending on the program, but they generally provide SRLs with legal information and guide them through the steps of the court process. Specific responsibilities have included helping SRLs fill out pro se forms; providing information about the courthouse, court procedures, and what to expect at a hearing, after a hearing, or after something is filed; referring to additional self-help resources and legal aid providers; and identifying options about practical and procedural issues. Some navigators also help SRLs find their way around the courthouse and attend court proceedings.

These are a few examples, but not a comprehensive list.

**Alaska.** Alaska has two programs of note. First, it established a Family Law Self-Help Center.<sup>ii</sup> It uses a webpage and a staffed call center, accessible by anyone across that state’s geographically isolated regions, for family law matters. SRLs can obtain forms with detailed information for each stage of their case and view short educational training videos about discrete topics. The Center’s toll-free helpline is the direct vehicle for SRLs to contact staff members, discuss their case, and receive help with filling out forms.

Alaska also has a new, award-winning court navigator program. It uses medical and social service providers in rural and tribal communities to give legal information and make referrals. Many of these communities have no attorneys at all. The state bar flies pro bono attorneys for a legal clinic in remote communities periodically, but according to the pro bono coordinator, this



new navigator program using people already in the community, and who have the cultural familiarity in the tribal communities, is a game changer for the better.

**Massachusetts.** Massachusetts established Court Service Centers to help SRLs navigate the court system in a limited variety of civil legal matters beyond just family law.<sup>iii</sup> The Court Service Centers answer basic questions, help with court forms, give information about court rules, procedures, and practices, and connect SRLs with community resources.

**Colorado.** In Colorado, a robust Family Court Facilitator program hired “facilitators” for each judicial district to provide individual case management and coordination.<sup>iv</sup> These facilitators offer a broad variety of assistance, which includes conducting status conferences, assisting parties with identifying disputed issues and options for resolution, helping parties exchange necessary information, and preparing cases for judicial officers. Colorado also has a separate program called the Self-Represented Litigant Coordinator Program, available by phone and by appointment only, for assistance in five areas of law.<sup>v</sup> The Program Coordinator helps the public with general questions, information, resources, forms, and instructions related to civil matters, whether a case already exists or not. They also educate individuals on state statutes, rules, policies, and procedures that may be applicable (within legal limitations).

**Utah.** Utah also has two programs. The first program was a self-help resource center within the state law library. For many years, the law library was just a place for lawyers and judges. A recent, but now retired, law librarian re-envisioned the law library to be more forward facing, meaning facing the public. It launched an in-person and telephone help desk, where SRLs can go in person for legal information, assistance with forms, and referrals to other resources. That center is staffed by the law librarians.

Utah then launched a statewide Self-Help Center.<sup>vi</sup> It is staffed by attorneys. It is by telephone, chat, and email only and operates statewide. The staff attorneys work largely from home. While it is staffed by attorneys, the service is limited to legal information (not legal advice), assistance with forms, and referrals. When a question warrants legal advice, the staff attorneys reach out to the “Lawyer of the Day” which is a volunteer lawyer. The staff attorney flags the advice needed to the Lawyer of the Day. Then the staff attorney connects the client with the Lawyer of the Day. The Self-Help Center also manages the self-help portion of the judicial branch’s webpage, supervises, and coordinates the forms management committee, and travels periodically around the state to continue to raise awareness about the center and educate clerks offices and other stakeholders about the line between legal advice and legal information.

Utah’s self-help center modeled itself after Alaska’s program due to the similar geographic characteristic of one urban center and large areas of rural and remote areas.

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<sup>i</sup> Nine of fifteen nearby states have self-help centers housed within their judicial branch:  
Utah's Self Help Center, <https://www.utcourts.gov/en/self-help/services/contact.html>;  
Montana's Court Help Program is located in 11 courthouses, <https://courts.mt.gov/selfhelp/>;  
Idaho's Court Assistance Office, <https://courtselfhelp.idaho.gov/>;  
California has three types of centers: (1) Self-Help Centers, (2) Family Law Facilitators, and (3) Small Claims Legal Advisors, <https://www.courts.ca.gov/selfhelp-courtresources.htm>;  
Arizona's self-help centers, <https://www.azcourts.gov/selfservicecenter/Locations> and <https://www.cochise.az.gov/241/Superior-Court-Self-Help-Center>;  
Colorado's self-help centers, [https://www.courts.state.co.us/Self\\_Help/center.cfm](https://www.courts.state.co.us/Self_Help/center.cfm), and Self-Represented Litigant Coordinators, [https://www.courts.state.co.us/Self\\_Help/information.cfm](https://www.courts.state.co.us/Self_Help/information.cfm);  
Kansas has a self-help center at the courthouse in Kansas City, <https://www.wycodistrictcourt.org/self-help-center>, and a Family Law Self-Help Center in Wichita: <https://www.dc18.org/family-law-self-help>;  
North Dakota's self-help center is a division of the State Law Library: <https://www.ndcourts.gov/legal-self-help/contact-us> and <https://www.ndcourts.gov/legal-self-help/about-us>;  
South Dakota's Self-Help Center, <https://ujslawhelp.sd.gov/emailstaff.aspx>.

<sup>ii</sup> Alaska's Self-Help Center: <https://courts.alaska.gov/shc/family/shcabout.htm>.

<sup>iii</sup> Massachusetts' Court Service Centers: <https://www.mass.gov/orgs/court-service-centers>.

<sup>iv</sup> Colorado's Family Court Facilitator program: [https://www.courts.state.co.us/Careers/Description\\_Detail.cfm?Job\\_Description\\_ID=124](https://www.courts.state.co.us/Careers/Description_Detail.cfm?Job_Description_ID=124).

<sup>v</sup> Colorado's Self-Represented Litigator Program: [https://www.courts.state.co.us/Courts/District/Custom.cfm?District\\_ID=14&Page\\_ID=471](https://www.courts.state.co.us/Courts/District/Custom.cfm?District_ID=14&Page_ID=471).

<sup>vi</sup> Utah's Self-Help Center: <https://www.utcourts.gov/en/self-help/services/contact.html>.

## APPENDIX B

### **Wyoming Court Navigator Program - Frequently Asked Questions:**

**What is a court navigator program?** A program that uses specially trained individuals, court navigators, to assist people without lawyers (self-represented litigants or SRLs) in accessing the justice system.

**What does a court navigator do?** A court navigator helps individuals enter and participate in, or navigate, the court system in the context of their cases. A court navigator cannot provide legal advice but assists by providing information and education about the legal system, its processes, and procedures. A court navigator provides guidance, can help find and fill out legal forms, and can provide referrals to legal and non-legal resources for additional services.

**Who can use the court navigator?** Anyone who is not represented by a lawyer.

**Is it income-limited?** No. District and Circuit Court judges see SRLs in all income classes, particularly in small claims and family law cases. The court navigator provides introductory and basic legal information to SRLs. Income-eligible SRLs can then be referred to other income-based legal service providers and the Modest Means program. SRLs who not meet income-based criteria for services can be referred to appropriate other resources.

**What if someone needs something beyond legal information, that cuts closer to legal advice?** Court navigators are trained to provide referrals to appropriate legal services and resources that are available in Wyoming.

**Who pays for it and manages it?** The court navigator program would be administered and managed by the administrative branch of the Wyoming Judicial Branch. Funding streams for the program may vary. Grants and existing access to justice and community resources will likely be used for a model program. Sustainable funding for a statewide program would likely require some level of legislative appropriation through Wyoming judicial branch's budget.

**Are the court navigators paid or are they volunteers?** Court navigators might be paid or they may be volunteers, but all are equally trained and all are required to meet the same standards. Partnerships with existing community resources are being considered: community college paralegal programs, library staff members, University of Wyoming law students, AmeriCorps, and others.

**Are court navigators lawyers?** Court navigators would be trained and educated about the legal system processes but might not be lawyers. If a court navigator were a lawyer, they could not provide legal advice in that role.

**Does this program compete with private attorneys?** No. The program may actually increase demand for private attorney services through its referrals to Modest Means, limited scope services, sliding scale services, and direct representation.

**Is it in-person at the courthouse?** In larger jurisdictions (such as Casper, Gillette, Cheyenne), it is contemplated this could be in person, but also with remote options. Housing the navigator in the courthouse is one option. Some programs do that, often by using space in the courthouse library, which several Wyoming courthouses have. Some programs house this service at a local public library or other venue. The location may vary between counties depending available resources.

**Would remote services be available at more rural courthouses?** Some places do not have sufficient demand or sufficient navigators to draw from and would be served by remote options. People in communities with in-person navigators can also use the remote options, and thus avoid time off from work, the need for childcare, transportation barriers, and weather-related issues that prevent or deter in-person meetings. Other states use a spectrum of remote options: a centralized call center, an email option, video conferencing with the court navigator, and chat/text options. Offering a spectrum of options makes services more approachable to people of varying technological aptitude. For example, some people are not comfortable with video or chat but are very comfortable picking up the phone. Some people really prefer to chat, text, or email and avoid talking on the phone.

**Which courts would be served?** The program would be “Dual-Court” operating in District and Circuit Courts, both of which are within the Wyoming Judicial Branch whose administrative office oversees the program. Municipal courts, which are outside that judicial branch structure, are not included at this time.

**Does this change or take away from work the clerks of court already do?** No. The court navigator program is specifically designed to complement, but not duplicate, services and resources provided by the clerks of court.

**Would a statewide program be identical to a model program?** That is unknown. One of the purposes of a model program is to try things and then make adjustments. Parts of the model program that do not work well would be amended. A statewide program would be designed to avoid observed shortcomings of the model program. There could be nuances from location to location as well.

**Would the model program be in-person only or also remote?** A hybrid program is contemplated, with an in-person navigator at larger courthouses who also offer remote services to surrounding communities. This hybrid approach for a model would help evaluate and troubleshoot both models.

## Appendix I

### LETTER OF TRANSMITTAL

From the Wyoming Access to Justice Commission's  
ATJ 2.0 Pro Se Forms Subcommittee

May 19, 2023

Wyoming Judicial Council  
c/o Elisa M. Butler, State Court Administrator  
2301 Capitol Ave.  
Cheyenne, WY 82002  
E-mail: EButler@courts.state.wy.us

Greetings,

The Wyoming Access to Justice Commission's ATJ 2.0 Pro Se Forms Committee respectfully submits the attached "Recommendation to the Wyoming Judicial Council That it Establish a Permanent Standing Committee for Pro Se Forms." The Forms Committee is a small, nimble group consisting of court clerks, judicial staff, practicing lawyers, and other experts and interested stakeholders. We appreciate this opportunity to make this proposal and invite any questions from the Council.

The attached document proposes a permanent Forms Committee charged with revising, approving, and maintaining existing legal forms and creating new forms for use by self-represented litigants throughout Wyoming. This proposal identifies common features of successful forms systems, a checklist of proposed action items to launch this program, and the status of Wyoming's existing forms as a launching point. . It envisions that the Forms Committee will be required to establish various policies and procedures, once formed, and articulates the most significant.

The Committee is pleased and proud to present this proposal to the Wyoming Judicial Council at the conclusion of this phase of our work. We thank you for your consideration and invite any questions or comments from Council members.

Respectfully submitted,

Wyoming Access to Justice Commission's  
ATJ 2.0 Pro Se Forms Committee

Appendix J

***RECOMMENDATION TO THE WYOMING JUDICIAL COUNCIL THAT IT  
ESTABLISH A PERMANENT STANDING COMMITTEE FOR PRO SE FORMS***

Prepared and Submitted by the Wyoming Access to Justice Commission's  
ATJ 2.0 Pro Se Forms Committee

Dated: May 19, 2023

Committee Members:

Mackenzie Williams, Senior Assistant Attorney General  
Maryt Fredrickson, Staff Attorney, Wyoming Judicial Branch  
Angie Dorsch, Executive Director, Equal Justice Wyoming  
Janet K. Montgomery, Clerk of Court, Ninth Judicial District Court  
Jill Kiester, Clerk of Court, Seventh Judicial District Court  
Denise Dunn, Program Manager, Department of Family Services  
Lisa Finkey, Chief Education Officer, Administrative Office of the Courts  
Leora Hoshall, VISTA Supervisor, Equal Justice Wyoming  
Kristy Tyrney, Legal Studies Student, LCCC

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## **INTRODUCTION AND EXECUTIVE SUMMARY**

The Access to Justice 2.0 Pro Se Forms Committee (PSFC) submits this proposal in draft form for comment from the Wyoming Judicial Council. The PSFC anticipates responding to any comments received and then submitting an official proposal later in 2023 in accordance with any schedule the Wyoming Judicial Council may request.

The PSFC proposes that the Wyoming Judicial Council establish a Committee for Pro Se Forms (Forms Committee or Committee) as a standing committee in the judicial branch. The Forms Committee would be charged with revising, approving, and maintaining existing legal forms and creating new forms for use by self-represented litigants throughout Wyoming. Revisions would be conducted by subcommittees composed of various stakeholders, including subject-matter experts. The Committee would determine annually (at minimum) whether recent legislative action necessitates revision of any forms. The PSFC also recommends that the Committee establish a process to address non-legislative changes that may affect forms.

Given its nature as a standing committee, the Forms Committee will require support and resources from the judicial branch. The PSFC recommends that the Court Administrator select a judicial branch staff person to handle routine management of the Committee. The PSFC anticipates that this role would be distinct from any committee chair position that may be appointed.

Through its research, the PSFC has identified common features of successful forms systems, such as uniform formatting and plain language review. A proposed checklist of action items for launching and operating the system is included as Appendix B.

The PSFC anticipates that the first year of the Committee's formation will involve more activity because the content and language of all the forms will need to be reviewed. It is likely that, after the first year, a more predictable and easily managed system will evolve.

The PSFC acknowledges the value of forms automation. This refers to computer-guided programs for filling out forms, similar to commercially available do-it-yourself software for tax filing. However, the process for forms automation is complex and is outside the scope of the PSFC's charge. Therefore, the PSFC limits itself to the recommendation that the Forms Committee engage with efforts in forms automation as it deems appropriate within its mandate and available resources.



## CURRENT FORMS STRUCTURE

There are two types of pro se forms in Wyoming: court-approved forms and non-court-approved forms.<sup>1</sup>

### **History of Court-Approved Forms**

In 2001, Justice Larry Lehman went to a National Center for State Courts conference. The Justice's attendance at that conference led to the creation of two committees in Wyoming: the Citizens' Access to Courts Committee and the Board of Judicial Policy and Administration (BJPA).<sup>2</sup>

The Citizens' Access to Courts Committee, which no longer exists, launched the first effort to offer publicly available forms. The forms were drafted by an attorney at Wyoming Legal Services (which has since been replaced by Legal Aid of Wyoming, Inc.). The initial forms received approval from the BJPA and were rolled out in 2002, at which time they were made available for purchase from the Clerks of District Court. A survey was conducted about the forms in 2004. Some respondents indicated the forms were not user friendly, and some district courts resisted them. At the BJPA's request, a contract attorney then revised the forms. In 2005, the forms became available on the Wyoming Supreme Court's website in addition to the original option to purchase them from the Clerks of District Court.

When Justice E. James Burke began leading the Access to Justice Commission, the Wyoming Supreme Court took a more active role with forms. Fees paid for the forms packets created small but important revenue, which was used to offset certain costs of the forms, principally printing and shipping to participating court clerks. The Court also contracted with an attorney to update the forms when needed. Eventually, an informal committee developed to update the forms as necessary. The informal committee vetted the forms with court clerks and judges. The committee then incorporated the vetted changes and submitted the revised forms to the BJPA for approval. After the BJPA approved them, the forms were presented to the Wyoming Supreme Court for approval. Forms that the Wyoming Supreme Court approved were posted on its website and were available for purchase from the Clerks of District Court.

The informal committee no longer exists as a result of changes in court administration and personnel. Various staff in the judicial branch periodically receive comments and requests for changes. However, there is no longer an established mechanism for modifying existing court-approved forms or creating new court-approved forms and there is no longer a centralized place for requesting changes.

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<sup>1</sup> Appendix A.

<sup>2</sup> The BJPA evolved and was recently replaced by the Wyoming Judicial Council.

## **History of Non-Court-Approved Forms**

In addition to court-approved forms, there exist forms created by Equal Justice Wyoming and made available through the Equal Justice Wyoming website. These forms are non-court-approved forms that have been created with the input of judges and clerks; they have been created in response to expressed needs in the legal community. The process for creating and posting these forms is faster than the process for creating and posting court-approved forms. These non-court-approved forms could serve as a starting point in a process to “bring them into the fold,” resulting in additional court-approved forms being available.

Even with all the forms creation in Wyoming, there remains a body of needed forms. These include forms for conservatorships, adoptions, summary probate, and other matters in which self-represented individuals are likely to need assistance.

## **BACKGROUND AND COMMITTEE PROCESS**

The Wyoming Access to Justice Commission established the Access to Justice 2.0 working group in April 2022. ATJ 2.0 was charged with the mission of identifying obstacles to access to justice and removing those obstacles. ATJ 2.0 formed the Pro Se Forms Committee (PSFC) in July 2022.

In its early work, the PSFC focused primarily on identifying challenges that are particular to Wyoming. This included reviewing other states’ forms processes and considering in which regards Wyoming could benefit from adjustments. Members of the PSFC also attended the National Center for State Courts “Forms Camp” and as well as other webinars related to forms creation and plain language usage. This preliminary work was largely complete by November 2022.<sup>3</sup>

In late 2022, the PSFC members were updated on the Wyoming Judicial Council’s formation and the judicial branch’s Strategic Plan, which includes access to justice matters as priority issues. The PSFC wishes to note that many PSFC members are also members of ATJ 2.0’s Court Navigator Committee and are aware of the work being done in that Committee. It was determined that the PSFC and the Court Navigator Committee would each submit a proposal to the Wyoming Judicial Council.

For the PSFC, the result is this document proposing that the Wyoming Judicial Council implement a system to create, revise, approve, and maintain Wyoming’s pro se forms.

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<sup>3</sup> The Committee also collaborated with Adjunct Professor Mario Rampulla, who supervises the Estate Planning Practicum at the University of Wyoming College of Law. His clinic is developing a first draft of small estate forms for self-represented litigants. The PSFC contemplates those draft forms will be submitted to the permanent committee to review and anticipates they will result in a set of official court forms.

## **DESIGN AND DECISION POINTS FOR WYOMING FORMS COMMITTEE**

The PSFC has compiled the following recommended design elements for a permanent system to govern drafting, revision, and maintenance of forms. Enough states have established forms systems such that the National Center for State Courts now compiles and promotes best practices, trainings, and other resources to share nationwide. The PSFC looked in particular at the neighboring states of Nebraska and Utah but were also exposed to best practices and success stories in other states through NCSC webinars, informational videos (known as Tiny Chats), reports, and “Forms Camps.”<sup>4</sup>

### **Governance**

The PSFC recommends that the Council assign responsibilities for managing pro se forms to a permanent, standing Pro Se Forms Committee housed in the judicial branch. The Committee should comprise judges, court clerks, and lawyers from varied fields of practice. It may be appropriate to include lay members as well.

The Committee should include at least one member who is substantially familiar with the business processes of the court and understands what happens to the form after it is filed. This will likely be a clerk of court or a member of a judge’s staff.

The Committee should be staffed by a judicial branch employee from within Court Administration. This person may provide logistical support for the Committee and serves an important role in preserving institutional memory.

The Committee’s general charge should be to administer the forms creation, revision, and maintenance process. The PSFC recommends that the Council issue a general charge to the Committee and allow the Committee discretion to determine and implement the best mechanism for fulfilling that charge. The goal, generally stated, is to develop a process to create and then receive approval for new forms, to update and revise current court-approved forms, and to enact a process that ensures forms are maintained.

### **Subcommittees**

The PSFC recommends that the Committee formed by the Wyoming Judicial Council perform much of its work through subcommittees. Subject matter experts are important. For example, probate and estate experts would have essential insights for probate forms but may not need to serve on the standing Committee. It is impractical and unnecessary for the Committee to

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<sup>4</sup> See generally, Plain Language, <https://www.ncsc.org/consulting-and-research/areas-of-expertise/access-to-justice/plain-language>; Improving Court Forms, <https://www.ncsc.org/newsroom/at-the-center/2022/improving-court-forms>; and Forms Camp 2022, <https://www.ncsc.org/consulting-and-research/areas-of-expertise/access-to-justice/winter-camp/forms-camp>.

include enough people to represent every subject area. Accordingly, the Committee should assemble subcommittees consisting in large part of experts in the subject areas implicated by the forms assigned to that subcommittee. For example, family law practitioners would be involved in family law forms, probate practitioners with probate forms, etc. Other individuals with relevant experience should constitute the rest of each subcommittee. The standing Committee will review subcommittee work and reports.

### **Approval Process**

Some forms and certain revisions require greater scrutiny than others. The PSFC contemplates that not all revisions will need to go through the full Committee review. For example, routine updates, correcting typographical or stylistic errors, and similar tasks may require less evaluation. These routine matters could be approved, for example, through a consent list approval process. The PSFC recommends that the Committee establish processes in relation to this issue in accordance with the Council's directives.

Similarly, the PSFC recommends that the Committee consider the question of seeking comment on forms revisions from practitioners at large. (This might be likened to the method by which pattern jury instructions are developed.) This process has the benefit of potentially engaging the expertise of the larger legal community. The PSFC makes no specific recommendations on whether or how the Committee should engage in this process.

### **Committee Workflow Management**

*Sharing Documents.* The Committee should establish a system for managing document workflow. This system should be accessible remotely by all members of the Committee and, as necessary, by members of the subcommittees. This should be a collaborative system (for example, SharePoint) that allows multiple people from various organizations to read and edit documents during the development and revisions process. The Committee should select a system in accordance with its available resources.

*Conventions and Formatting.* The Committee should establish procedures for document formation. These procedures should include conventions for numbering and naming documents, for applying font styles and sizes, and for setting margins and text justifications. All forms should have a uniform appearance so users and court employees can easily recognize them as court-approved forms. All forms should include revision dates, stated prominently, so users and court employees can easily determine if a form is in its current version.

*Archiving Past Versions.* The Committee should establish a process to archive previous versions of all forms. This practice appears to be universal among states with forms maintenance systems, and the PSFC recognizes its value. An archive of all past versions of the forms should be maintained by the Committee. It is recommended that the files saved in these archives be named in accordance with an intuitive convention so that previous versions can be easily identified by the Committee when needed.

## **Revision Schedule**

Through its research, the PSFC learned that some states revise forms annually and other states do so quarterly. An appropriate schedule should be determined by the Committee. The PSFC recommends at minimum one review per year to allow for revision of forms following each legislative session. As stated above, the PSFC recommends that the Committee's schedule also account for unexpected non-legislative changes that may affect forms.

## **Change Requests**

It is expected that individuals such as judges or practitioners who are not associated with the Committee will have ideas for improvements in or changes to forms. Therefore, the Committee should implement a formal process for requesting changes to forms.

The PSFC recommends that the change request system be streamlined. For example, change requests could be received at a central e-mail inbox; a designated member of the Committee or of Court Administration staff could then review and address the requests. The Committee may wish to establish request submission requirements (e.g., a redlined Word document may be required) and criteria for reviewing and responding to these requests.

## **Readability and Availability**

*Plain Language.* Reading comprehension skills will impact an individual's ability to use legal forms. Most self-represented litigants do not read at the same skill level as attorneys and judges.<sup>5</sup> Low skill levels present an obvious barrier for some self-represented litigants attempting to navigate the legal sphere.

To address this issue, some states require their committees to receive plain language training in conjunction with their service. The Council may choose to require formal training. In either case, PSFC recommends that the Committee prioritize plain language, making forms as easy to understand as possible.<sup>6</sup> The Committee should also consider how to ensure forms are accessible to self-represented litigants with disabilities.

*Location and Accessibility.* Court-approved forms have historically been housed by and available on the Judicial Branch website. The PSFC anticipates that court-approved forms would

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<sup>5</sup> See U.S. Dep't of Educ., Nat'l Center for Education Statistics, *Fast Facts: Adult Literacy*, available at <https://nces.ed.gov/fastfacts/display.asp?id=69> (May 15, 2023).

<sup>6</sup> As an example of how to revise forms to use plain language, see National Center for State Courts, Plain Language Glossary, <https://www.ncsc.org/consulting-and-research/areas-of-expertise/access-to-justice/plain-language/glossary>. See also, <https://suffolklitlab.org/docassemble-AssemblyLine-documentation/docs/complexity/complexity/#how-we-created-our-score>.

continue to be accessible via a dedicated portion of this website. The PSFC recommends that the specifics of this arrangement be left to the Committee in light of the dynamic nature of website management.

### **INTERPLAY WITH COURT NAVIGATOR PROGRAM**

The PSFC is aware that this Forms Committee proposal is being submitted concurrently with a court navigator program proposal. The PSFC notes that the two programs are complementary, however wishes to stress that the Forms Committee is needed independently and without regard to the status of a court navigator program.

### **EXISTING RESOURCES**

Wyoming is fortunate to have a bank of existing forms. The PSFC recommends the Committee start its work with family law forms and continue through all existing forms until all are court approved. Additional forms are needed in other areas of law. For one of those areas, small probate, PSFC partnered with the law school as a probate clinic project to propose summary probate forms. *Supra* n.5. That preliminary draft set of forms is anticipated in late 2023 and could provide the Committee a starting point for this area of forms. Other areas in need of forms are identified in as subsection of Appendix A.

### **CONCLUSION**

For all the reasons explained above, the Wyoming Access to Justice Commission's ATJ 2.0 Pro Se Forms Committee respectfully recommends that the Wyoming Judicial Council approve and implement a Pro Se Forms program housed in the judicial branch. The program should consist of a permanent, standing Forms Committee with primary responsibility for Wyoming's court-approved forms. The Forms Committee should establish subcommittees as necessary to create and revise forms according to a process it will establish. This proposal identifies common characteristics to assist in the creation and early operations of a Pro Se Forms program.

The ATJ 2.0 Pro Se Forms Committee stands ready to provide any additional information requested by the Wyoming Judicial Council and will conduct any additional research requested by the Council.

We thank the Wyoming Judicial Council for its consideration.

## **APPENDIX A: CURRENT FORMS**

## **Court Forms**

### **Family Law**

Packet 1: Plaintiff Divorce (With Minor Children)  
Packet 2: Defendant Divorce (With Minor Children)  
Packet 3: Plaintiff Divorce (No Minor Children)  
Packet 4: Defendant Divorce (No Minor Children)  
Packet 5: Petitioner Child Support Mod.  
Packet 6: Respondent Child Support Mod.  
Packet 7: Petitioner Custody & Child Support Mod.  
Packet 8: Respondent Custody & Child Support Mod.  
Packet 9: Order to Show Cause (Contempt of Court)  
Packet 10: Miscellaneous Forms  
Packet 11: Petitioner Establishment of Custody, Visitation, and Child Support  
Packet 12: Respondent Establishment of Custody, Visitation, and Child Support  
Packet 13: Abatement Forms and Procedures  
Packet 14: Guardianship of a Minor - Petitioner  
Packet 15: Guardianship of a Minor - Respondent  
Packet 16: Termination of Guardianship (minor) - Movant  
Pack 17: Termination of Guardianship (minor) - Respondent  
Packet 18: Miscellaneous Forms for Guardianship Actions

### **Protection Orders**

Packet- Protection Order Stalking  
Packet - Protection Order Sexual Assault  
Packet - Protection Order Domestic Violence

### **Garnishment Forms**

Continuing Garnishment Forms  
Non-continuing Garnishment Forms

### **Small Claims**

Case Cover Sheet  
Order/Instructions for Civil Coversheet  
Small Claims Affidavit  
Small Claims Summons Return

### **Criminal Notice of Appeal Forms**

District Court Notice of Appeal  
Circuit Court Notice of Appeal  
Affidavit of Indigency and Request for Waiver of Filing Fees



## **EJW Forms**

### **Guardianship - Adult**

[Instructions for Adult Guardianship Forms](#)  
[Petition for Appointment of Guardian for an Adult](#)  
[Summons for Appointment of Guardian for an Adult](#)  
[Consent or Nomination of Guardian for an Adult](#)  
[Acknowledgment and Acceptance of Service for Petition for Appointment of Guardian for an Adult](#)  
[Request for Hearing for Appointment of Guardian for an Adult](#)  
[Notice of Hearing for Appointment of Guardian for an Adult](#)  
[Order Appointing Guardian for an Adult](#)  
[Oath of Guardian \(Adult\)](#)  
[Letters of Guardianship \(Adult\)](#)  
[Guardian's Report \(Adult\)](#)

### **Housing**

[Instructions for Answering an Eviction \(Complaint for Forcible Entry and Detainer\)](#)  
[Answer to Complaint for Eviction \(Forcible Entry and Detainer\)](#)

### **Name Change - Adult**

[Instructions for Adult Name Change](#)  
[Verified Petition for Adult Change of Name](#)  
[Notice of Publication \(Adult Name Change\)](#)  
[Motion for Entry of an Order providing for Confidentiality \(Adult Name Change\)](#)  
[Affidavit in Support of Motion for Entry of an Order Providing for Confidentiality \(Adult Name Change\)](#)  
[Order Providing for Confidentiality \(Adult Name Change\)](#)  
[Request to Set Adult's Name Change Hearing](#)  
[Notice of Hearing for Adult's Name Change](#)  
[Order Granting Change of Name for Adult](#)

### **Name Change - Minor/Child**

[Instructions for Minor Name Change](#)  
[Petition for Name Change of Minor Child](#)  
[Parental Consent to Name Change of Minor Child](#)  
[Public Notice by Publication \(Minor Name Change\)](#)  
[Summons for Petition for Name Change of a Minor Child](#)  
[Acknowledgement and Acceptance of Service \(Minor Name Change\)](#)  
[Affidavit to Allow Service by Publication \(Minor Name Change\)](#)  
[Order for Service by Publication \(Minor Name Change\)](#)  
[Notice of Publication \(Minor Name Change\)](#)  
[Affidavit Following Service by Publication](#)  
[Motion for Entry of an Order Providing for Confidentiality \(Minor Name Change\)](#)  
[Affidavit in Support of Motion for Entry of an Order Providing for Confidentiality \(Minor Name Change\)](#)  
[Order Providing for Confidentiality \(Minor Name Change\)](#)  
[Request to Set Minor's Name Change Hearing](#)  
[Notice of Hearing for Minor's Name Change](#)  
[Order Setting Minor's Name Change Hearing](#)  
[Order Granting Change of Name for Minor Child](#)

[Affidavit in Support of Default \(Minor Name Change\)](#)  
[Application for Entry of Default \(Minor Name Change\)](#)  
[Entry of Default \(Minor Name Change\)](#)

[\*\*Power of Attorney for Finances \(Durable Power of Attorney\)\*\*](#)  
[Statutory Form Power of Attorney](#)

[\*\*Response to Motion for Summary Judgement\*\*](#)  
[Forms and instructions for responding to a Motion for Summary Judgment](#)

[\*\*Wyoming Supreme Court Appeals Forms\*\*](#)  
[Instructions for Appealing a Case to the Wyoming Supreme Court](#)  
[Notice of Appeal](#)  
[Certificate Concerning Transcripts](#)

**Other misc. forms**

**Bankruptcy (Federal)**

[Bankruptcy form](#)

[Bankruptcy Guide for Pro Se filers](#)

**Wyoming Department of Education**

[Request for Mediation \(English\)](#)

[Request for Mediation \(Spanish\)](#)

[State Complaint Request Form \(English\)](#)

[State Complaint Request Form \(Spanish\)](#)

[Request for Due Process Hearing \(English\)](#)

[Request for Due Process Hearing \(Spanish\)](#)

**Health**

[Power of Attorney for Health-Care - UW](#)

[Psychiatric Advanced Directive \(broken link\)](#)

**Housing (Federal)**

[Housing and Urban Development \(HUD\) Complaint](#)

**Workplace Issues (State and Federal)**

[Filing an Employment Discrimination Charge](#)

[OSHA Complaint Form](#)

[OSHA Whistleblower Complaint Form](#)

[Hazardous Condition Complaint](#)

[Wyoming Workers' Compensation Information and Claim Forms](#)

**Temporary Guardianship of Minor for educational, medical, and dental**

[https://assets.aarp.org/www.aarp.org/\\_cs/misc/wyyouarenotaloneguide.pdf](https://assets.aarp.org/www.aarp.org/_cs/misc/wyyouarenotaloneguide.pdf)

**Unavailable Forms**

Adoption

Conservatorship

Summary Probate

Small Estate Affidavit

Affidavit of Survivorship

Expungement

## **APPENDIX B: PROPOSED ACTION ITEM CHECKLIST**

### **Formation**

1. The standing committee is formed by order.
2. A judicial branch employee and a committee chairperson are designated.
3. Those two individuals appoint volunteers.
  - a. Include at least one person fluent in the back end of forms, i.e., who understands what happens to forms once filed, such as clerk of court or a permanent trial court staff attorney.
  - b. Consider diverse stakeholders such as judges, clerks, attorneys, laypeople, self-represented-litigant advocates.
4. Volunteers convene to determine operational structure. This includes:
  - a. How often to review forms. PSFC suggests reviewing forms not less than once per year with the observation that the first year may require additional activity.
  - b. How to incorporate subject matter expertise as needed via subcommittees, ad hoc appointments, or other.
  - c. How to train the committee or designate specific members to train for plain language review. There are trainings and resources available through NCSC and live testing is used by some states.
  - d. What tasks require committee review and individual approval and what can be resolved through a streamlined process, such as a consent list (for example, minor updates).

### **Start Up Operations**

5. Document formation standards will be established. These include: font, format, numbering, appropriate version control and archiving, etc.
6. A workflow management platform will be selected to allow for sharing documents among committee members in different organizations.
7. Collaboration will be undertaken to ensure current forms will be uploaded to online portal and all versions will be included in an archive system.
8. Centralized means for submitting requests for changes will be established.

### **Ongoing Operations**

9. Forms will be reviewed at least annually (after the annual legislative session) to implement any necessary changes.
10. Forms will be reviewed, updated, and improved on a regular basis.
11. The need for new forms will be addressed on a regular basis.

## Judicial and Courthouse Security

In light of recent and ongoing events threatening the security of judges and courthouses, the Office of Court Administration (OCA) is surveying Texas judges to gather data about the status of judicial and courthouse security in the state. Information obtained from this survey will be used to inform policy discussions at the state level on judicial and courthouse security.

Because of the sensitivity of the information in this survey, the survey will not solicit information that will identify you personally, where your court(s) are located, or indicate your county of residence. In addition, OCA believes that the information contained in responses to this survey would be exempt from disclosure under Rule 12.5 of the Texas Rules of Judicial Administration.

We estimate that this survey should take you between 10-15 minutes to complete. Please complete the survey no later than February 5.

Should you have any questions or concerns, please do not hesitate to contact David Slayton, Administrative Director of OCA, at david.slayton@txcourts.gov or by phone at 512-463-1626.

## Judicial and Courthouse Security

1. In which type of court do you currently sit?

- ☐ Appellate Court
- ☐ District Court
- ☐ Statutory County Court (County Court at Law)
- ☐ Statutory Probate Court
- ☐ Constitutional County Court
- ☐ Justice Court
- ☐ Municipal Court
- ☐ Associate Judge
- ☐ Visiting/Assigned Judge
- ☐ Other (please specify)

2. What is the primary composition of your caseload?

- ☐ Civil
- ☐ Criminal
- ☐ Family
- ☐ Juvenile
- ☐ Probate/Guardianship/Mental Health
- ☐ Traffic
- ☐ Other (please specify)

3. Do you hold court in multiple courthouses?

- ☐ Yes
- ☐ No

## Judicial and Courthouse Security

4. Is the courthouse security in the different courthouses in which you sit:

- ☐ Similar
- ☐ Somewhat different
- ☐ Vastly different

## Judicial and Courthouse Security

5. Thinking about the entrance to the building of the courthouse in which you hold court most often (check all that apply):

- ☐ There is a single point of entry for everyone entering the court facility.
- ☐ Court/county staff and public use different entrances.
- ☐ Attorneys have designated entrances that allow bypass of certain security measures.
- ☐ Judges have designated entrances.
- ☐ There is more than one entrance but the public must use a single entry point.
- ☐ The public can enter the courthouse through more than one entrance.
- ☐ Other (please specify)

6. Describe the parking arrangements at the courthouse in which you hold court most often (check all that apply):

- ☐ Parking area is separated for the public and judges.
- ☐ Reserved parking is provided for judges.
- ☐ Parking for judges is in a secure area.
- ☐ Reserved parking for judges indicates that the spot is for a judge.
- ☐ There is no separation in parking areas for the public and judges.
- ☐ Unattended vehicles can park near or next to the courthouse.
- ☐ Other (please specify)

7. Does your primary courthouse have security personnel at all public entrances to screen individuals and their belongings?

- ☐ Yes - unarmed county/municipal security officers
- ☐ Yes - armed court security officers
- ☐ Yes - security personnel from a private company
- ☐ Yes - a combination of armed and unarmed officers
- ☐ No - not at all of the public entrances
- ☐ No - none at any entrances
- ☐ Other (please specify)

8. What weapons are prohibited in your courthouse? Check all that apply.

- ☐ Illegal Knives (e.g., blade over 5.5 inches, dagger, bowie knife, sword, spear, designed to cut or stab another by being thrown)
- ☐ Other knives not listed above
- ☐ Firearms
- ☐ Clubs
- ☐ Brass Knuckles
- ☐ Ammunition
- ☐ Chemical dispensing device (i.e., pepper spray)
- ☐ Tire deflation device
- ☐ Scissors
- ☐ Razor
- ☐ Corkscrew
- ☐ Sharp objects other than knives
- ☐ I don't know.
- ☐ Other (please specify)

9. Once inside your primary courthouse, how is movement restricted? Check all that apply.

- ☐ Unused doors are locked.
- ☐ People are escorted.
- ☐ People are directed to specific waiting areas.
- ☐ Movement is not restricted.
- ☐ There is not separation in the hallways utilized by the public and judges.
- ☐ There are hallways not used by the public that court staff and/or judges can use.
- ☐ Other (please specify)

10. Does your courthouse have any duress alarms (i.e., panic buttons) to use in emergencies?

- ☐ Yes
- ☐ No
- ☐ I don't know.



11. Where are the duress alarms located? Check all that apply.

- ☐ Judge's coordinator/secretary/bailiff desk
- ☐ Front counter
- ☐ Bench
- ☐ Clerk's desk
- ☐ Chambers
- ☐ I don't know.
- ☐ Other (please specify)

12. To whom do the duress alarms ring? Check all that apply.

- ☐ Offsite police/deputies
- ☐ Onsite police/deputies
- ☐ An offsite location that dispatches nonpolice personnel
- ☐ An onsite location to bring internal staff
- ☐ To courthouse security at the entrance to the courthouse
- ☐ I don't know where it rings.
- ☐ Other (please specify)

13. Are the duress alarm(s) regularly tested to ensure functionality?

- ☐ Yes
- ☐ No
- ☐ I don't know.

14. Have you ever received any information, instruction, or training about the duress alarms and what to do if a duress alarm is activated?

- ☐ Yes
- ☐ No

15. Have you ever used your duress alarm(s)?

☐ Yes

☐ No

## Judicial and Courthouse Security

16. Did you feel that the response time to the duress alarm was appropriate?

☐ Yes

☐ No

## Judicial and Courthouse Security

17. Does your courthouse contain security cameras? Check all that apply.

☐ No

☐ Yes - in the areas around the courtroom

☐ Yes - in the courtroom

☐ Yes - in the entrances and exits to/from the building

☐ Yes - in the parking lots

☐ Yes - in court offices

☐ Yes - in prisoner holding rooms

☐ Other (please specify)

18. Does your courthouse contain a court security command center where monitoring occurs (duress alarms, closed circuit television monitors, intrusion alarms)?

☐ Yes

☐ No

☐ I don't know.

19. Do the following areas of the courtroom contain bullet resistant barriers? Check all that apply.

- ☐ Judge's bench
- ☐ Court reporter's desk
- ☐ Clerk's desk
- ☐ Barrier between gallery and litigation well
- ☐ None
- ☐ I don't know.
- ☐ Other (please specify)

20. Do you have mail security screening procedures for mail received by your court?

- ☐ Yes
- ☐ No
- ☐ I don't know.

## Judicial and Courthouse Security

21. What mail security screening procedures exist for mail received by your court? Check all that apply.

- ☐ Mail is examined through an x-ray machine by courthouse staff prior to its arrival at my office.
- ☐ Mail is screened and opened in a separate location from my chambers.
- ☐ The location where mail is opened is in a place that does not share ventilation with other rooms.
- ☐ Letters or packages identified as suspicious are given special handling.
- ☐ Staff are trained in how to recognize suspicious letters or packages.
- ☐ I don't know.
- ☐ Other (please specify)

## Judicial and Courthouse Security

22. Does your primary courthouse have a plan for security emergencies?

- ☐ Yes, and I am familiar with it.
- ☐ Yes, but I am not familiar with it.
- ☐ No
- ☐ I don't know.
- ☐ Other (please specify)

## Judicial and Courthouse Security

23. Which of the following emergencies are covered by the plan? Check all that apply.

- ☐ Bomb threat
- ☐ Power outage
- ☐ Dangerous person threat
- ☐ Active shooter
- ☐ Fire
- ☐ Dangerous package threat
- ☐ I don't know.
- ☐ Other (please specify)

## Judicial and Courthouse Security

24. During your tenure in this position, has the security plan been activated?

- ☐ Yes
- ☐ No
- ☐ I don't know.

## Judicial and Courthouse Security

25. How are you notified if an emergency occurs or is occurring at the courthouse? Check all that apply.

- ☐ Phone
- ☐ Email
- ☐ Public address system announcement
- ☐ Person-to-person notification
- ☐ Text message
- ☐ Pop-up message on computer
- ☐ I was not notified of an emergency that my courthouse had.
- ☐ I don't know.
- ☐ Other (please specify)

26. Are you aware of the requirement in Article 102.017(f), Code of Criminal Procedure, that security incidents in or around a building housing a court be reported to the Office of Court Administration?

- ☐ Yes
- ☐ No

## Judicial and Courthouse Security

27. Have you ever been made aware of a security incident report sent to the Office of Court Administration?

- ☐ Yes
- ☐ No
- ☐ I'm not sure.

28. In your courthouse, who is responsible for reporting security incidents to the Office of Court Administration?

☐ Local Administrative Judge/Presiding Judge

☐ Each individual judge

☐ Police/Sheriff or his/her deputies

☐ Court security officers

☐ County Judge

☐ Court staff

☐ I don't know.

☐ Other (please specify)

## Judicial and Courthouse Security

29. When was the most recent security incident in your courthouse about which you are aware? Check the most relevant answer.

☐ Past six months

☐ Past year

☐ Past two years

☐ Past five years

☐ Past ten years

☐ I am unaware of any security incidents in the last ten years.

## Judicial and Courthouse Security

30. What type of security incident(s) occurred in your courthouse? Check all that apply.

- ☐ Physical assault
- ☐ Disorderly behavior
- ☐ Hostage situation
- ☐ Bomb threat
- ☐ Verbal threat against judge
- ☐ Written threat against judge
- ☐ Verbal threat against other court staff
- ☐ Written threat against other court staff
- ☐ Prisoner escape attempt
- ☐ Attempt to bring weapon into the courtroom or court building
- ☐ Dangerous package threat
- ☐ Other (please specify)

## Judicial and Courthouse Security

31. In the past two years, I have felt afraid for my personal safety at work:

- ☐ Never
- ☐ Once
- ☐ Twice
- ☐ Three times
- ☐ Four or more times
- ☐ Every day

## Judicial and Courthouse Security

32. Think of the most recent event for which you felt afraid for your safety at work. Which of the following describes it most closely?

- ☐ A verbal or written threat
- ☐ An actual or attempted assault that I experienced.
- ☐ An actual or attempted assault that I heard of or witnessed that happened to someone else.
- ☐ Damage to property
- ☐ Other (please specify)

### Judicial and Courthouse Security

33. Are you aware of any situations in which a member of the public was found to have brought weapons into the premises of the court or offices utilized by the court?

- ☐ Yes
- ☐ No

### Judicial and Courthouse Security



34. What type of weapon was involved in the situation in which a member of the public was found to have brought weapons into the premises of the court or offices utilized by the court? Check all that apply.

- ☐ Illegal Knife (e.g., blade over 5.5 inches, dagger, bowie knife, sword, spear, designed to cut or stab another by being thrown)
- ☐ Other knife not listed above
- ☐ Firearm
- ☐ Club
- ☐ Brass Knuckles
- ☐ Ammunition
- ☐ Chemical dispensing device (i.e., pepper spray)
- ☐ Tire deflation device
- ☐ Scissors
- ☐ Razor
- ☐ Corkscrew
- ☐ Other (please specify)

## Judicial and Courthouse Security

35. Court security training has been provided in the past two years to: (Check all that apply.)

- ☐ Judges
- ☐ Court staff
- ☐ Police/Sheriff/Security staff
- ☐ Other courthouse staff
- ☐ Attorneys
- ☐ No training has been provided.
- ☐ I don't know.
- ☐ Other (please specify)

36. With respect to the need for improved security in your courthouse, please rank the following areas in order from most critical (1) to least critical (7).

<input type="text"/>	Point of entry screening	<input type="checkbox"/> N/A
<input type="text"/>	Security and emergency preparedness training	<input type="checkbox"/> N/A
<input type="text"/>	Law enforcement officer and/or court security training	<input type="checkbox"/> N/A
<input type="text"/>	Physical security systems	<input type="checkbox"/> N/A
<input type="text"/>	Judge/judicial officer movement in the courthouse	<input type="checkbox"/> N/A
<input type="text"/>	Mail and package delivery screening	<input type="checkbox"/> N/A
<input type="text"/>	In-custody defendant movement in the courthouse, including holding cells	<input type="checkbox"/> N/A

37. Have you or another judge in your courthouse requested increased courthouse security in the past?

- ☐ Yes
- ☐ No

## Judicial and Courthouse Security

38. Was the request to increase courthouse security:

- ☐ Fully implemented
- ☐ Partially implemented
- ☐ Not implemented
- ☐ Ignored
- ☐ I don't know.

## Judicial and Courthouse Security

39. What was the reason given for not fully implementing the request to increase courthouse security?

Check all that apply.

- ☐ Lack of funding for equipment.
- ☐ Lack of funding for staff.
- ☐ Lack of a recognized problem.
- ☐ Lack of will to make the change.
- ☐ Strategic decision not to fully implement.
- ☐ Study did not support the request.
- ☐ Implementation is still in progress.
- ☐ Other (please specify)

## Judicial and Courthouse Security

40. Overall, how would you rate the quality of court security services at your courthouse?

	Very poor	Poor	Fair	Good	Very good
Quality of court security services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## Judicial and Courthouse Security

41. Thinking about your personal residence, have you or a security professional conducted a home security audit in the past two years?

- ☐ Yes
- ☐ No

42. Does your personal residence have the following: (Check all that apply.)

- ☐ Perimeter lighting
- ☐ Exterior motion detector lights
- ☐ Home security system - unmonitored
- ☐ Home security system - monitored
- ☐ Deadbolt on all exterior doors
- ☐ Peephole or other monitoring system for viewing guests at door(s)
- ☐ Cameras to monitor the exterior of the home
- ☐ Motion-alerting system on the exterior of the home
- ☐ Identified safe room
- ☐ Other security components (please specify)

43. Do you have a home safety plan that has been communicated to others in your residence?

- ☐ Yes
- ☐ No
- ☐ Not applicable

44. Is your home address listed: (Check all that apply.)

- ☐ In the telephone directory
- ☐ On your driver's license
- ☐ In the tax appraisal public records
- ☐ In the voter registration records
- ☐ None of the above.
- ☐ I don't know.

45. Have you found the process to have your home address unlisted to be:

- ☐ Too difficult
- ☐ Reasonable
- ☐ Simple
- ☐ Not applicable

## Judicial and Courthouse Security

46. Have you and others in your immediate family, if applicable, received training on the following types of technology security within the last two years? Check all that apply.

- ☐ Personal computer/laptop
- ☐ Mobile device
- ☐ Online safety
- ☐ None of the above.

47. Do you currently have license plates that identify you as a judge?

- ☐ Yes
- ☐ No

48. Do you currently have a license to carry a handgun (LTC) [formerly called a concealed handgun license (CHL)]?

- ☐ Yes
- ☐ No

49. In the past five years, I have felt afraid for my personal safety away from work:

- ☐ Never
- ☐ Once
- ☐ Twice
- ☐ Three times
- ☐ Four or more times
- ☐ Every day

50. Would you be interested in technical assistance to assist with courthouse or personal security?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ I don't know.

51. Would you be interested in attending a summit dedicated to educating judges about the best practices in courthouse and personal security for judges?

- ☐ Yes
- ☐ No
- ☐ Maybe
- ☐ I don't know.

## Appendix L

### Guidelines for use of retired judges

Wyo. Stat. §5-1-106(f), 5-9-119(d)

#### I. Retired judges

##### A. Who can serve

A judge who:

- i. has retired in good standing,
- ii. remained in good standing, and
- iii. complies with the Code of Judicial Conduct.

##### B. When a retired judge may be assigned

- i. Temporary absence of the sitting judge for illness, family emergency,
- ii. Reasonable vacation,
- iii. The court has an overburdened docket or an extended trial that will disrupt the docket.

##### C. Procedure

The judge requesting assistance, or the person requesting assistance on the judge's behalf, shall submit the request to the Executive Committee of the Wyoming Judicial Council, stating:

- i. The reason for the request,
- ii. The case or time period requested,
- iii. Other unique factors.

The Executive Committee will review the request using several factors, including but not limited to:

- i. The reason for the request,
- ii. The court's available resources,
- iii. The availability of retired judges and funds to compensate them.

## Appendix M

### Potential Budget Exception Request Cost Estimates for BFY25

- A. Administration
  - a. Staffing
    - i. AOC staff – 11 positions \$2,562,530
    - ii. Court navigator – 1 position \$208,166
  - b. Education
    - i. Judicial College – 4/year \$28,000
    - ii. Staff enrichment – 11 people to conferences/year \$34,000
    - iii. Learning Management System and attendant applications \$20,000
    - iv. Travel for Court Processes Trainer, new clerk trainings, summer chief clerk training \$108,440
  - c. Library
    - i. Materials \$75,000
    - ii. Ongoing maintenance and updating of Judicial Learning Center exhibits \$45,000
  - d. Employee Assistance Program – preliminary estimate \$24,000 - \$104,000 for biennium, depending on program.
  - e. IT – includes inflation increase \$684,000\*\*
  - f. Treatment court training – 4 people to conferences/year at \$4,000 each \$32,000
- B. Courts
  - a. Judicial Salaries - ?????
  - b. Staffing – Workload study recommendation for circuit court
  - c. Interpreters for Carbon County and Teton County \$5,000 and \$12,000
  - d. Additional travel funds for Teton District Court for conflicts. \$20,000
- C. Branchwide
  - a. Copiers – estimate of 5 District Courts, 12 Circuit Courts, 1 Supreme Court at \$7,000 each \$126,000^^
  - b. Pooled funds for interpreters – pot of funds for court interpreters when court budget has been exhausted \$30,000
  - c. Pooled funds for judicial reinforcements – increase the existing retired judge budget \$75,000
    - i. Retired Judges/Justices
    - ii. Magistrates
    - iii. Commissioners
  - d. Court security - ????
  - e. Additional Compensation to get to average 94% MPP - \$4,929,000

There may be an exception request for JSA but that is for spending authority only, not additional funds.

\*\*May change once we start writing up the narrative, but this is a good estimate for now.

^^ Still working through who needs a replacement. This number will likely change, either up or down.



## Appendix N

### AOC Position Descriptions

- Grant Writer
  - o Research, write, and manage grant opportunities to increase availability of funding.
  - o Potential grant opportunities include court navigator programs, treatment courts, judicial wellness, etc.
- 2 Applications positions
  - o Assist with additional help desk tasks and enterprise applications.
  - o Would provide increased support for Judicial Branch software applications, including decreased time for help desk responses related to software applications, and increased focus on making the applications work for the Branch, i.e., better reports to assist with docket management.
- HR employee – onboarding/offboarding
  - o Assist with the day-to-day tasks of human resources – onboarding, offboarding, insurance, leave, payroll, etc.
  - o This position would free up time for the HR Manager to focus on the priorities of the Branch, including developing a secondary trauma and well-being program, creating a mentorship program for new employees (and Judges, if desired), assisting with an employee onboarding program.
- Public Information Officer
  - o Provide strategic guidance for the Branch to increase public knowledge about the Judiciary.
  - o Develop informational resources to legislators, act as a primary point of contact for the media both statewide and on a local level when needed and desired, assist in educating the public about the Judicial Learning Center, plan and implement outreach strategies such as You Be the Judge and Law Day activities.
- Education Coordinator
  - o Coordinate activities and trainings for the Education Division freeing up time for the Chief Education Officer to focus on creating a cohesive plan to education for the Branch.
  - o Assist in creating online content for the Learning Management System.
- Behavioral Health Services
  - o Oversee behavioral health projects for the Branch, including treatment courts and diversion program.
- Treatment Court Position(s)
  - o Assistance with day-to-day operations and support of treatment courts statewide.
  - o Focused approach to ensure the success of treatment court goals – decreased recidivism and increased contribution to society for participants.
- Court Services
  - o Assist the courts with daily administrative tasks.
  - o Providing services to the public with disabilities, finding and scheduling interpreters for court appearances when necessary, consolidating tasks that can be performed in a central location.
- Court Navigator

- Provide support and oversight for court navigator program – both pilot and during expansion.
  - Ensure that court navigators are appropriately trained and supported to provide appropriate services to self-represented litigants who use the court navigator program.
- Chief Information Officer
  - Creation of a position to oversee the three arms of technology – IT, software applications, and data.
  - Creates a more cohesive approach to technology for the Branch.

<b>Admin</b> State Court Administrator 3 staff	<b>Fiscal/HR</b> Deputy Administrator/CFO 6 staff	<b>Legal</b> Chief Legal Officer 4.25 staff	<b>Education</b> Chief Education Officer 4 staff	<b>Information Technology</b> Chief Technology Officer 10 staff	<b>Applications</b> Chief Applications Officer 8 staff
Legislature	Budget	Contracts	Conferences	Cybersecurity	District Court CMS
AOC Supervision/ Direction	Audit	Legal counsel to Admin	Orientation	Network	Chancery Court CMS
Judicial Council and Task Force	Invoicing	Legal issues in courts	Ongoing training for court staff and clerks	Courtroom Technology	Circuit Court CMS
Executive Branch Liaison	Procurement	Rules	Ongoing training for Judges	Technology equipment	Treatment Court System
AOC Project Mgmt.	Fiscal reporting	Federal Compliance	Online learning resources	Standard software	District Court eFiling
Implementation of Strategic/ Operational Planning	Fiscal assistance	Law Library	Apps Training	Infrastructure	Chancery Court eFiling
Final Document Review	Personnel	AG Liaison	IT Training	Installs and replacement cycles	Public Access
Implementation of WJC policies/procedures	Recruitment	Bond committee	JLC Content	Branch reporting	Appellate CMS/eFiling System
Grants	Onboarding/ Offboarding	Treatment Courts	Children's Justice Project	Public reporting	eCitations
Committees	Federal Emp. Requirements/ Compliance	JLC Tours	DFS Liaison	Data integrations/ feeds	Jury Management System
Diversion Project	Classification/ Compensation	Interpreter Program	Committees	Data quality/ audit	Treatment courts - system
Outreach	Payroll/Benefits	Committees	LMS	Migration	Ancillary applications
Media Requests	Employee wellness	Chancery Court	Help Desk	Data Warehouse	Process improvements
Public Requests	Employee issue/discipline assistance	Legal Memoranda	Judicial Education Credit Program	Data Governance	Application Maintenance
Special Events	Committees	Special Projects	Court Coverage	Data Research/Quality	Vendor Management

Conference Assistance	HR System	Help Desk		Internal Reporting	Help Desk
Project Messaging	Fiscal Grant Reporting			Committees	
Court Security	Help Desk			Vendor Management	
Building Maintenance				Application Development	
Inventory				Help Desk	
Vehicles					
Disaster recovery/crisis management					
High-level vendor management					
Legislation Tracking					
Help Desk					