

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2012

In the Matter of the Suspension of)
Rule 21.1(a) of the Wyoming Rules of)
Criminal Procedure and the)
Suspension, in Juvenile Cases, of)
Rule 40.1(b)(1) of the)
Wyoming Rules of Civil Procedure)

**ORDER SUSPENDING RULES PROVIDING FOR PEREMPTORY
DISQUALIFICATION OF JUDGE**

This matter came before the Court on its own motion following reports of abuse of the procedures providing for peremptory disqualification of judges in criminal and juvenile cases. Having fully considered this matter, the Court finds that Rule 21.1(a) of the Wyoming Rules of Criminal Procedure should be suspended in all cases and that Rule 40.1(b)(1) of the Wyoming Rules of Civil Procedure should be suspended in juvenile proceedings, to the extent said rule applies in those proceedings. This Court finds that said suspensions will continue pending consideration of those rules by this Court and the relevant permanent rules committees. It is, therefore,

ORDERED that Rule 21.1(a) of the Wyoming Rules of Criminal Procedure is hereby suspended in all cases until such time as the Permanent Rules Advisory Committee, Criminal Division, may consider this suspension and make recommendations to the Court regarding the future, if any, of peremptory disqualification of district court judges in criminal proceedings; and it is further

ORDERED that Rule 40.1(b)(1) of the Wyoming Rules of Civil Procedure is hereby suspended in juvenile proceedings, to the extent said rule applies in those proceedings pursuant to Wyo. Stat. Ann. § 14-3-404 and § 14-6-204. Said suspension shall continue until such time as the Permanent Rules Advisory Committee, Juvenile Division, may consider this suspension and make recommendations to the Court regarding the future, if any, of peremptory disqualification of judges in juvenile proceedings.

DATED this 4th day of December, 2012.

BY THE COURT:

/s/
MARILYN S. KITE
Chief Justice