

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2014

In the Matter of the Adoption of)
Rule 107 of the)
Uniform Rules for District Courts of)
The State of Wyoming)

**ORDER ADOPTING RULE 107 OF THE UNIFORM RULES
FOR DISTRICT COURTS OF THE STATE OF WYOMING**

The Board of Judicial Policy and Administration has recommended that the Wyoming Supreme Court adopt Rule 107 of the Uniform Rules for District Courts of the State of Wyoming. The Court, having carefully reviewed the proposed rule, finds that the proposed rule on court security should be adopted. In doing so, this Court recognizes that the courts, to fulfill their constitutional duties and properly administer justice, must operate in a safe and secure environment. To that end, this Court finds that the courts of this state have the inherent authority, and the duty, to ensure that appropriate courtroom security measures are in place to guarantee the continuing viability of the courts. *Board of County Comm'rs v. Nineteenth Judicial Dist.*, 895 P.2d 545 (Colo. 1995); *People ex rel. Sullivan v. Swihart*, 897 P.2d 822, 824 (Colo. 1995); *Epps v. Commonwealth*, 626 S.E.2d 912 (Va. Ct. App. 2006); *State v. Wadsworth*, 991 P.2d 80 (Wash. 2000); *Halverson v. Hardcastle*, 163 P.3d 428, 440-41 (Nev. 2007).

Despite such authority, the courts must operate within a governmental structure that balances the powers of the three branches. Under that structure, the existing statutes provide that county authorities are responsible for courthouse facilities and manpower to ensure the security of courtrooms. See Wyo. Stat. Ann. § 18-2-103 (“Each county shall provide and maintain a suitable courthouse...”); Wyo. Stat. Ann. § 18-3-604 (“The county sheriff or his deputy ... shall attend all courts of record in his county.”) It is, therefore,

ORDERED that Rule 107 of Uniform Rules for District Courts of the State of Wyoming, attached hereto, be, and hereby is, adopted by the Court to be effective July 1, 2014; and it is further

ORDERED that this order and the attached rule shall be published in the advance sheets of the Pacific Reporter; the attached rule shall be published in the Wyoming Court Rules Volume; and that this order and the attached ruled shall be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>. The rule shall thereafter be spread at length upon the journal of this Court.

DATED this 17th day of June, 2014.

BY THE COURT:

/s/

MARILYN S. KITE
Chief Justice

Uniform Rules for District Courts of the State of Wyoming

Rule 107. Court security.

- (a) The district courts have the inherent authority to ensure that adequate courtroom security measures are in place. Every district court, following consultation with the sheriff, the local county court security management committee, and other interested stakeholders, shall determine appropriate security measures needed to protect courtrooms and court personnel. In devising appropriate security measures, the Wyoming Court Security Commission's Court Security Standards shall be consulted. The court may conduct appropriate proceedings and enter appropriate orders to ensure that adequate security measures are in place.
- (b) Wyo.Stat. Ann. § 18-3-604 requires the Sheriff "shall attend all courts of record in his county." In consultation with the presiding judge, the sheriff shall provide a sufficient number of deputies to maintain order in the courtroom at all times. The rules and orders of the court pertaining to conduct in the courtroom shall be enforced by him or them.
