

**Minutes of the District Judges' Meeting  
Held at Ucross on April 27-28, 2006**

A meeting of the District Judges' Conference was held April 27 & 28, 2006 and was attended by the following Judges:

- First Judicial District: Judge Edward L. Grant, Judge Peter G. Arnold, Judge Nicholas G. Kalokathis
- Second Judicial District: Judge Jeffrey A. Donnell, Judge Wade E. Waldrip
- Third Judicial District: Judge Dennis L. Sanderson, Judge Nena R. James
- Fourth Judicial District: Judge John C. Brackley
- Sixth Judicial District: Judge Dan R. Price, II, Judge John R. Perry, Judge Michael N. Deegan
- Seventh Judicial District: Judge David B. Park, Judge W. Thomas Sullins, Judge Scott W. Skavdahl
- Eighth Judicial District: Judge Keith G. Kautz, Judge John C. Brooks
- Ninth Judicial District: Judge Nancy J. Guthrie

Judge Park chaired the meeting which began at 1:00 p.m. on April 27, 2006.

The following occurred:

1. Representative of Westlaw. A presentation by Dustin Allen representing Westlaw gave a report of the services Westlaw would provide if the District Judges would re-subscribe to Westlaw. He committed that Westlaw was prepared to offer a package with unlimited use that is less cost than Lexis is offering. He also said that the Premiere Package was available at an extra cost.

Subsequently the District Judges voted to accept the Westlaw proposal.

2. Juvenile Procedure. Sue Chatfield and Jill Kucera gave a presentation on the necessity of complying with ASFA and of making specific findings as to reasonable efforts to avoid placement out of the home and its being contrary to the welfare of the children to keep them in the home.

3. Governor Freudenthal. Governor Freudenthal discussed several topics with the judges, including funding issues and staff shortages within the Department of Family Services, and the concept of an inter-agency collaborative team or "Super MDT"

to address services and funding for a child's needed services. Juvenile Code revision was discussed, first, having judges and prosecutors sit down and discuss what should be done; second, requiring that county attorneys handling juvenile cases have at least five years' experience; and third, the need for more foster care providers.

Judge Waldrip suggested that it was perhaps time to look into setting up a separate juvenile court system given the time expended in juvenile matters.

### **Meeting Reconvened on April 28<sup>th</sup>**

4. Minutes of December 8-9, 2005 Meeting & Financial Report. The Minutes of the December meeting and the Financial Report of 9/1/05 thru 4/26/06 were approved.

5. Board of Judicial Policy and Administration. Judge Perry reported on the BJPA. He said judges need to act quickly on motions for post-conviction relief – that these fall under the Rules of Civil Procedure.

6. Technology Services. Judge Skavdahl discussed progress that was being made in getting the server up and running. He also recommended that a rule on telephonic hearings be adopted. This led to a discussion of handling collection case hearings by phone and the need to explain to the litigants why the collection companies are allowed to appear by telephone.

7. Interpreters. Judge Grant explained that the Public Defender's Office informed him that they would no longer provide interpreters or pay for them. It was decided that the judges should prepare to budget for this cost.

8. Salary Increase for Judicial Assistants. Judge James made a motion to increase the salary of judicial assistants by 4% plus add the \$500 bonus that was allocated by the legislature. The motion passed. Judge James will prepare the resolution.

9. GAL Survey. Judge Donnell said that a GAL survey was sent out and the responses were mostly positive. Holly Hansen would like to raise the GAL fees to \$100 per hour. Judge Waldrip pointed out that we should be prepared to pay for the parents' attorneys if they want one and can't afford one.

### **For the Good of the Order**

10. Judge Waldrip suggested that Rule 26(b) W.R.Cr.P. be changed so that telephonic testimony not be allowed.

11. Guardianship Reports. A discussion on what should be done if guardians fail to submit a report every six months was held.

12. The much discussed (and never occurring) Judicial Fishing Trip was again discussed. Ten judges expressed an interest in attending.

13. Judge Perry discussed the need to order an evaluation in cases involving sex offender registrations.

14. Judge Perry discussed the proposal for inter-department exchange of sick leave.

15. Judge Perry discussed recent legislation. The judicial pay raise was approved in a footnote and is the same as the raise given other state employees.

16. Judge Perry also discussed the Court Reporter Rule and not requiring notice to the court reporter for every hearing.

17. A general discussion was held on how to handle those pro se parties who are constitutionalists.

18. Meeting with Joint Judiciary Committee. Senators John Hines, Bruce Burns, John Schiffer, Tony Ross and John Hanes met with the judges and a discussion was held on legislation being considered and matters of concern to judges, including juvenile court reform, the Addicted Offender Accountability Act, making Clerks of Court an appointed office, judicial retirement, Uniform Trust Code, Uniform Probate Code, the lien statutes, sex offenses against minors, and problem solving courts.

There being no further business, the meeting adjourned at 12:00 p.m.