

MINUTES: December 2013 JUDGES' CONFERENCE
December 12, 2013

1. The regular meeting of the District Judges' Conference was called to order. The meeting was conducted using the JVAN system.
2. The Parole Board gave a presentation. The speakers were Dan Fetsco and Jim Weisbeck.
 - a. Mr. Fetsco explained that if a prisoner does not agree to participate in the rehabilitation programs, the Board can "flatten" them by not allowing them to earn any good time served. A prisoner can later agree to participate and start earning good time.
 - b. The Legislature created the Board of Parole in 1971.
 - c. The Governor appoints members to the Board.
 - d. The data shows a person has a greater chance of success if they are released on parole.
 - e. Governor Mead has granted two (2) commutations of life sentences.
 - f. Medical paroles are very rare.
 - g. Good time earned can reduce a person's sentence by 1/3 so they serve 2/3 of their sentence.
3. Mark Gifford gave a presentation from the Wyoming State Bar Counsel.
 - a. Mr. Gifford now works full time as of 10/1/2013.
 - b. There were about between 175-185 complaints against lawyers per year in the last three years.
 - c. Mr. Gifford has recently seen as a defense from lawyers that the local judges have not complained about them or raised concerns to them about their actions.
 - d. Mr. Gifford gave a CLE on disciplinary actions yesterday (12/11/2013). There were over 600 participants.
 - e. Mr. Gifford encouraged the judges to report violations to him.
 - f. Judge Donnell voiced that he likes that more attorney misconduct is being reported.
 - g. Mr. Gifford also encouraged the Judges to call him to discuss situations and decide if they should be officially reported.
4. Joann Odendahl gave a presentation discussing budgets.



- a. Their office did receive \$600,000.00 from the legislature. They used this money to bring the Circuit Court Clerk's pay up to 80% of market.
 - b. Ms. Odendahl encouraged the Judges to look at the office equipment your office currently has and request funds for new equipment if you feel necessary.
 - c. There are currently two (2) court reporters that are real time certified in the State of Wyoming. A 10% pay increase was suggested to court reporters who do become certified.
 - d. Ms. Odendahl mentioned to the Judges to pay attention to how many miles we are traveling each year for work purposes. If we are traveling more than 10,000 miles a year, we can request funds to purchase a state vehicle that can be used for these trips.
 - i. It was mentioned that places like Gillette should consider how many miles all the Judges combined are using.
5. Chief Justice Kite and Justice Burke gave a presentation on current issues.
- a. WY User is currently running in every county but Laramie County.
 - b. In discussion about the unauthorized practice of law, Chief Justice Kite mentioned that the district court judges may need to do the contempt proceedings.
 - c. District Court Clerks have started discussing raising the filing fee to \$90.00.
 - d. Jury List Bill: This came from the Joint Judiciary Committee. It would guarantee people that have recently served would not serve agains for 1-2 years. It would create a way to make a centralized list.
 - e. Legislative Issues:
 - i. The \$45.00 court reporter fees will likely be gone.
 - ii. Court security funding: This issue seems to have a lot of support from people.
 - 1. It was adopted by the Appropriations Committee.
 - 2. Chief Justice Kite encouraged the judges to talk with local legislators to discuss support and funding.
 - f. E-Filing is currently under design.
 - i. The feedback from Bar members is that they are excited about it.
 - ii. There will be online tutorials and handbooks when it becomes available.
 - iii. By next fall, we should have the ability to E-File.

6. Court Reporter Issues: Tara France

- a. She feels that things have been going very well for court reporters.
- b. Their Association does not currently have an opinion on the \$45.00 fee.
- c. On the issue of court reporters reporting everything, she mentioned that this could be difficult and a struggle for busier districts. It may not be a "one size fits all" method. The judges and reporters would have to work together to determine what works best for each district. Tara mentioned setting aside an afternoon where the reporter would not be reporting and could get work done in their office.
- d. Judge Donnell mentioned that he does not feel the \$45.00 fee is necessary. He has installed a recording device in his court room that he uses in cases where a court reporter has not been requested. He especially uses for divorce cases. He said that it helps if there is ever an appeal. He pointed out that the device would never replace the live court reporter in terms of accuracy.
- e. In Rawlins, the Court budget has paid for the additional software that is necessary to provide real time to the Judge. Tara thinks this specific software is about \$250-300/year.

7. Judge Deegan concluded the meeting and let the Judges know that they would begin tomorrow morning at 8:15.

December 13, 2013

1. Steven Dreher gave a presentation regarding Wyoming Court Project updates.
2. We next engaged in conversation with House Speaker Tom Lubnau, Representative Gingery, Senate President Ross and Senator Schiffer about the upcoming Legislative Session. Senator Schiffer focused on the Title 25 revisions and concerns over the role of the county attorney in this process. Two bills have been drafted, one regarding the county attorney having clear responsibility to initiate the action and the second addressing the entire concept of Title 25 revision.
3. A brief Good of the Order was held, and the group adjourned at 11:00 a.m.

Most Respectfully Submitted,

Hon. Steven Cranfill