

MINUTES
District Court Judges' Conference
December 17, 2015
Video & Telephone Conference Meeting

Poor weather and travel conditions led to cancellation of the regular meeting of the District Judges' Conference originally slated to be held in Casper. An abbreviated meeting of the District Judges' Conference was held by video and telephone conference, starting at 1:00 o'clock p.m. on December 17, 2015, when Judge Fenn opened the meeting, dispensed with the roll call, and welcomed the participants and guests.

Chief Justice Burke addressed the Conference. He reported his perceptions of the recent Joint Appropriations Committee meeting, and he commended Judge Fenn and Judge Young for their appearance and presentations to the JAC. Chief Justice Burke urged judges to attend legislative functions, commenting that judges appearing at legislative functions provide an opportunity to demonstrate the competence and qualifications of the judiciary. Next, Chief Justice Burke expressed concerns regarding the recommended cuts in funding for drug and treatment courts in the Governor's budget proposal. He pointed out that magistrates are funded through the judiciary, but that most drug and treatment courts are funded through legislative appropriation. The Chief Justice observed that drug and treatment courts affect trial court sentencing options. He urged judges to put forth their respective positions, and requested that the Conference also put forth a plan of action and support. In conclusion, Chief Justice Burke requested that information regarding any legislation affecting the judiciary be shared.

Court Administrator Lily Sharpe presented updates on WY USER and related issues. She noted that Title 5 requires an integrated statewide automation system. The system is to be comprised of three modules. The first module is case management. It is the smallest component. There remain about 250 "bugs" in the case management module, but they are expected to be resolved within the next few months. The second module contains the judges' tools. It integrates with an Outlook calendar, pulls up each case, and provides a "dashboard" to, for example, schedule hearings, send out notices, show financial information (fees, etc.). Ms. Sharpe explained that scheduling and calendaring is the next component to be introduced, and anticipates that it can be in place for a pilot start in Laramie County by the end of January 2016. The third module is e-filing. Ms. Sharpe stated that the National Center for State Courts is to review the second and third module and issue a report. She indicated that to move forward with the remaining modules, a small number of volunteer advisors would be utilized to provide recommendations for the selection of best options within each module. Judge Fenn indicated a need for a couple of district judges to volunteer as advisors going forward.

Judge Tyler declared that a quorum was present (*i.e.*, more than 12 District Judges), so the Conference is able to conduct business.

Judge Tyler gave the Treasurer's Report (as of December 15, 2015). Judge Fenn noted that Judge Cranfill is the only signator on the Conference bank account, and that the Minutes from the September 9, 2015, meeting should reflect the election results so that Judge Fenn, Judge Skar, and Judge Tyler can be added. Judge Donnell moved, seconded by Judge Edelman, that the proposed Minutes from the September 9, 2015, Conference meeting be approved. Carried unanimously.

Judge Campbell e-mailed a summary of issues raised at the BJA meeting held December 2, 2015. Judge Perry and Judge Fenn confirmed that the summary is accurate. There was discussion regarding salaries and raises. Some WY USER issues were discussed. Judge Fenn asked for volunteers to advise the WY USER staff going forward. Judge Campbell, Judge Fenn, and Judge Skar agreed to help.

Judge Fenn attended Joint Judiciary Legislative Committee meetings, and he described different topics being examined by the Committee, including: WY DOC proposals for legislative changes to reduce prison populations involve split sentences, the intensive treatment unit program, raising the amounts for felony property crimes, etc.; forfeitures in drug seizure cases; establishing a juvenile sex offender classification scheme where the courts make the determination on risk; and, establishing a felony level for controlled substances "edibles" and means of testing. Judge Campbell attended a Committee session where the new district court judgeship in Laramie County was discussed, but it was noted that additional facilities were needed before this proposal could move forward. He also attended some of the Committee discussion on forfeitures in drug seizure cases and increasing the amounts for felony property crimes.

Judge Fenn gave a summary and update regarding the Title 25 Legislative Committee, including: addressing the issues associated with Title 25 cases in terms of number of cases, availability of treatment options, and rising costs; the spikes in numbers of commitment cases in four Counties; lack of resources and funding in many Counties; alternatives and viability of alternatives to involuntary commitment; and, proposed legislation in a draft bill (16 LSO 0132). Judge Sharpe highlighted the impact of the surge of involuntary commitment cases in Laramie County and to budgets. Judge Bluemel added his views of Committee discussions and actions. Judge Fenn requested that comments be forwarded to him or to the Committee for further consideration. Also discussed was the Wyoming State Hospital's ability to address its responsibilities with the present demands involving involuntary commitment cases, competency evaluations in criminal cases, etc.

Judge Fenn indicated that he was contacted by attorney Deb Kellam regarding conflicts between and among Wyo. Stat. Ann. § 3-3-108, § 14-2-202, and URDC 909 as to conservatorship issues for minors. She recommended that URDC 909 be modified to set the floor for a minor settlement to either \$5,000 or \$3,000, to be consistent with one of the statutes. No action was taken.

Judge Fenn opened a further discussion regarding judicial salaries. An exchange of ideas resulted in a motion by Judge Skar, seconded by Judge Donnell, and unanimously carried, to make a request that the legislative leadership order an interim study of judicial salaries.

Judge Fenn gave an update regarding some efforts being explored by DFS to seek legislative change to current laws to allow placement of juveniles at the Wyoming Girls School and at the Wyoming Boys School under the CHINS Act. No action was taken.

Judge Waldrip was up for reappointment to a second term on the Commission on Judicial Conduct and Ethics. He indicated that he is willing to serve a second term. On motion by Judge Donnell, seconded by Judge Deegan, and carried unanimously, Judge Waldrip was reappointed to serve a second term on the Commission on Judicial Conduct and Ethics.

Judge Fenn urged members to maintain "constant vigilance" regarding court security and security measures. This sparked a discussion regarding the varying ways that the topic of court security is addressed in different Counties. Judge Tyler noted that the Wyoming Court Security Commission has implemented "standards," and that the Conference previously resolved to have a district judge in each County take the lead on court security issues.

Judge Fenn and Judge Young described their respective perceptions regarding the recent JAC budget hearings.

Judge Fenn inquired whether the Conference wished to act upon the proposed funding cuts for drug and treatment courts. Judge Skar discussed the impact of such cuts in his jurisdiction. Judge Day suggested that input be forwarded to the Supreme Court so that all views could be focused from one source. Judge Fenn asked Judge Day to revisit the issue with the Conference if any resolution or vote was needed. Judge Skar volunteered to help. No other action was taken.

Judge Cranfill gave an update of the WYLAP program, increases in funding the program, its new guidelines, and the positive impact by Executive Director Jack Speight. He noted that Jack Speight "will go anywhere to help."

Judge Fenn stated that the next Conference meeting will be in Sheridan on April 21-22, 2016. Issues being considered for the meeting include retirement, human trafficking, a presentation by Kristi Racines, and perhaps a tour of the Wyoming Girls' School. Judge Skar inquired about touring the treatment center in Sheridan, and Judge Fenn indicated that he would follow up on that request.

Upon motion by Judge Campbell, seconded by Judge Deegan, and unanimously carried, the meeting was adjourned at 2:40 o'clock p.m.

Respectfully submitted:

A handwritten signature in blue ink, appearing to read "Marv Tyler", is written over a horizontal line. The signature is stylized and cursive.

Marv Tyler
District Judges' Conference Secretary-Treasurer