

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2022

In the Matter of the Modification)
of the Board of Judicial Policy and)
Administration and)
Establishment of)
the Wyoming Judicial Council)

IN THE SUPREME COURT
STATE OF WYOMING
FILED

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SHAWNA GOETZ, CLERK

**ORDER OF MODIFICATION TO COURT’S ORDER OF MAY 24, 2000,
ESTABLISHING BOARD OF JUDICIAL POLICY AND
ADMINISTRATION AND APPOINTING MEMBERS THEREOF
AND RENAMING IT THE WYOMING JUDICIAL COUNCIL**

THIS MATTER came before the Board of Judicial Policy and Administration (BJPA) upon the recommendation of the Judicial Branch Innovation task force to change the name of the BJPA and to modify its structure. The BJPA having considered the recommendation hereby modifies the Order of May 24, 2000, and finds:

On May 24, 2000, the Supreme Court ordered the establishment of the Board of Judicial Policy and Administration to promote communication, cooperation, and efficient management of all levels of the Wyoming courts for the Wyoming Judicial System; and

By its Order Establishing Board of Judicial Policy and Administration and Appointing Members Thereof, the Supreme Court ordered that superintending authority vested in the Supreme Court be delegated to the Board of Judicial Policy and Administration; and

By their ratification dated September 8, 2022, the District Court Judges’ Conference confirmed the April 24, 2000, delegation of their administrative authority, except for the submission of budgets, to the Board of Judicial Policy and Administration; and

The Supreme Court ordered the appointment of membership to the Board of Judicial Policy and Administration; and

The Supreme Court adopted the Rules and Procedures Governing the Board of Judicial Policy and Administration on March 23, 2011; and

IT IS HEREBY ORDERED THAT the Board of Judicial Policy and Administration shall now be known as Wyoming Judicial Council;

IT IS FURTHER ORDERED THAT the members of the Board of Judicial Policy and Administration as of the date of this order and any previous actions taken by the Board of Judicial Policy and Administration are continued and shall be considered members and actions of the Wyoming Judicial Council until superseded;

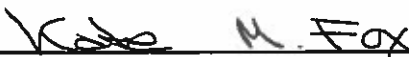
IT IS FURTHER ORDERED THAT the superintending authority vested in the Supreme Court and previously delegated to the Board of Judicial Policy and Administration is hereby delegated to the Wyoming Judicial Council; and

IT IS FURTHER ORDERED THAT the District Court Judges' delegation of their administrative authority, except for the submission of budgets, to the Board of Judicial Policy and Administration is hereby delegated to the Wyoming Judicial Council; and

IT IS FURTHER ORDERED THAT the Rules and Procedures Governing the Wyoming Judicial Council as attached hereto are hereby adopted.

DATED this 1st day of November, 2022

**BY THE BOARD OF JUDICIAL POLICY
AND ADMINISTRATION:**



Kate M. Fox, Chief Justice
Chair, Board of Judicial Policy and Administration

Rules and Procedures Governing the Wyoming Judicial Council

Rule 1. Supreme Court.

In accordance with the Board of Judicial Policy and Administration's Order of November 1, 2022, the superintending authority vested in the Wyoming Supreme Court by Article 5, Section 2 of the Wyoming Constitution is delegated to the Wyoming Judicial Council.

Rule 2. District Courts.

In accordance with the resolution of the District Courts unanimously approved on April 24, 2000, and ratified on September 8, 2022 by the *Ratification of the District Judges' Conference April 24, 2000 Resolution Regarding the Board of Judicial Policy and Administration*, the Wyoming District Courts delegate their administrative authority as established by Article 5, Section 1 of the Wyoming Constitution and W.S. 5-3-102(b) and 9-2-1002(c), except for the submission of budgets, to the Wyoming Judicial Council.

Rule 3. Wyoming Judicial Council.

Pursuant to the Wyoming Constitution, the Order of the Wyoming Supreme Court and the resolution of the Wyoming District Courts, the Wyoming Judicial Council will exercise general superintending control over the Judicial Branch for administrative, policy making, and planning purposes.

Rule 4. Membership.

The Wyoming Judicial Council is composed of the following members:

1. The Chief Justice of the Wyoming Supreme Court and two justices of the Wyoming Supreme Court;
2. Three district court judges; and
3. Three circuit court judges.

All members enjoy voting rights. The Wyoming Judicial Council may appoint non-voting members to serve for specified terms to increase perspective of others in the judicial branch, including, but not limited to, judges, clerks of court, chief circuit clerks, court personnel, and Staff of the State Court Administrator.

Rule 5. Terms of Members and Vacancies.

The Chief Justice of the Wyoming Supreme Court shall serve on the Wyoming Judicial Council during tenure in that office. The other members of the Wyoming Judicial Council shall be elected by their respective judicial conferences, serving staggered terms of three years, with the exception of the Chief Justice of the Wyoming Supreme Court. Members may serve successive terms. Elections to fill vacancies shall be held in the spring. Vacancies may be declared by the Wyoming Judicial Council because of the death, retirement, resignation, or nonattendance of a member at three meetings during a calendar year. If necessary, a member may attend in person, by telephone, or by virtual means.

Rule 6. Responsibilities of Presiding Officer.

The Chief Justice is the presiding officer of the Wyoming Judicial Council. It is the responsibility of the presiding officer to preside at meetings and to serve as the chief spokesperson for the Wyoming Judicial Council.

Rule 7. Organization.

The presiding officer shall preside at any meeting. In the presiding officer's absence, the Executive Committee member with the most seniority on the Judicial Council shall act as the presiding officer. The presiding officer may appoint standing committees, and advisory committees at any time to assist the Wyoming Judicial Council in carrying out its responsibilities. Standing and advisory committees shall have a designated chairperson as determined by the presiding officer. Existing Supreme Court committees may be designated as standing or advisory committees by order of the Chief Justice.

Rule 8. Executive Committee.

There shall be an Executive Committee consisting of the Chief Justice of the Wyoming Supreme Court, one district court member of the Judicial Council, and one circuit court member of the Judicial Council. The district court and the circuit court member of the Executive Committee shall be designated by the other members of the Judicial Council from that judicial conference. The Executive Committee shall have the authority to act between Judicial Council meetings. All actions of the Executive Committee shall be reported at the next Judicial Council meeting to be voted on by the Judicial Council.

Rule 9. Meetings.

The Wyoming Judicial Council shall act only at a meeting, unless agreed upon unanimously by the Wyoming Judicial Council, in which case action may be taken or a vote by email or other means may be taken. The Wyoming Judicial Council shall meet at least quarterly as determined by the presiding officer. Standing or advisory committee meetings may be called at the discretion of the committee chairperson. The Wyoming Public Meetings Act, W.S. 16-4-401, et seq., by its terms, does not apply to the judiciary. Meetings of the Wyoming Judicial Council are open to all sitting Circuit and District Court Judges and Supreme Court Justices but are not public unless, in its discretion, the Judicial Council determines a particular meeting or agenda item should be open to the public.

Rule 10. Reporter for the Wyoming Judicial Council and Minutes.

The State Court Administrator shall be the executive secretary and a non-voting member for the Wyoming Judicial Council. It shall be the duty of the executive secretary to prepare and keep the minutes of all meetings. In the absence of the executive secretary, the executive secretary shall choose another member of court administration to record the minutes. The executive secretary shall record the names of the members present, all actions taken, and any other matters that the Wyoming Judicial Council may deem appropriate. Copies of the minutes shall be distributed as deemed appropriate by the Wyoming Judicial Council and shall be filed in the office of the Clerk of the Supreme Court.

Rule 11. Actions and Voting.

Six members of the Wyoming Judicial Council shall constitute a quorum. Once a quorum has been established, that quorum shall carry throughout the duration of the meeting. Approval of a majority of those voting shall constitute an action. The presiding officer is a voting member of the Wyoming Judicial Council. A tie vote means that the matter voted on has failed adoption. A member may vote on specific issues by written proxy delivered to the presiding officer. A motion to reconsider can only be made by a member who voted on the prevailing side of an issue.

Rule 12. Staff.

Under the direction of the Chief Justice of the Wyoming Supreme Court, the State Court Administrator's Office shall provide staff for support for the Wyoming Judicial Council and any committees established by the Judicial Council.


Rule 13. Authorized Actions of the Wyoming Judicial Council.

The Wyoming Judicial Council shall be the administrative policy-making body of the Wyoming Judicial Branch. All administrative policies shall be binding on all judicial branch judges and employees. County employees and elected officials serving the Wyoming Judicial Branch, pursuant to law, shall also adhere to administrative policies which are relevant to them, and are adopted by the Wyoming Judicial Council. The administrative policy-making authority of the Wyoming Judicial Council shall continuously study the organization, rules, procedures, work accomplished, results, and uniformity of the state courts and methods for their improvement including, but is not limited to the following:

1. Development and implementation of the mission statement and strategic plan of the Wyoming Judicial Branch;
2. Determination of budget priorities;
3. Develop and support legislative initiatives as permitted by the Code of Judicial Conduct;
4. Human Resources functions;
5. Technology and infrastructure for the effective operation of the Judicial Branch;
6. Education and organizational development for judicial officers and staff;
7. Programs including jury, guardian ad litem, interpreter, specialty courts; and
8. Core services, court performance measures and accountability.

Adopted this 1st day of November, 2022.

BY THE WYOMING JUDICIAL COUNCIL:



Kate M. Fox, Chief Justice
Chair, Wyoming Judicial Council