

**Minutes**  
**Conference Call, January 24, 2003, Noon**  
**Board of Judicial Policy and Administration**

The Board of Judicial Policy and Administration met by conference call on January 24, 2003. Chief Justice William Hill, Justice Larry Lehman, Judge Jim Burke, Judge Ed Grant, Judge Keith Kautz, Judge Rob Denhardt, Judge Mike Huber, and Judge Wade Waldrip attended. Holly Hansen, Matt Fermelia, George Santini, Kim Cannon, Ross Newman and Marv Tyler also attended.

1. Approval of December 5 & 6, 2002 Minutes and December 18, 2002 Conference Call Minutes

Judge Grant moved and Judge Waldrip seconded a motion to approve the minutes of the December 5 and 6, 2002 Board meeting and the December 18, 2002 conference call. Motion carried unanimously.

2. Wyoming Rules of Civil Procedure – Rule 4

During a brief discussion about the proposed rule change, George Santini explained that the Permanent Rules Advisory Committee on Civil Rules recommended that Board eliminate the Special Service of Process and make the state's system consistent with the federal system. He said the Committee also recommended eliminating the requirement that the clerk has to appoint someone to serve process. Several board members indicated that in section (c)(1) the language should be amended to reflect that the sheriff or his designee and in (c)(2) the language should be amended to reflect marshal or his designee. Judge Kautz moved and Judge Burke seconded a motion to adopt the recommendations from the Civil Rules Committee, as amended, to allow the sheriff or the sheriff's designee or marshal or the marshal's designee to serve process. Motion carried.

3. Commission on Judicial Conduct and Ethics  
Part II and Part III Rules 10 and 13

Kim Cannon, Ross Newman and Marv Tyler joined the Board to discuss rule changes proposed by the Commission of Judicial Conduct and Ethics. After a brief discussion, Judge Burke moved for a reconsideration of Rule 10 and Rule 13. In its December meeting, the Board denied the Commission's recommendations with respect to these two rules. Justice Lehman seconded the motion, which passed. Then, Judge Burke moved and Judge Waldrip seconded a motion to adopt the revision to Rule 10 as proposed by the Commission on Judicial Conduct and Ethics. Chief Justice Hill, Justice Lehman, Judge Burke, Judge Grant, Judge Kautz, Judge Denhardt and Judge Waldrip voted aye and Judge Huber voted no. The motion passed.

After further discussion of the proposed change to Rule 13 Judge Waldrip moved and Judge Burke seconded a motion to adopt the Commission's recommendation. The motion passed.

4. Other matters

Under Other Matters, the Board considered and approved a request from the Board of Law Examiners to increase the application fee for exam applicants from \$200 to \$450 and to increase the fee for motion applicants from \$200 to \$800. The Board of Law Examiners also recommended the establishment of a late fee in the amount of one-half the application fee for all applicants. The Board voted to recommend that the Supreme Court adopt the Board of Law Examiners' recommendations.

Board call concluded at 1:00 p.m.

**Future Board Meeting Schedule:**

|                      |   |
|----------------------|---|
| March 20, 2003       | Meeting in Cheyenne   |
| April 8, 2003        | Conference Call, Noon                                       |
| May 13, 2003         | Conference Call, Noon (Conflict with Oral Arguments?)       |
| June 19 and 20, 2003 | Meeting in Saratoga   |
| August 12, 2003      | Conference Call, Noon (Conflict with Oral Arguments?)       |
| September 9, 2003    | Conference Call, Noon (Conflict with State Bar?)            |
| October 1 & 2, 2003  | Meeting at Vee Bar Ranch                                    |
| November 11, 2003    | Conference Call, Noon (Conflict with Veterans' Day Holiday) |
| December 4 & 5, 2003 | Meeting at Law Enforcement Academy                          |