

DISTRICT JUDGES' CONFERENCE
December 8 and 9, 2006
Casper, Wyoming
Minutes

A meeting of the District Judges' Conference was held on December 8 and 9, 2006, in Casper and was attended by the following judges: First Judicial District: Judge Peter G. Arnold and Judge Nicholas G. Kalokathis; Second Judicial District: Judge Jeffrey A. Donnell and Judge Wade Waldrup; Third Judicial District: Judge Nena R. James and Judge Jere Ryckman; Fourth Judicial District: Judge John C. Brackley and Judge John Fenn; Fifth Judicial District: Gary P. Hartman and Judge Steve Cranfill; Sixth Judicial District: Judge Dan R. Price, Judge Michael N. Deegan, and Judge John R. Perry; Seventh Judicial District: Judge W. Thomas Sullins and Judge Scott W. Skavdahl; Eighth Judicial District: Judge Keith Kautz and Judge John Brooks; Ninth Judicial District: Judge Nancy Guthrie and Judge Norman Young.

Judge Perry chaired the meeting which began at 1:00 p.m. on December 8, 2006. The following occurred:

1. Women's and Men's Center ITU Presentation. A presentation by Mike McCafferty of the Wyoming Women's Penitentiary, Jim Jensen of the Men's State Penitentiary in Rawlins, and Shannon Karst was made pertaining to the ITU Program in both the women's and men's penitentiary. Mr. McCafferty explained that the success rate of the ITU Program at the Women's Center was approximately 80% with no relapse. Mr. McCafferty also indicated there were long waiting lists and that it took approximately 18 to 36 months to get into the program. It is his goal for the inmate to try and finish the program at the same time the inmate was to begin their probation. Mr. McCafferty noted that if there was a longer sentence, it would increase the chances for the inmate to get into the ITU program. Given that some inmates may actually stay longer in the women's prison due to an ITU recommendation, Mr. McCafferty advised that the Judges should recommend "appropriate treatment alternatives" instead of ITU. Mr. Jensen advised that the success rate for the ITU inmates in Rawlins is approximately 73% and that there was a smaller waiting list in Rawlins than in Lusk. Mr. McCafferty and Mr. Jensen invited calls if there were questions about motions for sentence reductions that related to treatment.

2. IT Issues. Judge Skavdahl lead the discussion and indicated that he will meet with Holly Hansen and Stephen Dreher early next year to discuss IT issues. Among the items to be discussed are wireless networking and PC cards. The judges then had a discussion relating to a variety of problems and options. It was clear that there was no consistency or uniformity among the districts but there was not a great deal of dissatisfaction about IT support expressed by the judges.

3. Voucher Preparation. Expense vouchers are prepared in some districts by the state and in other districts by the judicial assistants. It was agreed that henceforth, the State would prepare all expense vouchers for the district judges. Judge Perry agreed to notify the Supreme Court about that decision.

4. Court Reporter CLE. Judge Perry was notified by the Court Reporters Association that the court reporters would keep track of their own CLE and therefore, any issue relating who would keep track of their CLE was resolved.

5. Weighted Case Load Study. There was a discussion about whether or not the District Court would participate in the Weighted Case Load Study. After discussion, it was agreed that the District Court would participate.

6. Joint Judiciary Interim and Legislative Leadership. Senator Kathryn Sessions met with the judges to discuss proposed juvenile justice legislation. Senator Sessions advised the judges that the Judiciary Committee wanted the judges "on board" regarding any proposed juvenile justice legislation. Senator Sessions also advised that based on data received the Judiciary Committee that Drug Courts are effective in Wyoming. Senator Sessions then discussed several potential changes to the Juvenile Justice Act which included: 1) Training at the Law Enforcement Academy regarding Juvenile Justice Act; 2) The need for more diversionary programs; 3) Better communication between courts; 4) Allowing the District Court to assume jurisdiction over lower court cases; and, 5) Allowing the Juvenile Justice Act to be administered in County Court and Municipal Court.

Chairman Perry suggested that a District Court sub-committee be available to make suggestions regarding any legislative proposals. The District Court sub-committee would include Judge James, Judge Hartman, and Judge Waldrip. Judge Sullins pointed out that the judges should be careful about getting too involved in the legislative process.

Meeting was re-convened on December 9, 2006

7. Ethics Committee. The judges unanimously voted for Judge Kautz to take over Judge Ryckman's position on the Ethics Committee.

8. Pay Increase and Retirement Legislation. The status of legislative acts regarding pay increases for District Judges and Retirement Legislation was discussed. Judges Deegan, Cranfill, and Perry agreed to meet at their earliest convenience to determine whether or not a lobbyist was needed. The judges were reminded that if it is agreed that a lobbyist should be hired, each of the judges would be assessed for the cost of the lobbyist.

9. Westlaw Premises Disk. After a discussion regarding billing, it was voted that the Supreme Court should pay for the disk fees.

10. Bronze for Brackley. Upon a motion of Judge Sullins, it was agreed that a bronze should be purchased in honor of retiring Judge Brackley. Judges Guthrie and Cranfill were appointed to make the arrangements to obtain the bronze.

11. Increase in District Judge Dues. It was agreed that the annual District Judge Dues would be increased from [REDACTED]


12. Amendment of District Judges Conference By-laws. It was agreed that at the spring meeting any proposed amendments to the conference by-laws would be discussed. Judges Brooks, Deegan, and Young were appointed to review the by-laws and make recommendations for changes.

13. Legal Aid. Judges Kautz and Cranfill started a discussion that resulted in a vote by the conference to support a proposed survey to determine if unmet legal needs exist in Wyoming and whether increased legal aid services can meet those needs.

14. Rule Changes. Judge Kalokathis pointed out that Rule 58 pertaining to the form of order and approval of same needs to be revised. Judge Kalokathis noted that there needs to be a rule change to speed up the process. The conference, thereupon, adopted a resolution that all District Judges have concerns about Rule 58 and that it needs to be changed. That resolution will be passed onto the Rules Committee. It was also pointed out that there needs to be a uniform rule regarding the use of telephonic witnesses at trial. Judges Skavdahl, Young, Arnold, and Hartman agreed to prepare a proposed draft of a rule.

15. Miscellaneous. There followed a discussion regarding *voir dire*, ongoing cases, and other practical legal issues.

There being no further business, the meeting was adjourned at 12:00 p.m. on December 9, 2006.



John C. Brooks
Secretary/Treasurer

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Amendment to Minutes**

After discussion with Chairman Perry, item #3 pertaining to voucher preparation is amended to limit that item to preparation of Westlaw vouchers. In other words, Westlaw vouchers will be paid by the Supreme Court not by District Courts.

Sorry for the confusion.