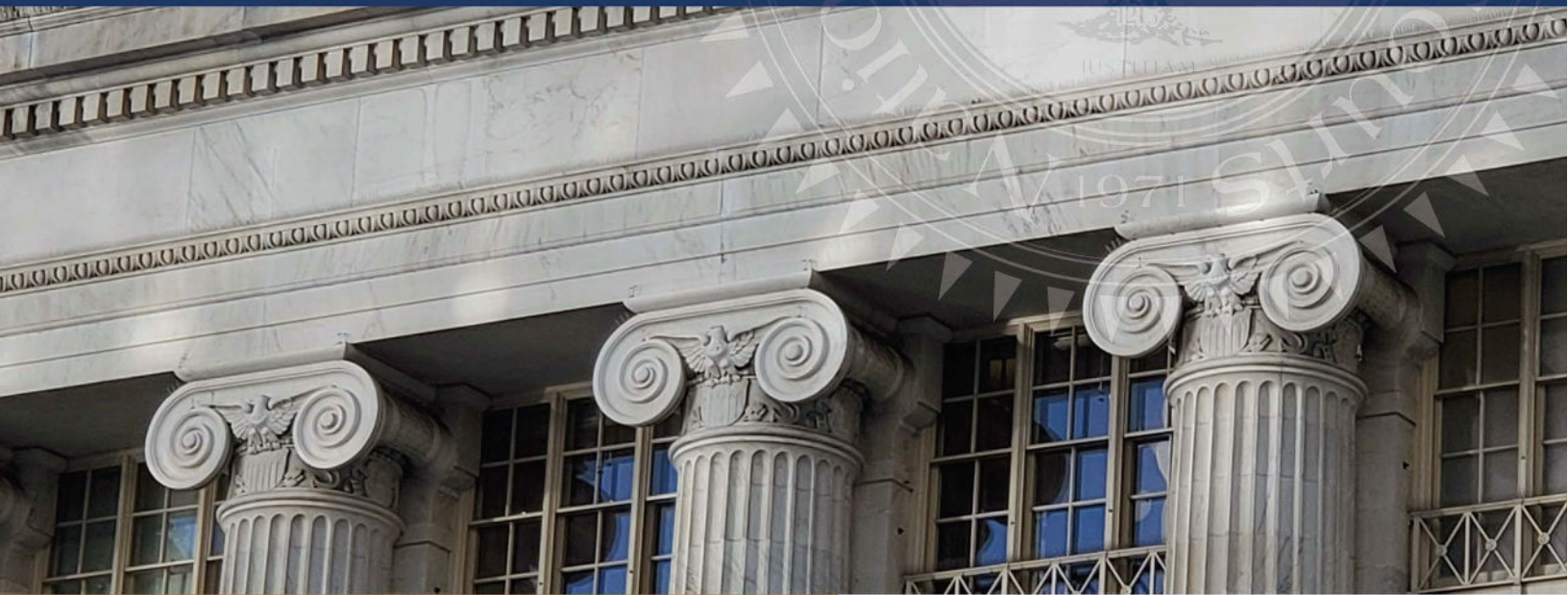


# Wyoming AOC

## Administrative Structure of the Wyoming Judicial Branch and the Board of Judicial Policy & Administration



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November 7, 2022



# National Center for State Courts

This report was prepared for the Wyoming Judicial Branch. The Court's objective was to seek assistance from the National Center for State Courts to improve the governance of the Wyoming Judicial Branch, and to implement systemic improvements in the operation of the courts.

Consulting services were provided by the National Center for State Courts ("NCSC" or "National Center"). The NCSC is an independent, private nonprofit corporation, chartered in 1971, targeting the betterment of courts nationwide and around the world.

This project assessed the current governance structure of the Wyoming Judicial Branch, provided comparable data from other courts across the United States, and assisted with meeting planning and facilitation and strategic planning.

The points of view and opinions expressed in this report are those of the authors as agents of the National Center, and do not necessarily represent the official position or policies of the Wyoming Judicial Branch, the judges or staff.

Funding for this project was provided by a grant from the State Justice Institute (SJI), a unit of the United States Department of Justice. The SJI was established by federal law in 1984 to award grants to improve the quality of justice in state courts, and foster innovative, efficient solutions to common issues faced by all courts.



## Acknowledgements

The National Center for State Courts (NCSC) project team gratefully acknowledges the State of Wyoming Judicial Branch for their assistance and leadership with this project. During the course of this study, we were fortunate to work with a distinguished group of dedicated individuals. We would like to express our appreciation to:

Hon. John Perry (Ret.), Chair of Wyoming Judicial Branch Innovation Committee

Hon. Kate Fox, Chief Justice of the Wyoming Supreme Court

Hon. Lynne Boomgaarden, Associate Justice of the Wyoming Supreme Court

Hon. Wendy Bartlett, Circuit Court Judge

Hon. Nathaniel Hibben, Circuit Court Judge

Hon. Catherine Wilking, District Court Judge

Hon. Jason Conder, District Court Judge

Elisa Butler, Wyoming State Court Administrator

*Disclaimer: The points of view expressed in this report are those of the authors and do not necessarily represent the official position or policies of the Wyoming Judicial Branch or the BJPA.*

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## National Center for State Courts

This Report was prepared for the Wyoming Judicial Branch. The study was funded primarily through a technical assistance grant awarded by the State Justice Institute ("SJI"), a federal Department of Justice program dedicated to improving the quality of justice in state courts and fostering innovative, efficient solutions to common issues faced by all courts.

Consulting services were provided by the National Center for State Courts (NCSC). The NCSC is an independent, private nonprofit corporation, founded in 1971, targeting innovation and the improvement of courts nationwide and internationally. This study assesses the governance of the Wyoming Judicial Branch and recommends certain improvements in the organizational structure and administration of the Judicial Branch.

The points of view and opinions expressed in this Report are those of the consultants, and do not necessarily represent the official position or policies of the SJI, the Wyoming Judicial Branch, or the judges and staff of the Wyoming Judicial Branch.

Table of Contents

Executive Summary.....1

Scope of Work.....2

Report Observations.....5

Recommendations.....6

Discussion.....8

Summary.....9

Appendices.....10

    A    Order Establishing the Wyoming Judicial Council.....10

    B    Rules and Procedures of the Wyoming Judicial Council.....12

    C    Operational Plan.....16



## Executive Summary

The Wyoming Judiciary has a non-unified governance and funding structure. While the Circuit Courts in all 23 counties are subject to the Supreme Court's administrative and fiscal control, the 26 District Courts are free from administrative and fiscal control of the Supreme Court. In addition, the Clerks of District Court are independently elected officials that report to the Board of County Commissioners in their respective counties.<sup>1</sup> They are considered county employees, and neither the Supreme Court nor the District Courts have supervisory control over the Clerks of the District Courts. To address the difficulties in governing in this decentralized structure, the Wyoming Supreme Court formed the Board of Judicial Policy and Administration (BJPA) in 2000 to assist in setting branch wide policies for Judicial Branch support and strategic planning. The BJPA is made up of the Chief Justice of the Supreme Court, two supreme court justices, three district court judges and three circuit court judges. The district court and circuit court judges are elected by their respective judicial conferences for three-year terms. Chief Justice Kate Fox, who became Chief Justice in July 2021, serves as the chair of the BJPA. State Court Administrator (SCA) Elisa Butler serves as the executive secretary, and the state court administrator's office is responsible for providing staff support for the BJPA.

At its Fall 2021 meeting, the BJPA discussed the role of the BJPA, coming to the consensus that the BJPA should focus its efforts on the significant challenges facing the courts. Some of the issues raised by the BJPA as areas of focus included: attracting and retaining qualified judges; well-being of judges and court staff; dealing with self-represented litigant needs; ensuring qualified counsel exist to resolve matters; and exploring the possibility of establishing specialty courts, including a family court. The BJPA has formed a task force to assist in this work by identifying issues to be addressed, studying those issues, and providing recommendations to the BJPA for consideration. The task force has been named the BJPA task force on Judicial Branch Innovation (JBI).

The JBI identified five (5) areas of concentration for this project: 1. Administrative Support at State and Local Levels of the Judicial Branch; 2. Funding; 3. Customer Support; 4. Employee and Judicial Officer Well-Being; and 5. Governance Structure. The Municipal Courts of Wyoming were not included in this project. Together with the NCSC project team, the JBI met monthly regarding the concentration areas. NCSC project staff developed the agendas, provided resources, and facilitated the meetings.

The NCSC project team made the following recommendations to the JBI:

- Adoption of a mission statement, vision statement, strategic plan and operational plan.
- Rebranding of the BJPA to the Wyoming Judicial Council.

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<sup>1</sup> WY Const 1889, Art 5, § 13



- Adopting Rules and Procedures with specific language to convey adequate authority to the Wyoming Judicial Council.
- Adequate staffing the Courts (AOC), to fully support the Wyoming Judicial Branch

## Scope of Work

### Task Schedule

This twelve-month project was formally commenced on March 2, 2022, at the meeting of the BJPA. NCSC consultants organized the project around the following tasks:

#### 1. **Project Initiation – Kickoff Videoconference**

A kickoff meeting was held with the project liaison, the oversight committee, and consultants from the NCSC. At this meeting, the participants confirmed the scope of the project and the deliverables that would be produced, discussed best practices, data requirements and communication channels. In addition, the members present discussed the necessity to name the task force, prioritize issues and the idea of bringing additional stakeholders to the project.

#### 2. **Survey**

A survey was developed and distributed to the judges in Wyoming to identify any areas of concern. The survey asked respondents questions pertaining to job satisfaction, demographic information, levels of satisfaction with the recruitment and retention processes, delivery of services, and the current structure of the Wyoming Judicial Branch. The survey also sought information regarding items such as administrative decision-making, resource allocation, time standards, and case management practices.

Results were tabulated and an overview of the results was provided to the task force on May 20, 2022. From the results of the survey, the task force established a focus of priorities including: Administrative support at the local and state level; Funding; Customer support and service delivery – statewide forms and competency; Employee and Judicial well-being; and Governance Structure.

#### 3. **Task Force Meeting Planning**

It was anticipated that there would be at least ten (10) meetings of task force, with additional meetings of any committees formed. The NCSC project team assisted the Court with agenda planning, the determination of various research topics, coordinating research with consultants, analyzed and presented data/resources to the Court and secured presentations and presenters for meetings. The NCSC team followed up with meeting minutes after each meeting.

#### 4. **On-Site Meetings with BJPA and/or Task Force**

The NCSC project team appeared in person and virtually for meetings of the BJPA to facilitate the presentation of the task force progress and areas of reform and recommendations.



## **5. Facilitate Meetings of the Task Force Committees (virtual)**

The NCSC project team appeared in person and virtually for meetings of the JBI to obtain feedback from the JBI members and to facilitate discussion between the members. At these meetings, the NCSC project team led discussions on establishing mission and vision statements for the branch and development of an operational plan. In addition, the JBI was challenged to review the governance of the Judicial Branch, its structure, and the current structure of the BJPA. The NCSC project team provided the JBI members with agendas and meeting materials prior to each meeting.

## **6. Research Potential Reforms/Identify Practices in Other State Courts**

The NCSC project team conducted research and presented information to the task force on the findings. Specifically, the team researched and provided options regarding administrative functions of the Administrative Office of the Court (AOC) and local circuits by comparing current structure of Wyoming with other structures around the country. Similar courts were evaluated, but other items were taken into consideration such as elected Clerks of Court, different administrative functions of the State Court Administrator and local administrators, and whether local administration should be by district, or by location.

The team also conducted research regarding the structure of judicial councils of several states. A range of comparisons was given, from the very formal and structured council to a less formal council. The research included information about the formation of each council, whether that be a constitutional, statutory, or administrative formation, and information about the tasks the various councils could undertake.

## **7. Identify Topical Experts or Other State Court Leaders on Selected Topics**

The NCSC project staff provided comparative analysis of governance structure and court administration by comparing several state court systems in the United States. The NCSC also provided expert consultation regarding family courts, mental health for employees and court users, self-represented litigants, development of vision and mission statements, strategic planning and operational planning.

## **8. Analyze Potential Reforms, Determine Feasibility, and Identify Strengths/Weaknesses**

Each of the five (5) concentration areas were fully examined, potential solutions were explored and the JBI and NCSC project team analyzed each solution for appropriateness for the Wyoming Judicial Branch.

## **9. Draft Task Force Report**

A report was drafted by the NCSC project team which identifies and analyzes potential reforms and determines the feasibility of each recommendation. A thorough examination of the

strengths and weaknesses was performed. The draft of the report was presented to the JBI on September 29, 2022.

## 10. Revise and Issue Final Report

Following presentation of the draft report to the JBI, the JBI provided feedback to the NCSC project team. The feedback was incorporated into the report and delivered to the JBI on October 27, 2022.

## 11. Presentation of Report to the BJPA

A formal presentation of the final report was made to the BJPA on December 12, 2022, to facilitate discussion about the final recommendations and to answer any questions of the Board members.

### Tasks & Timeline

The proposed timeline composed at the beginning of the project is found below.

Task	Months from Project Start											
	1	2	3	4	5	6	7	8	9	10	11	12
Task 1. Project Initiation	X											
Task 2. Meeting Planning	X	X										
Task 3. On-Site Meetings			X			X			X			X
Task 4. Meeting Facilitation				X	X	X	X	X	X	X	X	
Task 5. Research Reforms			X	X	X	X	X	X	X	X		
Task 6. Identify Experts			X	X	X	X	X	X	X	X		
Task 7. Analyze Reforms				X	X	X	X	X	X	X	X	X
Task 8. Draft Report										X	X	
Task 9. Revise/Final Report											X	
Task 10. Present Report												X

# REPORT OBSERVATIONS

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## Judicial Administration

Currently, the State Court Administrator is the administrative head of the branch, as delegated by the Chief Justice of the Supreme Court. Comparative analysis suggests that the Administrative Office of the Courts is understaffed. Locally, the District Court Judges and Circuit Court Judges are responsible for several administrative tasks. Some tasks are delegated to clerk's office staff, some tasks are completed by the AOC, and the rest are completed by the judges. There is a desire to shift the day-to-day administrative work from the judges to the State Court Administrator or to a local administrator. Administrative functions passed from judges to the AOC would require additional staffing at the AOC. The branch does not employ district or county administrators at present.

The AOC has some direct authority over the circuit courts, but not the district courts, although the AOC provides extensive support to the district courts. In addition, there is some tension between the district and circuit courts. The courts would like to maintain their autonomy.

The Clerks of the District Courts are elected officials which can present administrative challenges in a local administrative model, although, the issues exist in a state administrative model as well. The District Judges feel that there is no control that they may exert over the office of the Clerk. Circuit courts have appointed Chief Clerks who serve in a Clerk of Court capacity and are employees of the Judicial Branch.

## BJPA

The BJPA <sup>2</sup> was established on May 24, 2000, by Order of the Chief Justice of the Wyoming Supreme Court.<sup>3</sup> The Supreme Court delegated all administrative authority to the BJPA, except those items for which the Supreme Court had no authority, such as the elected Clerks of the District Courts and their staff. The District Courts also delegated their administrative authority, except for the District Court budget setting/planning, to the BJPA. Rules and procedures of the BJPA were adopted by the Chief Justice of the Wyoming Supreme Court, to supplement the order of authority.

In 2021, the BJPA recognized that the Judicial Branch is in a state of change due to many factors, including automation, technological advances, results of the Covid-19 pandemic and the number of self-represented litigants. These changes have perhaps caused issues surrounding the well-being of judicial officers and court staff, such as poor recruitment and retention surrounding both groups. The BJPA, in response, established a task force, applied for a grant from the State Justice Institute (SJI), to study these changes and the best reactions to the changing environment of courts. The Judicial Branch Innovation (JBI) task force of the BJPA contracted the services of the National Center for State Courts for assistance on this project.

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<sup>2</sup> During this project, the BJPA was renamed the Wyoming Judicial Council.

<sup>3</sup> A copy of the Order is found in the Appendix, together with the Rules of the of current BJPA.

## Judicial Branch Innovation

The JBI adopted the motto, "Designing our future, honoring our past." The JBI, consisting of the Chief Justice, a Supreme Court Justice, two (2) Circuit Court Judges, two (2) District Court Judges, the State Court Administrator and a Retired Judge serving as Chair, met eight (8) times during the project. NCSC project staff were present for each meeting, either virtually or in person. Meetings were facilitated surrounding the issues identified by the BJPA, with project staff preparing research materials and agendas for each meeting. The JBI made several decisions to take to the BJPA during the course of the project. The JBI identified five (5) key areas to examine: 1. Administrative Support at State and Local Levels of the Judicial Branch; 2. Funding; 3. Customer Support; 4. Employee and Judicial Officer Well-Being; and 5. Governance Structure.

The JBI investigated various forms of administrative support and governance structures by comparing other court systems in the United States. The comparisons provided insight to the task force, assisting them in final decision making regarding administrative support and structure.

Subsequent to the Covid-19 Pandemic, the Judicial Branch realized that the well-being of staff and judicial officers was suffering. The well-being of the economy and litigants also created an uptick in the number of people who have decided to represent themselves in court rather than hire counsel. The task force committed to researching the feasibility of more self-help resources being employed by the Judicial Branch and to also research the possibility of establishing a family court.

The JBI also committed to the establishment of mission and vision statements and an operational plan.

## RECOMMENDATIONS

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The NCSC offers the following recommendations to the State of Wyoming Judicial Branch.<sup>4</sup>

1. The NCSC recommends the adoption of the mission statement, vision statement, strategic plan and operational plan developed by the JBI.<sup>5</sup>
2. The NCSC recommends the rebranding of the BJPA to the Wyoming Judicial Council, by withdrawing the order establishing the former Wyoming Judicial Council, by ordering the change of name from the BJPA to the Wyoming Judicial Council, and then adopting Rules and Procedures of the Wyoming Judicial Council.<sup>6</sup>

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<sup>4</sup> Recommendations 4-6 will require appropriations by the Wyoming Legislative Branch

<sup>5</sup> This recommendation was adopted by the Wyoming Judicial Council during the project.

<sup>6</sup> This recommendation was adopted and implemented by the Wyoming Judicial Council during the project.

3. The NCSC recommends that the Rules and Procedures of the newly formed Wyoming Judicial Council, include language specific enough to afford adequate authority to the Council.<sup>7</sup>
4. The NCSC recommends that the Wyoming Judicial Branch adequately staff the Administrative Office of the Courts (AOC), to fully support the needs of the Judicial Officers, Court Staff, Special Programs, Human Resources, Applications, Education, and Auditing.<sup>8</sup>
5. The NCSC recommends that the AOC establish new positions within the AOC, namely, a Public Information Office, an ADA Coordinator, Security, Grant Manager/Writer, Treatment Courts, a Juvenile Division and Language Interpreter (including Deaf and Hard of Hearing).<sup>9</sup>

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<sup>7</sup> This recommendation was adopted and implemented during the project.

<sup>8</sup> Based on comparative analysis, the Wyoming AOC is extremely understaffed to address the needs of the branch. The Wyoming AOC employs approximately 35 people in 5 divisions. In contrast is the Minnesota AOC which employs 330 people in 6 divisions and Washington AOC which employs 240 people over 4 divisions. The population of the state of Wyoming is approximately 579,495 according to [Wyoming Population 2022 \(Demographics, Maps, Graphs\) \(worldpopulationreview.com\)](https://worldpopulationreview.com/population-statistics/wyoming/). The state of New Hampshire has a population of 1,389,741, [New Hampshire Population 2022 \(Demographics, Maps, Graphs\) \(worldpopulationreview.com\)](https://worldpopulationreview.com/population-statistics/new-hampshire/), but their caseload is smaller than that of Wyoming. The AOC of New Hampshire employs 50 people in 9 divisions. The state of Vermont has similar population (643,077, [CSP STAT Overview | Court Statistics Project](https://www.vermontjudicialbranch.org/csp-stat-overview/)), and similar caseloads. However, the 2020 data indicates that the number of cases per 100K for Vermont is 15,192, while the number for Wyoming is 25,168. The AOC of Vermont employs approximately 64 people for trial courts.

<sup>9</sup> The AOC requires a Public Information Office to adequately address the dissemination of information to the public and to the media. In addition, to stay compliant with ADA, it is imperative that the SCA have an office dedicated to this function, providing access to the courts for employees, judges, court users and the general public. The same is true for an office of language interpretation. Having a centralized language interpretation unit will assist the Judicial Branch with compliance with Executive Order 13166, Title VI of the Civil Rights Act of 1964, and Safe Streets Act of 1968.

## Leadership and Governance

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**Recommendation:** Adoption of the mission statement, vision statement, strategic plan and operational plan developed by the JBI.

Discussion: Mission and Vision Statements provide information to employees and judicial officers of the branch, as well as the public and court users. Such statements convey purpose and goals of the organization, while Strategic and Operational Planning outline key objectives and the roadmap to achieving the goals of the organization. Each stakeholder of the court benefits from access to this information because the stakeholders know their responsibilities to the organization and the standards by which it operates.

**Recommendation:** Rebranding of the BJPA to the Wyoming Judicial Council.

Discussion: The BJPA was established for the purpose of accepting the administrative authority of the Wyoming Judicial Branch. While the BJPA has been in operation for a number of years, there has been a lack of clarity of authority that would be held by the BJPA.

Over the course of time, the caseloads of the Judicial Branch, together with the people employed there and the people using it, have changed, creating the need to take an honest look at policies and procedures of the Branch. The possibility of making changes requires a robust body, with the authority to make needed changes. For this reason, it is important to build a new identity of the policy-making body.

**Recommendation:** Rules and Procedures of the newly formed Wyoming Judicial Council include language specific enough to afford adequate authority to the Council.

Discussion: Having clear language delegating authority to the Wyoming Judicial Council, allows the Council to set policy and procedure without question of authority.

**Recommendation:** Adequate staffing of the Administrative Office of the Court (AOC).

Discussion: The current AOC is quite understaffed for the role it has in the Wyoming Judicial Branch. Having additional staff available to undertake the business of the courts is necessary, particularly in the areas of Special Programs, Human Resources, Applications, Education and Auditing. There are positions to support each of these areas, however, staffing levels are not keeping up with the increase in work.

The Wyoming AOC employs approximately 35 people in 5 divisions. In contrast, the state of Vermont, with similar population and filing statistics, employs approximately 64 people in their AOC, who are dedicated to their trial courts.

Recommendation: Establish new positions within the AOC, namely, a Public Information Office, an ADA Coordinator, Security, Grant Manager/Writer, Treatment Courts, a Juvenile Division and Language Interpreter (including Deaf and Hard of Hearing).

Discussion: While comparing other court systems, it was noted that many of the other court systems in the U.S. already have positions to deal with public information, ADA requests/complaints, security, treatment courts, juvenile divisions, language access and grant administration. Each of these positions are new concepts in court administration but are necessary to comply with local and federal legislation regarding access to the courts. Also subsequent to the establishment of the Wyoming Judicial Branch, we see specific grants available to state courts to assist with the business of the court, but no position to seek, make application for, and manage grant monies. Having this function will allow the Judicial Branch to secure grant funding for this branch of government.

## Summary and Conclusion

The Wyoming Judicial Branch has expressed that the current operations of the Branch do not meet the existing needs. Recommendations contained within this Report will position the Wyoming Judicial Branch to begin changes in a manner which will take time to implement, but the results will improve overall governance, leading to increased court performance over time.

Thus far, the Judicial Branch, through the JBI, has accomplished a great deal with minimal resource allocation. This is due to the commitment of the JBI to effect changes needed to design a branch that serves the needs of the citizens of Wyoming and the judges and employees of the Judicial Branch.



## Appendix A - Order Establishing the Wyoming Judicial Counsel

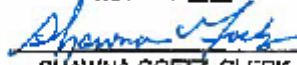
### **IN THE SUPREME COURT, STATE OF WYOMING**

*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

NOV - 1 2022

  
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 1<sup>st</sup> day of November, 2022

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

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

## Appendix B - Rules and Procedures of Wyoming Judicial Council

### 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

## Appendix C - Wyoming Judicial Branch Operating Plan

### Wyoming Judicial Branch STRATEGIC PLAN FY2023–2024



#### *Mission Statement*

As an independent branch of government, we provide access to justice through the timely, fair, and impartial resolution of legal disputes.

#### *Vision Statement*

The Wyoming Judiciary is a cohesive and collaborative court system, characterized by excellence, that provides justice for the individual and society through the rule of law.

#### *The Wyoming Judicial Branch is committed to excellence in:*

- Delivering just and efficient resolution of people's disputes;
- Promoting public confidence in the law and providing access to justice;
- Faithfully discharging our duties as judges through adherence to the law;
- Ensuring fairness and impartiality by providing quality service that continuously improves, that meets or exceeds the public expectations, and that ensures that all are treated with courtesy, dignity, and respect;
- Fostering an expectation of excellence in the work of the Judiciary through recruitment, training and retention of all judicial officers and employees;
- Acting as a cohesive system that speaks with a single voice and shares a common purpose; and
- Ensuring the highest professional conduct, integrity and competence of the bench and bar.



# 1 *Access to Justice*

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**Advance the just and efficient resolution of people's disputes by:**

**Providing resources for self-represented litigants to assist in accessing and navigating the court system.**

- Establish a court navigator program for the judicial branch.
- Create and maintain standardized forms that are fillable or take the litigant through a guided interview process.
- Make Access to Justice Commission a standing committee of the Wyoming Judicial Council.
- Ensure that indigent litigants have access to the courts through fee waiver or reduction for qualified applicants.

**Ensuring that the members of the bar are well trained and accessible.**

- Explore incentives to promote practice in rural areas of Wyoming.
- Facilitate a mentoring program for attorneys.
- Explore opportunities for collaboration with the University of Wyoming and the Wyoming State Bar to enhance the skills of lawyers.

**Providing resources for the courts to efficiently move cases to resolution.**

- Investigate the possibility of expanding the role commissioners and magistrates play in the courts.
- Evaluate alternative approaches to resolving domestic relations cases and cases that involve families by:
  - Exploring family courts.
  - Investigating the shift of child support cases to the Office of Administrative Hearings.
  - Exploring a position to screen and triage domestic relations cases.
- Improve the reports Judges can use to manage their dockets.
- Investigate positions for circuit courts – circuit court judicial assistant and circuit court law clerk.

## 2 *Effective Operation of the Judicial Branch*

**Establish branch wide priorities through the Wyoming Judicial Council.**

**Promote a quality workplace for judicial officers and employees.**

- Develop secondary trauma and well-being programs and services for judicial officers, staff, and jurors.
- Formalize and fund the use of retired Justices and Judges to provide assistance as needed.
- Create formalized education opportunities for employees.
- Create a mentorship program and expectations for new employees and Judges.
- Provide a more robust and effective judicial orientation for new Judges.
- Create a new employee onboarding program.
- Increase workplace flexibility where possible.
- Maintain adequate compensation for judicial officers and Judicial Branch employees.

**Enhance consistent technological infrastructure and associated education to ensure our increased reliance on technology is supported while maintaining strong cybersecurity standards.**

- Conduct training with judicial officers and court staff on remote interpretation software and Bizmerlin.
- Continue to provide routine security awareness training to all members of the branch.
- Upgrade or replace aging infrastructure hardware/software to ensure network security.
- Create uniform cybersecurity and technology standards for the branch.

**Meet the needs of our courts by providing excellent branch wide administrative support.**

- Centralize administrative functions of the circuit courts as appropriate.
- Create a court services office to better support the Judges and their staffs.

**Enhance the use of problem-solving (drug) courts.**

- Conduct training on problem-solving courts with judges, court staff and other stakeholders.

## 3 *Public Trust and Accountability*

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Promote public confidence in the law, ensuring fairness and impartiality by providing quality service that continuously improves, that meets or exceeds public expectations, and that ensures that all are treated with dignity and respect.

- Assess public expectations and obtain feedback.
- Publish annual State of the Judiciary.

Provide proactive communication to and from the public about the Judiciary.

- Educate the public on the accessibility of the Judicial Learning Center and the courts.
- Plan and implement Law Day activities statewide.
- Secure funding for a public information office for the AOC.
- Ensure media coverage of the State of the Judiciary.
- Create an outreach strategy.

Establish internal criteria, policy, and procedures to ensure data quality and integrity.

- Train judicial officers and court staff on procedures for entering data and the importance of data quality and integrity.
- Perform annual audit on data integrity.
- Consider a data access policy for internal and external customers.
- Create a data governance policy for the Branch.

## 4 *Adequate, Stable and Predictable Funding for a Fully Functioning Branch*

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Maintain sound budgeting principles and practices by application of data-driven information for forecasting, planning, and follow-up each biennium.

- Update 10-year budget need projection for IT support and hardware and long-term projection for other areas.
- Update the statistical workload model.

Establish and maintain relationships with legislative committees to promote understanding of the financial needs of the Judicial Branch.

- Develop informational resources to provide to legislators.
- Educate members of the Judicial Branch on operations of the Judicial Branch so they may convey a consistent message to members of the other branches of government.
- Provide civics for legislators course.
- Support court administration in its role as legislative liaison.