

# WYOMING JUDICIAL COUNCIL

## MINUTES

Virtual Meeting – Teams

December 15, 2025

8:00 A.M. – 12:20 P.M.

**Members Present:** Chief Justice Lynne Boomgaarden (chair), Justice Kari Gray, Justice Robert Jarosh, Judge Dawnessa Snyder, Judge Joseph Bluemel, Judge Scott Peasley, Judge John Prokos, Judge Sean Chambers, Judge Susan Stipe

**Others Present:** Elisa Butler, Claire Smith

### WJC BUSINESS

#### Welcome

Chief Justice Boomgaarden welcomed the Council and thanked them for their service.

#### 1. Judicial Performance Evaluation

The Council voted to form a standing committee devoted to the design and implementation of a judicial performance evaluation program with the voting membership to include two supreme court justices, two district court judges, and two circuit court judges and non-voting membership to include members of the Wyoming State Bar, the Communications Director of the Administrative Office of the Courts (AOC) and one other AOC member.

[Attachment 1.1 – IAALS: Recommendations for Modernizing Judicial Performance Evaluation](#)

Chief Justice Boomgaarden led a conversation regarding judicial performance evaluation. She identified the need for the development of a new judicial performance evaluation tool, noting ongoing dissatisfaction with the current attorney survey and its perceived lack of value to judges, members of the Bar, and the public.

The Chief Justice provided historical context regarding the existing judicial poll and advised the Council that the Wyoming State Bar does not intend to continue funding the survey in the future. Although the Bar will administer the survey and publish results in 2026, that administration will be the final iteration. She further noted that bar membership appears divided on the overall utility of either a Judicial Poll or a broader Judicial Performance Evaluation Program.

Chief Justice Boomgaarden explained that consideration of judicial performance evaluation has been underway with the Wyoming Judicial Council since the adoption of the current Strategic Plan and outlined how those conversations have evolved over time. She also shared information regarding challenges encountered by other states in implementing performance evaluation systems, as well as lessons learned from those efforts. She noted that, as many states are moving in a similar direction, there is a substantial body of research, models, and resource material available to inform the design of a Wyoming program.

On behalf of the Executive Committee, Chief Justice Boomgaarden presented a recommendation that the Council approve the creation of a Judicial Performance Evaluation Committee charged with designing and implementing a Judicial Performance Evaluation Program.

Judge Snyder conveyed the District Court Conference's support for forming a committee and emphasized the value of receiving performance feedback. Judge Chambers likewise expressed support and suggested the committee be composed of two members from each judicial conference, along with the Communications Director from the Administrative Office of the Courts (AOC) and one additional AOC staff member to support

	<p>the work.</p> <p>Judge Prokos asked whether the existing Bench-Bar Committee related to the Judicial Poll remained in existence. Chief Justice Boomgaarden confirmed that the Committee still formally exists but is not currently active. She added that, with the Judicial Branch assuming ownership of judicial performance evaluation, there is interest in establishing a judicially led committee structure that includes bar participation.</p> <p>Judge Stipe asked whether there is a plan in place for 2027, when the Bar will no longer administer the Judicial Poll. Chief Justice Boomgaarden responded that the proposed committee’s formation is intended to ensure a program framework is established before that transition occurs. Judge Stipe also inquired about potential legislative interest in a Judicial Performance Evaluation Program and whether funding may be available. The Chief Justice indicated that legislative involvement at an early stage could present risks. With respect to funding, she cautioned against assuming that a newly designed program would necessarily require substantial financial resources.</p> <p>Council members expressed interest in involving additional stakeholders in the program’s development but generally agreed that broader participation may be more appropriate at a later phase. Chief Justice Boomgaarden advised that a Purpose and Structure document would be developed for the committee and that participation would be further evaluated during its initial meetings.</p> <p>Judge Bluemel voiced support for establishing the committee and stated his view that voting membership should be limited to judicial officers. He then moved to create a standing committee of the Wyoming Judicial Council devoted to the development and implementation of a Judicial Performance Evaluation Program. His motion specified voting membership to include two Supreme Court justices, two district court judges, and two circuit court judges, with non-voting membership to include representatives from the Wyoming State Bar, the Communications Director of the AOC, and one additional AOC staff member. Judge Stipe seconded the motion.</p> <p>During discussion, Judge Peasley expressed concern regarding limiting voting membership solely to judicial officers and the perception such a structure might create for the bar and the public.</p> <p>Following discussion, the motion passed by majority vote, with Justice Gray voting in opposition. Justice Gray stated that, based on the information presented, similar programs in other jurisdictions have not demonstrated significant success. She also raised concerns regarding the absence of identified funding and questioned whether the anticipated benefits would justify the level of work required to develop and maintain such a program.</p>
<p><b>2. Public Audio Streaming in the Trial Courts</b></p> <p>The Council voted to make streaming available to judges who wish to utilize</p>	<p>Elisa Butler informed the Council of a recent equipment failure in a district court that resulted in the unintended audio streaming of a court hearing without the court’s knowledge or approval. The incident was attributed to aging and failing equipment. Ms. Butler requested guidance from the</p>

<p>it, with the understanding that if streaming equipment fails, it will not be replaced. The Council determined that judges may opt out of streaming and directed that training on Microsoft Teams Live Event be made available to courts interested in that option.</p>	<p>Council regarding how to proceed with streaming in trial courts statewide. She outlined several options for consideration:</p> <ul style="list-style-type: none"> <li>• <b>Enable streaming capability for courts.</b> If implemented, courts should test the streaming function daily to ensure proper operation.</li> <li>• <b>Use Microsoft Teams Live Event.</b> This option would allow members of the public to view hearings but would require individual chambers to set up each Live Event.</li> <li>• <b>Create standard Microsoft Teams meetings and distribute links to the public.</b> This approach presents risks, as participants could potentially unmute themselves or activate cameras inappropriately.</li> </ul> <p>Judge Snyder asked whether streaming could be enabled or disabled for individual courts. Ms. Butler confirmed that this is technically feasible. Judge Snyder also asked whether the failing equipment should be replaced statewide to prevent similar incidents. Ms. Butler noted that other courts use equipment of the same age and that replacement would need to be addressed as part of a broader discussion regarding technology expenditures for the Branch.</p> <p>Chief Justice Boomgaarden shared feedback received during a visit to Campbell County, where concerns were expressed that not all hearings are streamed and that the Branch’s investment in technology may not be fully utilized if streaming functionality is not consistently used.</p> <p>Judge Bluemel discussed the practical challenges associated with streaming in trial courts, including the administrative burden of testing streaming capabilities daily.</p> <p>The Council determined that the decision whether to stream hearings should remain within each judge’s discretion.</p> <p>Judge Snyder moved to make streaming available to judges who wish to utilize it, with the understanding that if streaming equipment fails, it will not be replaced. The motion also provided that judges may opt out of streaming and directed that training on Microsoft Teams Live Event be made available to courts interested in that option. Judge Prokos seconded the motion.</p> <p>During discussion, Justice Gray asked whether equipment from courts that opt out of streaming could be repurposed to replace failing equipment in courts that choose to continue streaming. Ms. Butler indicated that this would be possible.</p> <p>Judge Peasley asked whether disabling streaming in trial courts would result in cost savings. Ms. Butler responded that while some savings might occur, they would likely be minimal.</p> <p>The motion passed unanimously, with all Council members voting in favor and none opposed.</p>
<p><b>3. Rules Policy</b> The Council voted to recommend</p>	<p>Chief Justice Boomgaarden presented the draft Rules Policy to the Council for discussion and action. She explained that the purpose of the policy is to provide clarity regarding the process by which rule proposals move from</p>

<p>adoption of the <i>General Order Amending Policy on Submission of Rule Changes to the Wyoming Supreme Court</i>.</p> <p>Attachment 3.1 – General Order Amending Policy on Submission of Rule Changes to the Wyoming Supreme Court</p>	<p>inception through review and ultimately to adoption.</p> <p>Chief Justice Boomgaarden also conveyed the Executive Committee’s recommendation that the draft order be approved for execution.</p> <p>Justice Jarosh asked whether the Council wished to consider expanding opportunities for public comment on proposed rule changes. Chief Justice Boomgaarden responded that the proposed order is not intended to limit additional opportunities for public comment during other stages of the process where appropriate.</p> <p>Justice Jarosh moved to recommend adoption of the order by the Wyoming Supreme Court. Judge Stipe seconded the motion.</p> <p>During discussion, Judge Snyder noted the timing of rule changes, providing that the new process may result in a longer timeline for adoption. Chief Justice Boomgaarden acknowledged that rule changes will generally take more time under the proposed policy and indicated that proponents of rule changes will need to account for that extended timeline.</p> <p>The motion passed unanimously, with all members voting in favor and none opposed.</p>
<p><b>4. Communications Plan</b></p> <p>The Council voted to approve the 2026-2027 Wyoming Judicial Branch Strategic Communications Plan.</p> <p>Attachment 4.1 – 2026-2027 Wyoming Judicial Branch Strategic Communications Plan</p>	<p>Jacob Just presented the proposed 2026–2027 Strategic Communications Plan for the Wyoming Judicial Branch. He explained that the Plan was developed in response to the Branch’s current strategic plan and is intended to support and advance those broader strategic goals.</p> <p>Mr. Just outlined the need for a comprehensive communications plan, identifying several challenges the Plan is designed to address, including: the absence of a formal communications infrastructure within the Branch; the need to strengthen public confidence in the court system; and inconsistencies in internal communications.</p> <p>The Plan establishes five primary objectives:</p> <ol style="list-style-type: none"> <li>1. Develop a communications infrastructure for the Branch.</li> <li>2. Increase internal awareness of available communications resources.</li> <li>3. Promote standardization and brand consistency.</li> <li>4. Strengthen media and external stakeholder relations.</li> <li>5. Enhance community engagement and public education efforts.</li> </ol> <p>The Plan also includes evaluation measures to assess the effectiveness of implemented strategies and ensure that identified tasks and initiatives achieve their intended outcomes.</p> <p>Chief Justice Boomgaarden expressed her appreciation for the Plan and for the work Mr. Just has completed to date.</p> <p>Judge Bluemel requested additional information regarding the role of social media and social media influencers under the Plan. Mr. Just explained that there are multiple approaches the Branch could take with respect to social media engagement. He noted that as implementation progresses, further discussion will be needed to determine the Branch’s level of comfort and to establish a framework for decision-making in this area.</p>

	<p>Chief Justice Boomgaarden asked whether resources are available through the National Center for State Courts or other organizations to help inform these discussions. Mr. Just indicated that such resources are available and may be utilized as needed.</p> <p>Chief Justice Boomgaarden requested that policy questions and feedback arising during implementation of the Plan be brought back to the Council for consideration.</p> <p>Judge Prokos moved to approve the Plan. Judge Chambers seconded the motion. The motion passed unanimously, with all members voting in favor and none opposed.</p>
<p><b>5. Administrative Judge Policy</b></p> <p>The Council approved the <i>Supervision of Circuit Court Clerical Staff and Performing Administrative Duties in Counties Without a Resident Judge and Circuit Courts with Multiple Judges in a Single Location Policy</i>.</p> <p>Attachment 5.1 – Supervision of Circuit Court Clerical Staff and Performing Administrative Duties in Counties Without a Resident Judge and Circuit Courts With Multiple Judges in a Single Location Policy</p>	<p>Judge Chambers reviewed the history of the Administrative Judge Policy. He reminded the Council that, in June, a recommendation had been made to repeal the policy. At that time, Judge Chambers requested that the policy not be repealed and instead that circuit court judges be given the opportunity to review and propose revisions.</p> <p>Attachment 5.1 reflects the result of that review. Judge Chambers explained that the circuit court judges concluded it is advisable, in locations with multiple judges supervising staff, to designate one judge to serve as the primary supervisor. They further determined that courts with multiple judges should have a designated judge responsible for taking administrative action when necessary.</p> <p>Judge Chambers then walked the Council through the amended policy and noted that it was approved by the Circuit Court Judges Conference at its December meeting.</p> <p>Following discussion, the Council approved the Administrative Judge Policy.</p>
<p><b>6. Technology Reductions</b></p>	<p>Elisa Butler provided a high-level overview of potential technology reductions that may need to be considered depending on funding availability. Chief Justice Boomgaarden clarified that no action was being requested at this time and that the discussion was intended only to provide background information and lay the foundation for future deliberations.</p> <p>Judge Snyder suggested that the list should include a discussion item addressing a potential reduction in Technology and Applications staff as a means of reducing costs.</p> <p>Judge Prokos emphasized the importance of highlighting the cost-savings technology initiatives provide to litigants and to the Branch, particularly with respect to travel expenses and magistrate costs.</p> <p>Judge Bluemel expressed concern about certain proposed reductions that could significantly alter court practices, noting that some of the items under consideration may, in fact, be beneficial and should be carefully evaluated.</p> <p>Chief Justice Boomgaarden provided additional context regarding the budget hearing held in early December and the potential impact of receiving no additional funding in the upcoming budget session.</p> <p>Judge Peasley noted that technology investments benefit not only judges,</p>

	<p>but also attorneys, litigants, law enforcement, and the public.</p> <p>Justice Gray asked for clarification regarding the purpose of the document. She stated her understanding that the listed items are currently included in the budget, but that the document is intended to identify areas where reductions would be least harmful should funding not be approved in the upcoming session. She emphasized that the purpose is not to advocate for cutting technology, but to prepare for potential funding shortfalls.</p> <p>Chief Justice Boomgaarden confirmed that this understanding was correct, and indicated the Council may need to make some difficult decisions following the 2026 legislative session.</p>
<p><b>7. Judicial Nominating Commission</b></p>	<p>Chief Justice Boomgaarden reported that the Judicial Nominating Commission (JNC) has been actively reevaluating its rules and processes.</p> <p>She advised that during the upcoming legislative session, legislation is likely to be introduced that would require Senate confirmation of JNC members. Additional bills may be proposed to require Senate confirmation of Supreme Court Justices and potentially all judges. There may also be proposed legislation to require the election of Justices and judges.</p> <p>Chief Justice Boomgaarden reported that the JNC has undertaken efforts to improve public understanding and engagement in the judicial selection process, including the issuance of press releases and other informational materials. The JNC also conducted a survey of members of the Wyoming State Bar regarding topics related to applying for judicial vacancies and the JNC process, which received a 27% response rate.</p> <p>The JNC is currently working to revise the expression of interest and the candid appraisal forms. The objective is to simplify the forms while ensuring that applications effectively highlight the attributes central to merit-based judicial selection.</p> <p>For the next judicial vacancy, the JNC plans to hold a public meeting when visiting the community for interviews. The purpose of the meeting will be to provide information about the judicial selection process, rather than to solicit public vetting of applicants.</p>
<p><b>8. Bench/Bar Relations</b></p>	<p>Chief Justice Boomgaarden reported that she has traveled to communities throughout the State and expressed her appreciation for the gracious welcome she received in each location.</p> <p>She observed a strong desire for renewed in-person engagement and identified this as an important opportunity for the Branch to strengthen local relationships between the bench and the bar.</p> <p>Chief Justice Boomgaarden encouraged judges to take proactive steps within their local communities to foster engagement with members of the bar. She acknowledged that encouraging participation from prosecutors and public defenders has proven particularly challenging. To address this, she reported that she is working to engage leadership within those groups to increase involvement and participation.</p> <p>Chief Justice Boomgaarden also noted that she has met regularly with bar leadership, and that those meetings have been productive and beneficial.</p>

**9. PRAC – Chancery Court Division**

The Council approved recommendation of the proposed amendment to the Wyoming Supreme Court for adoption.

Attachment 9.1 – Memo and Proposed Chancery Court Rule Amendments

Judge Burningham presented proposed amendments to the Chancery Court Rules. He explained that the amendments are the result of a year-long review conducted by the Chancery Court Division of the Permanent Rules Advisory Committee. The review process included a public comment period, which prompted additional discussion and revisions to the proposals.

Six proposals are before the Council, as outlined in Attachment 9.1. Judge Burningham noted that each proposal received either positive public comment or no public comment. Importantly, all six proposals were unanimously recommended for adoption by the members of the Chancery Court Division.

Judge Burningham advised that one additional proposal—relating to the ability to object to proceeding in chancery court—generated significant public comment. The Division continues to work on that rule, and it is not before the Council at this time.

He summarized the six proposals as follows:

1. The first proposal aligns the Chancery Court Rules with the eFiling Rules.
2. The second proposal reflects the operational reality that the Chancery Court functions without a court reporter.
3. The third proposal conforms the rules to the statutorily expanded jurisdiction of the Chancery Court.
4. The fourth proposal balances the statutory requirement to publish opinions with the statutory obligation to maintain confidentiality in trust proceedings when necessary.
5. The fifth proposal extends the timeframe for removing matters from district court to chancery court.
6. The sixth proposal formally recognizes cases that fall within the specialization of the Chancery Court but may not be appropriate for resolution within the court’s abbreviated timelines.

Judge Bluemel inquired whether there was a particular reason the Chancery Court elected to proceed with an electronic recording system rather than request a court reporter position. Judge Burningham responded that while hiring a court reporter remains an option, he is concerned about the feasibility of securing an additional position in the current legislative environment. He indicated that he is not opposed to employing a court reporter but believes the court must retain flexibility given current circumstances.

At Judge Bluemel’s request, Judge Burningham provided cost information, noting that the annual subscription cost for the recording system is approximately \$12,000, which is substantially less than the cost of a full-time court reporter. Claire Smith further explained that the Chancery Court does not currently have a vacant court reporter position and that, if a full-time reporter were to be hired, the Branch would need to request

	<p>authorization for a new position from the legislature.</p> <p>Judge Chambers moved to recommend all six proposals to the Supreme Court for adoption. Judge Snyder seconded the motion. There was no further discussion. The motion passed unanimously, with all members voting in favor and none opposed.</p>
<p><b>10. PRAC – Civil Division</b></p> <p>The Council voted to table the proposed amendment until the Civil Rules Division of the Permanent Rules Advisory Committee could gather and consider public comment to the rule change.</p> <p>Attachment 10.1 – Proposed Amendments to WRCP 4; Alternative Service of Process</p>	<p>Justice Jarosh presented the recommendation of the Civil Division of the Permanent Rules Advisory Committee. He explained that, as part of the Access to Justice (ATJ) 2.0 initiative, a working group was formed to evaluate alternatives to service by publication. The group’s work was prompted by the low success rate of service by publication and the need to account for modern communication methods.</p> <p>The working group’s efforts resulted in a proposed amendment to Rule 4. The Civil Division made several minor, primarily clerical, revisions to the draft and now recommends adoption of the proposal reflected in Attachment 10.1.</p> <p>Justice Jarosh stated that the Civil Division recommends the proposal be distributed for public comment, whether through the Wyoming Judicial Council or directly by the Civil Division. He further noted that the original ATJ 2.0 draft included provisions for a Judicial Branch-administered service website. Those provisions were removed from the current proposal due to the administrative demands associated with developing and maintaining such a website. However, the Division retained placeholder language should the Branch wish to pursue that initiative in the future.</p> <p>Judge Prokos expressed support for amendments to service rules that would promote quicker and more effective service.</p> <p>Judge Bluemel requested additional information regarding the types of alternative service that courts would be authorized to approve and indicated that public comment on that issue would be beneficial.</p> <p>Judge Snyder moved to table the matter pending receipt of public comment. Judge Bluemel seconded the motion. The motion passed unanimously, with all members voting in favor and none opposed.</p>
<p><b>11. Access to Justice Commission</b></p> <p>Attachment 11.1 – Strategic Alignment Plan</p>	<p>Justice Gray provided an update on the recent strategic alignment session involving the Access to Justice (ATJ) Commission, the Equal Justice Wyoming (EJW) Advisory Committee, and the Equal Justice Wyoming Foundation (EJW Foundation or Foundation). The strategic alignment session offered an opportunity to clarify the respective functions of the three entities and to better define their working relationships.</p> <p>Historically, EJW and the EJW Foundation operated in closely connected ways. EJW staff provided support to the Foundation, and grant funding for both entities was combined. The alignment session fostered a clearer understanding of how the two organizations can operate separately while remaining coordinated in mission and strategy.</p> <p>Justice Gray summarized the respective roles of the three groups:</p> <ul style="list-style-type: none"> <li>• <b>EJW</b> administers grants and also serves as an access point and coordinating body for partner organizations.</li> </ul>

	<ul style="list-style-type: none"> <li>• <b>The EJW Foundation</b> primarily provides grants and funding support.</li> <li>• <b>The ATJ Commission</b> functions primarily as a policy and strategy body, serving as a think tank rather than an implementing entity.</li> </ul> <p>She described the alignment session as productive and inspiring, noting that it resulted in a clearer alignment of goals and strategies and reduced confusion. One significant outcome was the decision to designate a representative from each entity to attend the meetings of the other groups to ensure coordination and avoid duplication of efforts.</p> <p>Justice Gray reported that the most significant current initiative affecting these access to justice groups is the statewide Needs Assessment, which will provide valuable data regarding access to justice needs and offer a framework to guide resource allocation and strategic planning.</p> <p>The ATJ Commission met immediately following the alignment session and expressed interest in convening another Access to Justice Summit. The Summit is planned for January and will include invitations to ATJ 2.0 participants, working groups, and members of the bar. The goal of the Summit is to identify four to six priority initiatives for further exploration and development by working groups, with the aim of achieving meaningful improvements in access to justice.</p> <p>Chief Justice Boomgaarden noted that the prior Summit included participation from University of Wyoming entities beyond the College of Law, as well as the Wyoming Business Council. She suggested that the ATJ Commission may wish to consider extending invitations broadly to encourage diverse participation.</p> <p>Chief Justice Boomgaarden thanked Justice Gray for her report and indicated that the Council looks forward to reviewing the results of the Summit.</p>
<p><b>12. Technology Committee</b></p>	<p>Justice Hill appeared before the Council to provide an update on several initiatives the Technology Committee has been working on over the past few months.</p>
<p>The Council voted to approve the recommendations of the Technology Committee to approve the <i>FSX, FCE, and Private PASS Policy</i> amendments; however, the Council further approved amendments to Section III.F.1. to provide that district and chancery court staff have access to all information, including confidential information, in district and chancery courts across all identified applications.</p> <p>Attachment 12.1 – Draft Amendments to the FSX, FCE, and Private PASS Role Policy</p>	<p>Justice Hill presented the access policy currently under review by the Technology Committee. She explained that the Committee was asked to consider two primary questions: (1) whether any substantive changes to the policy were needed; and (2) what modifications, if any, were required following the Branch’s implementation of FSX.</p> <p>Judge Snyder attended a Technology Committee meeting to raise concerns regarding access for district court chambers’ staff. Discussion focused on whether chambers’ staff should be granted statewide access rather than being limited to access within their home court. During that discussion, Judge Eames reminded the Technology Committee that best practices for technology systems support granting users the least amount of access necessary to perform their duties. That principle guided the prior review of the policy in 2023. Ultimately, the Technology Committee determined that this approach should remain in place and recommended only a limited change to incorporate FSX into the existing framework.</p>

Justice Hill explained that district court clerks expressed significant concern about expanding access, emphasizing their responsibility to safeguard court records and the risk that broader access could undermine that responsibility. She noted that chambers' staff may request access to records outside their home court through the Applications Team, though she acknowledged that the process can be cumbersome.

Judge Bluemel commented that this issue continues to arise for district court judges who hear cases outside their home jurisdictions. He stated that the current process can be inefficient and inconsistent with the goal of improving court effectiveness and efficiency. Judge Bluemel voiced his objection to the recommended policy as reflected in Attachment 12.1.

Judge Prokos stated that if district court judges require more immediate access to records, such access should be provided.

Judge Snyder observed that the policy, as currently written, can act as a barrier to timely court operations. While she appreciated the consistent statewide application of the policy, she urged the Council to reconsider access for chambers' staff. She noted that Supreme Court chambers staff do not face the same limitations and reminded the Council that judges are responsible for the actions of their staff. Justice Hill responded that the Committee's concern centers on the number of individuals who would gain access, noting that expanded access increases the risk of error or misuse.

Judge Peasley expressed support for the positions articulated by Judge Snyder and Judge Bluemel.

Judge Bluemel moved to amend Section III.F.1 of the policy to provide that district and chancery court staff have access to all information, including confidential information, in district and chancery courts across all identified applications. Judge Snyder seconded the motion.

During discussion, Judge Stipe raised concerns regarding the policy review process, noting that the Council would be making changes without additional input from the Committee that conducted the in-depth review. She expressed concern that the Committee devoted significant time to the policy, while the Council's consideration was comparatively brief, and suggested that returning the policy to the Committee for further discussion might be more appropriate.

Chief Justice Boomgaarden acknowledged Judge Stipe's concerns and stated that policy review decisions must be evaluated on a case-by-case basis. She expressed her view that, in this instance, returning the policy to the Committee would not be productive. Justice Hill agreed that further Committee review would likely not be fruitful.

Elisa Butler asked how the decision should be communicated to stakeholders and whether that communication should come from the Committee or Council staff. Chief Justice Boomgaarden responded that communication could occur through either channel and should include acknowledgment of the Committee's work while clarifying that the Council retains final decision-making authority and does not serve as a rubber stamp. Justice Hill volunteered to communicate the decision to the

	<p>Committee but cautioned that the message should be delivered thoughtfully, with a clear explanation of the Council’s reasoning, to ensure the Committee understands its input was considered.</p> <p>The motion passed unanimously, with all members voting in favor and none opposed.</p>
	<p>Justice Hill presented the Technology Committee’s recommended approach regarding quarantined email messages in situations where a judge requires expedited access. She explained that the issue was brought to the Committee’s attention following concerns about quarantined emails, particularly those containing warrant materials.</p> <p>A specific question raised was whether an entire email domain could be whitelisted to allow messages from that domain to bypass quarantine review. Justice Hill reported that whitelisting an entire domain presents significant cybersecurity risks, as domains can be spoofed. Such action could create vulnerabilities allowing malicious actors to infiltrate the Judicial Branch’s network.</p> <p>After discussion, the Technology Committee recommended that the current quarantine process remain unchanged. Under the recommended approach (Option 1), if a judge is expecting an email that does not arrive due to quarantine, the judge may contact the IT “bat phone” for immediate assistance. The IT Team will promptly review the quarantined message for malicious content and, if appropriate, release it to the judge. Justice Hill also outlined additional options described in Attachment 12.3 but noted that the Committee strongly recommends Option 1.</p> <p>Judge Chambers stated that such occurrences appear to be infrequent. After polling members of his conference, he identified a few examples. He asked whether adoption of an option other than Option 1 would apply uniformly to all user roles, and whether judges could operate under a different quarantine level than clerks. Justice Hill responded that if a domain were whitelisted for one user, it would apply to all email traffic from that domain. Judge Chambers also asked whether judges could be given the ability to release their own quarantined emails while clerks could not. He further asked whether different options could apply during business hours versus after hours; Justice Hill responded that these scenarios had not been discussed and she was unsure whether it was technically feasible.</p> <p>Judge Chambers reported that members of his conference were evenly divided between Options 1 and 4 but stated that, in his view, the Council should maintain Option 1 at this time.</p> <p>Judge Prokos expressed concern about ensuring judges are able to communicate effectively without unnecessary impediments.</p> <p>Chief Justice Boomgarden reminded the Council of the cybersecurity risks associated with whitelisting domains, referencing the cybersecurity breach involving the Sublette County Sheriff’s Department in the prior year, which required the Judicial Branch to sever network connectivity with that county to protect Branch systems.</p>

	<p>Judge Bluemel stated that if it is technically feasible to allow judges—but not clerks—to release their own quarantined emails, that approach could be reasonable. He noted that circuit court judges typically receive text message notifications before receiving warrant-related emails, which could provide an additional safeguard against judges opening emails with malicious content.</p> <p>Judge Chambers stated that he would not be comfortable releasing his own quarantined emails and, if he does not trust himself in that role, he would not necessarily trust others. He expressed the view that the current process is reasonable and not overly burdensome.</p> <p>Judge Stipe asked whether a formal policy currently exists. Chief Justice Boomgaarden responded that no formal policy is in place and that the issue arose following a situation in a circuit court. Judge Stipe suggested that a formal policy may not be necessary and that such matters could remain within the discretion of the IT Team.</p> <p>Judge Prokos asked whether establishing separate email accounts for judges could mitigate some cybersecurity concerns.</p> <p>Chief Justice Boomgaarden asked whether the Council was comfortable maintaining the status quo while directing the Technology Committee to respond to the additional questions raised during the discussion.</p> <p>The matter was tabled, with a request that the Technology Committee provide further information addressing the questions posed.</p>
<b>CONSENT AGENDA</b>	
<p><b>13. Consent List</b></p> <p>The Council voted to approve the items on the consent agenda.</p>	<p>Judge Chambers moved to approve the items on the consent agenda. Judge Bluemel seconded. All voted in favor with none opposed.</p>
<b>INFORMATION</b>	
<p><b>14. For the Council’s Information</b></p> <p>Attachment 14.1 – Change Log for Protection Order Forms</p> <p>Attachment 14.2 – Change Log for Probate Forms</p>	<p>The Executive Committee approved minor changes to the Protection Order and Probate Forms.</p>
<b>MEETING CLOSE</b>	
<p><b>Adjourn</b></p>	<p>Chief Justice Boomgaarden adjourned the meeting following the Council check in.</p>

**FUTURE WJB MEETING DATES:**

WJC RETREAT – Monday, March 9, 2026 @ 8 a.m. through Tuesday, March 10, 2026 @ 12 p.m.; Vee Bar Ranch, Centennial, WY

Monday, June 8, 2026 @ a.m. to Noon in Cheyenne, WY

Monday, September 14, 2026 @ 1 p.m. to 5 p.m. in Casper, WY

The Council approved the meeting date of December 14, 2026.



# RECOMMENDATIONS FOR MODERNIZING JUDICIAL PERFORMANCE EVALUATION...and what comes next

Judicial performance evaluation (JPE) plays a crucial role in promoting a fair and effective judicial system. JPE programs assess the job performance of state judges not based on case outcomes but based on ideologically neutral qualities of judicial competence, impartiality, clarity of communication, judicial temperament, administrative capacity, and efforts to advance the justice system.

These recommendations should guide the future of JPE in the United States. They are the culmination of extensive research, collaboration with JPE administrators and judges across the country, and consideration of evidence-based best practices to modernize JPE. And, the recommendations outlined here also provide a roadmap to support the judiciary's position as a trusted institution with lessons even for states without formal JPE programs.



Read the  
full report

## RECOMMENDATION 1

Foster trust and confidence in the JPE process.

- 1.1 Design and operate JPE programs in a way that promotes public trust.
- 1.2 Employ a diverse range of methods to engage the public, increase awareness, and improve buy-in.
- 1.3 Collaborate with judicial discipline programs to ensure the credibility of information disseminated to the public.

## RECOMMENDATION 2

Modernize the evaluation criteria to account for the changing roles and responsibilities of the judiciary.

- 2.1 Use fair and measurable criteria reflective of the modern role and responsibilities of a judge.
- 2.2 Evaluate judicial competence broadly, to include more than legal knowledge.
- 2.3 Evaluate a judge's ability to be impartial, both with respect to personal beliefs and with respect to the treatment of litigants, lawyers, and other court participants.
- 2.4 Evaluate a judge's clarity of communication, including all communication from the judge's chambers.
- 2.5 Evaluate judicial temperament in a way that focuses on specific and observable behavior.
- 2.6 Evaluate administrative capacity in a way that is aligned with the judge's actual roles and responsibilities and assesses factors within the judge's control.
- 2.7 Evaluate a judge's efforts to advance and improve the justice system.

### RECOMMENDATION 3

Implement measures to improve information and reduce errors in evaluations.

- 3.1 Use evidence-based practices to ensure surveys are fair and generate reliable data.
- 3.2 Gather a broad range of data using new and diverse evaluation tools.
- 3.3 Take steps to increase response rates to surveys to improve reliability of data.
- 3.4 Assess performance regularly, and allow judges to respond to inaccuracies.

### RECOMMENDATION 4

Build a culture of and embrace judicial performance improvement as a key aspect of JPE.

- 4.1 Incorporate professional development into messaging about the objectives of JPE.
- 4.2 Engage judges and the judicial branch throughout the evaluation process, promoting the use of resources, training, and support to enhance judicial performance.
- 4.3 Educate judges about the value of JPE for their own professional development.

### RECOMMENDATION 5

Display institutional commitment to JPE.

- 5.1 Establish JPE programs that are enduring.
- 5.2 Provide programs with the resources needed to effectuate the goals of JPE.
- 5.3 Seek buy-in and cooperation from all stakeholders.

### RECOMMENDATION 6

Ensure and improve transparency for intended audiences.

- 6.1 Be clear with the public about how JPE works and what the evaluations mean.
- 6.2 Ensure judges have access to accurate information about the JPE process, including reasons for the commission's findings.

## CALL TO ACTION

---

The value of these recommendations lies in their application. States must take concrete action to translate the recommendations into tangible improvements, and IAALS provides this framework of next steps for embracing modernization and implementation, both for states with existing JPE programs and those without.

## NEXT STEPS FOR STATES WITH JPE PROGRAMS

---

- ▶ **Review and Share the Recommendations.** Review these recommendations and the principles they are built on. Share them with relevant stakeholders, leaders, and decision-makers in your state to help them understand the importance of modernizing JPE and the benefits of implementing these practices.
- ▶ **Assess Your Program.** Conduct a review of your JPE program, comparing it to the best practices outlined in this report. Identify your program's areas of strength as well as opportunities for improvement.
- ▶ **Define Challenges and Needs.** Each state has unique features, needs, and circumstances and should adapt these recommendations accordingly. Identify your program's challenges and barriers, understand their impact, and assess potential opportunities for improvement.
- ▶ **Identify a Core Team.** Strong leadership is necessary to bring about reform. Identify a core team or working group of stakeholders, including JPE leaders, who can lead implementation efforts. This team will determine the scope and parameters of program changes at the outset of the process. In creating this team, consider balance and diversity and ensure key perspectives are represented.
- ▶ **Engage Stakeholders.** Effective JPE programs require buy-in from all stakeholders, including anyone with decision-making authority over JPE in your jurisdiction. Possible stakeholders include judges, JPE commissioners, legislators, court administrators, clerks, lawyers, court users, and members of the public. States should work with stakeholders to seek feedback, discuss these recommendations, build internal and external support, and assess next steps.
- ▶ **Create a Vision and Goals.** Based on your assessment and stakeholder input, create a clear vision for the future of your JPE program. Establish specific, measurable, and achievable goals for bringing about this vision, as well as clear timelines for implementation.
- ▶ **Develop Tailored Recommendations.** Tailor the recommendations in this report to the needs of your program, prioritizing those that will have the greatest impact. Develop a plan for implementation of tailored recommendations, considering what resources you need to address challenges and align your program with best practices.
- ▶ **Take Action.** Coordinate with relevant stakeholders to execute the plan for implementation. Invest in communication and education about improvements and changes to your program. Once recommendations have been implemented, be prepared to continually iterate and adjust your approach based on experience and feedback.
- ▶ **Share and Collaborate.** Share your experiences and lessons learned with other states to foster a dialogue on JPE best practices and opportunities.

## NEXT STEPS FOR STATES *WITHOUT* JPE PROGRAMS

---

- ▶ **Embrace the Principles.** While a formal JPE program may not be immediately possible, embrace the core principles of fairness, transparency, and continuous improvement in all aspects of your court system.
- ▶ **Define Clear Performance Metrics.** Develop clear, objective, and measurable criteria for judicial performance that reflect the role of a judge and focus on the process of judging (not on the outcomes of specific cases). Such criteria set clear expectations for judges and court users and create a foundation for accountability, even absent a structured evaluation process. They can be used for judicial selection, retention, and professional development.
- ▶ **Invest in Professional Development for Judges.** Create opportunities for professional development to support judges in enhancing their skills and addressing areas for growth. Professional development opportunities can include, for example, feedback, self-reflection, mentorship programs, and training. By promoting a culture of continuous improvement, states can bolster public trust in courts.
- ▶ **Foster Open Communication and Transparency.** Promote open communication between the courts and the public. This is important for building trust and can include, for example, proactively sharing information about court operations and seeking feedback from court users.
- ▶ **Engage with Stakeholders.** Engage in conversations with relevant stakeholders about the need to embrace core JPE principles, the potential benefits of a JPE program, and opportunities for future development. Possible stakeholders can include judges, court administrators, bar associations, legislators, and the public.
- ▶ **Explore Resources.** Use resources like this report and other IAALS tools on JPE to guide your efforts in building a more accountable and transparent judicial system.

## ABOUT JPE 2.0

---

JPE processes were first developed in the 1980s and provide a foundation for states to assess the job performance of judges. Today, JPE programs continue to focus on the right goals, but updating evaluation methods is essential to keeping JPE relevant and useful. Current JPE processes no longer fully capture the experience of modern court users, the needs of modern judges, or the expectations of modern voters. IAALS' JPE 2.0 project is helping JPE programs update their approaches to reflect modern realities, while remaining accurate, trusted, and relevant.

Learn more at [iaals.du.edu/jpe](https://iaals.du.edu/jpe).

**How can we help? Consulting Inquiries: [iaals@du.edu](mailto:iaals@du.edu)**

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 2025

---

IN THE MATTER OF RULES SUBMISSION )  
IN THE WYOMING SUPREME COURT ) General Order 25-01

**GENERAL ORDER AMENDING POLICY ON SUBMISSION OF  
RULE CHANGES TO THE WYOMING SUPREME COURT**

**THIS MATTER** came before the Court on its own motion. The Court finds it should amend its Policy on Submission of Rule Changes to the Wyoming Supreme Court. It is, therefore,

**ORDERED** that the Policy on Submission of Rule Changes to the Wyoming Supreme Court, attached and incorporated by this reference, be, and hereby is, adopted effective January 1, 2026; and it is further

**ORDERED** that effective January 1, 2026, the existing Policy on Submission of Rule Changes to the Wyoming Supreme Court is repealed and General Order 23-02 is of no further effect; and it is further

**ORDERED** that the above-referenced policy is in addition to, and does not supplant, any Rule not in conflict with this policy; and it is further

**ORDERED** that this policy may be revised and/or amended from time to time, as necessary.

**DATED** this 30<sup>th</sup> day of December, 2025.

**BY THE COURT:**

**LYNNE BOOMGAARDEN  
CHIEF JUSTICE**

## **POLICY ON SUBMISSION OF RULE CHANGES TO THE WYOMING SUPREME COURT**

### **A. Submission of Proposed Rules or Amendments**

1. Proposed rules or amendments to the existing rules may be submitted at any time by the Wyoming Judicial Council, a Permanent Rules Advisory Committee, the Wyoming State Bar, any other Judicial Branch committees/commissions or ad hoc working groups, an attorney, or any member of the public.

2. Proposed rules or amendments to the existing rules shall be submitted to the Clerk of Court in the format and manner required by this Policy. However, proposed rules or amendments from Permanent Rules Advisory Committees, the Wyoming Judicial Council or other Judicial Branch committees/commissions shall be submitted directly to the Wyoming Judicial Council.

3. Any submission shall be accompanied by a memorandum explaining the reasoning behind the proposed change along with any other information, including a suggested effective date of the rule or amendment.

4. If proposed changes are considered emergency changes, the memorandum shall indicate the reasons why. If the changes are not emergency changes, the effective date shall conform with Wyo. Stat. Ann. § 5-2-116 (60 days after publication) where application of the statute is appropriate.

5. Send a hardcopy of the proposed rules or amendments and memorandum to the Clerk of Court, Wyoming Supreme Court, 2301 Capitol Avenue, Cheyenne, WY, 82001. Proposed rules or amendments may be emailed, with prior approval from the Clerk of Court. Include contact information for the person responsible for answering questions regarding the proposed rules or amendments.

6. Be prepared to meet with the Wyoming Judicial Council and/or the Wyoming Supreme Court for further explanation of the proposed rules or amendments, if necessary.

### **B. Procedures After Submission**

1. After submission, all proposed rules or amendments, except emergency rules and submissions from the Wyoming State Bar, shall be presented to the Wyoming Judicial Council. The Wyoming Judicial Council will review and transmit the proposed rules or amendments, with its written recommendation, to the Clerk of Court for consideration and approval by the Wyoming Supreme Court. The Wyoming Judicial Council may refer the proposed rules or amendments to the appropriate Permanent Rules Advisory Committee or other committee prior to its written recommendation.

2. For proposed emergency rules or amendments, the Clerk of Court shall transmit the proposed emergency rules or amendments to the Executive Committee of the Wyoming Judicial Council. Without undue delay, the Executive Committee shall provide its recommendation and any changes to the Clerk of Court.

3. Proposed non-emergency rules or amendments transmitted to the Wyoming Judicial Council may take up to six (6) months to process based on the Wyoming Judicial Council's meeting schedule. *See* Rule 9, Rules and Procedures Governing the Wyoming Judicial Council.

4. Proposed rules or amendments submitted by the Wyoming State Bar shall be sent to the Clerk of Court for consideration and approval by the Wyoming Supreme Court.

5. Upon receipt of the Wyoming Judicial Council's written recommendation, the Clerk of Court shall provide a copy of the proposed rules or amendments to the Senior Staff Attorney. The Clerk of Court and Senior Staff Attorney shall review for conflicts with other rules or statutes. The Clerk of Court and Senior Staff Attorney shall proofread and make necessary technical corrections or changes. Technical corrections mean changes to punctuation, numbering, and non-substantive typographical errors. Technical corrections may be made to existing rules without comment.

6. The proposed rules or amendments may, at the Wyoming Supreme Court's discretion, be posted on the Court's website for public comment. Any comment received by the Clerk of Court shall be submitted to the Court for its consideration.

7. The Clerk of Court shall distribute copies of memoranda, proposed rules or amendments and comments to the Senior Staff Attorney and the Wyoming Supreme Court for conference. If the proposed rules or amendments cannot be adopted without further information, the Court may request a meeting with the appropriate persons or request more information via a written memoranda. The Court may also refer the proposed rules or amendments back to the appropriate committee or the Wyoming Judicial Council.

### **C. Procedures After Adoption**

1. If the Wyoming Supreme Court adopts the proposed rules or amendments, the Clerk of Court shall file and distribute copies to Judicial Branch personnel, to the Executive Director of the Wyoming State Bar, and to the Executive Director of the Wyoming Commission on Judicial Conduct & Ethics. The Executive Director of the Wyoming State Bar shall provide notice of the rule changes, by email, to their members.

2. The Clerk of Court shall publish all orders adopting or amending rules on the Wyoming Judicial Branch's website: <http://www.wyocourts.gov>

3. The Clerk of Court shall transmit new rules or amendments to the publisher. The new rule or amendment shall also be posted to the Wyoming Judicial Branch's website upon receipt from the publisher.

4. The Clerk of Court shall keep a record of rules submitted and the disposition of submissions.

#### **D. Formatting Requirements**

1. Proposed changes to existing rules shall be submitted to the Clerk of Court in underline/strike out format (new language underlined, old language with strike out) on a hard copy and an identical copy emailed to the Clerk of Court in a Word readable format so changes or corrections can be made by the Court if necessary. The Court will not accept documents that use the “track changes” feature. Rule revisions should be sent in the same format as the rules being amended, i.e. the same paragraph and subsection numbering, consistent capitalization, etc. If the proposed changes will completely replace a set of rules, underline/strike out format is not necessary. Rules should be submitted on 8½ x 11-inch paper with no smaller type or font than 12 point.

2. Submitted proposed rules or amendments shall be drafted in the following format, consistent with this Court’s existing rules:

##### **Rule 1. Arabic number identifying the rule, in bold.**

(a) Subsections shall each be identified by lower case letters in parenthesis.

(1) Paragraphs within subsections shall be identified with Arabic numbers in parenthesis. Paragraph headings should be in *italic* type.

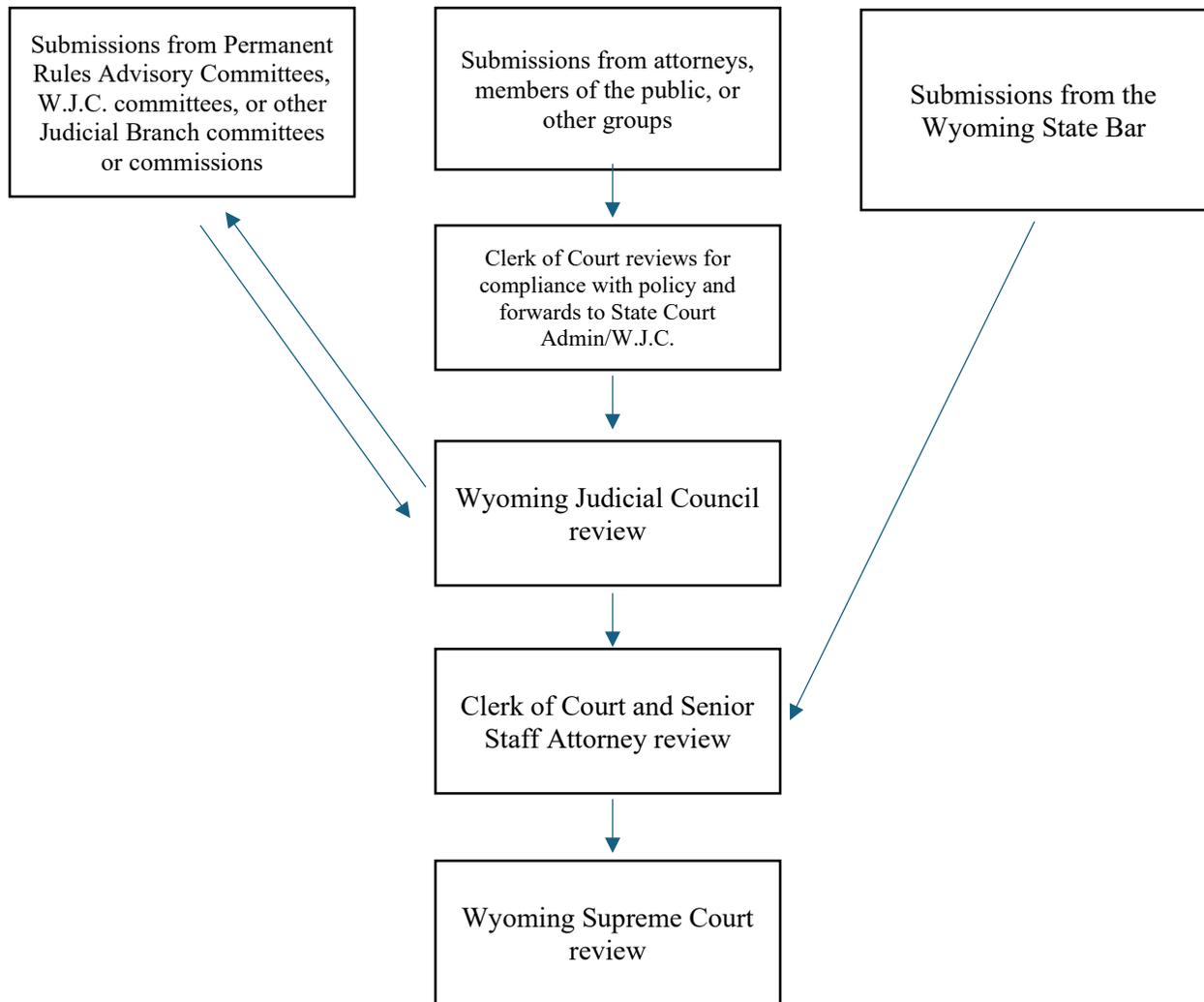
(A) Subparagraphs within paragraphs shall be identified by uppercase letters defining subparagraphs.

(i) Subdivisions of subparagraphs shall be identified by lowercase Roman numerals in parenthesis.

Revisions to existing rules should include changes to formatting to comply with this Policy. The last Rule should state how the rules should be known and cited.

3. The Clerk of Court may refuse to accept for filing any proposed rule or amendment that does not conform to the formats prescribed by this Policy.

## Submission of Proposed Rules or Amendments





2026-2027

# Strategic Communications Plan



**WYOMING**  
JUDICIAL BRANCH



## Table of Contents

Executive Summary .....	3
Overview .....	4
Environmental Analysis .....	6
Audiences .....	9
Channels & Platforms .....	10
Objectives & Strategies .....	12
Messaging .....	18
Evaluation .....	21

Prepared by:

**Jacob Just, MA**  
*Communications Director*

Administrative Office of the Courts  
Wyoming Judicial Branch

Submitted: November 17, 2025

Approved:

**INTERNAL**



# Executive Summary

The Wyoming Judicial Branch 2026-2027 Strategic Communications Plan establishes the foundational framework for how the Branch communicates with internal personnel and external stakeholders. As the Branch's first comprehensive communications plan, it prioritizes building essential infrastructure, creating sustainable systems, and positioning communications as a strategic function that advances the Branch's mission of providing equal access to justice and maintaining public confidence in Wyoming courts.

## The Challenge

The Branch currently operates with a limited formal communications infrastructure. Court communications often function independently without centralized messaging protocols, standardized resources, or consistent channels for information distribution. Court personnel lack access to templates, resources, or a central repository for materials. Meanwhile, external audiences expect increased transparency and accessibility from government institutions, creating pressure to communicate more effectively despite limited resources.

## The Opportunity

Building communications capacity largely from the ground up allows the Branch to design systems intentionally rather than retrofit outdated practices. This plan establishes infrastructure that reflects the Branch's values while meeting modern expectations for government communication. It positions the newly-created position of communications director as a trusted strategic partner to judges and other Branch staff, creates consistency across districts, and strengthens relationships with stakeholders who influence public perception and policy decisions affecting the courts.

*This plan focuses on building and enhancing both new and existing communication systems to create a more effective and varied way to communicate the Branch's message to its diverse stakeholders, both internally and externally.*

## Strategic Approach

The plan is structured around one overarching goal and five SMART objectives spanning 18 months from January 2026 through June 2027. Year One focuses on building foundational infrastructure: establishing communication channels, developing brand standards and templates, launching internal and external newsletters, creating a media relations program, and building awareness of communications resources among Branch personnel. Year Two emphasizes expansion and refinement.

Success will be measured both quantitatively and qualitatively. Implementation will require strategic allocation of existing resources rather than significant new investments.

The strategy balances centralization with flexibility. It acknowledges resource constraints by prioritizing high-impact tactics that can be sustained long-term and leveraging content across multiple channels to maximize efficiency.

## Long-Term Impact

This 18-month plan develops sustainable systems to serve the Branch beyond 2027. Building infrastructure now enables future communication strategies: crisis protocols, public education, digital engagement, and data-driven messaging. It integrates communications into the Branch's strategic priorities, ensuring its growth aligns with 21st-century needs.

The Wyoming Judicial Branch has the opportunity to build communications infrastructure intentionally, strategically, and in alignment with its constitutional mission. This plan provides the roadmap to transform communications from an informal, reactive function into a professional, proactive capability that strengthens public trust, supports personnel, and advances equal access to justice for all Wyomingites.

# Overview

## Purpose

This strategic communications plan establishes the foundational framework for how the Wyoming Judicial Branch communicates internally with its personnel and externally with the public, media, attorneys, and other stakeholders. As the Branch's first comprehensive communications plan, it prioritizes building essential infrastructure, streamlining communication efforts, and creating sustainable systems that support the Branch's mission of providing equal access to justice and strengthening public confidence in the courts.

The plan serves multiple critical functions. It helps define the communications director's role and establishes clear protocols for how information flows through the organization. It creates consistency in messaging across Wyoming's courts, ensuring that personnel, litigants, and the public receive accurate and timely information regardless of location. It positions communications as a strategic function that supports operational goals rather than a reactive service that responds only to crises.

In conjunction with the 2025-2027 Wyoming Judicial Branch Strategic Plan, this communications plan will:

- Guide the development of communication channels, tools, and processes that currently do not exist in formalized ways.
- Establish and strengthen standards for branding, messaging, and stakeholder engagement.
- Create measurement systems to evaluate effectiveness and refine approaches based on evidence rather than assumptions.
- Build organizational understanding of communications as integral to the Branch's work, not peripheral to it.

This is a working document designed to evolve as the Branch's communications capacity grows. It acknowledges resource constraints while identifying realistic priorities that can be achieved with existing staff and budget. It recognizes that building infrastructure takes time and that foundational work will enable more sophisticated communications strategies in the future. This plan does not encompass everything that will be accomplished, but rather provides a roadmap for reaching the Branch's objectives. The ultimate goal is to establish a communications function that supports the Wyoming Judicial Branch's mission, serves its personnel, and fosters public trust in the courts now and into the future.

*Because of the rapidly changing environment of state government and the needs of the Branch, this plan is subject to change pending approval by the Wyoming Judicial Council.*

### Branch Mission

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

### Branch Vision

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.

## Branch Background

The Wyoming Judicial Branch is one of three coequal branches of state government, responsible for interpreting and applying the law to ensure justice is administered fairly and impartially. Operating under Article 5, Section 1 of the Wyoming Constitution, the Branch encompasses all levels of state courts: the Supreme Court, district courts, circuit courts, and the chancery court.

The Wyoming Supreme Court, located in Cheyenne, serves as the state's court of last resort. Across Wyoming's nine judicial districts, district courts function as the state's general jurisdiction trial courts, handling major civil and criminal cases. Circuit courts address misdemeanor criminal cases, civil matters below a certain dollar threshold, small claims, and preliminary hearings in felony cases. The chancery court, established in 2019 and based in Casper, provides a specialized venue for resolving business and trust matters.

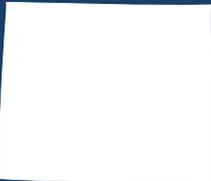
Judges and justices in Wyoming are selected through a merit-based process. When a vacancy occurs, qualified individuals can apply to the Judicial Nominating Commission (JNC) for the position. The JNC reviews all applications and interviews select applicants. The JNC refers three individuals to the governor, who chooses one individual for the position. The new judge or justice must then serve at least one year before undergoing a retention election by the people in the next general election.

The Wyoming Judicial Council (WJC) governs the Branch, establishing policies and rules for the judiciary, overseeing administrative functions, and provides policy guidance to functions under the purview of the WJC. Under WJC guidance, various committees manage policy, procedures, and innovation across areas including human resources, technology, and legislative relations.

The Administrative Office of the Courts (AOC) serves as the Branch's central support hub, providing fiscal, technology, human resources, communications, and other administrative services that keep the courts running on a day-to-day basis. The communications director position, housed within the AOC, is responsible for developing and implementing communication strategies that serve both internal and external stakeholders across the entire Branch.

Together, these entities work toward the Wyoming Judicial Branch's mission of providing equal access to justice. Effective communication is essential to achieving this mission, as it helps the Branch explain its role to the public, support its personnel, and maintain transparency while protecting judicial independence.

<b>By the Numbers</b>	<b>340</b>	<b>72</b>	<b>119,306</b>
	Justices, judges & employees of the Branch	Branch courtrooms around Wyoming	Cases filed in Fiscal Year 2025

<b>State Profile</b> Wyoming		<b>Population</b> 587,618 <i>(2024 estimate)</i>		<b>Education</b> 93.9% <i>High school or higher</i>
		<b>Median Age</b> 39.3		<b>30.4%</b> <i>Bachelor's or higher</i>
		<b>Sex</b> 51% Male 49% Female		<b>Median Household Income</b> \$72,415
 Wyoming has a land area of 97,088.6 square miles. It is the 9th largest state by area.				<i>Source: U.S. Census Bureau</i>

# Environmental Analysis

## Internal Environment

### Organizational Structure

The Wyoming Judicial Branch has trial courts across the state with the Supreme Court as the only appellate court. The Administrative Office of the Courts (AOC) serving as the central support hub. This structure offers opportunities and challenges for communication, requiring coordination for consistent messaging across rural and urban areas. The WJC's committees oversee various areas, meaning communication must flow vertically through governance channels and horizontally across functions, risking message strength or fragmentation.

### Resource Capacity & Constraints

As a statewide entity with limited resources across a vast, sparsely populated state, the Branch centralizes services for efficiency. Its communications function must serve diverse audiences, from Supreme Court justices and court staff to the general public, often with limited staff. Budget constraints restrict investments in communication technology, training, and outreach, requiring strategic focus on high-impact activities that benefit multiple stakeholders simultaneously.

*The Branch's internal communication processes frequently rely on judges and justices to circulate information among colleagues, highlighting the need for more structured and centralized communication channels.*

### Stakeholder Complexity

The Branch's internal stakeholders include judges, court staff, clerks, and administrative staff, each with unique needs.

For instance, judges need updates on rules; court staff require operational guidance. The WJC and its committees need transparent reporting on initiatives and outcomes. Externally, the Branch communicates with attorneys, litigants, media, legislators, and the public, all with varying levels of legal literacy and expectations. Therefore, communications must be tailored while upholding core messaging.

### Starting from the Ground Up (Almost)

The Wyoming Judicial Branch is developing its first strategic communications plan, building most infrastructure from the ground up rather than refining existing systems. The Branch's courts operate with significant independence but lack formal communication channels, resulting in organic information sharing through email chains and informal networks that can leave some courts learning about important updates late or incompletely. Court staff lack a centralized repository for resources, templates, and guidance documents, and judges and administrators often create their own materials without standardized branding or messaging frameworks. Because formal communications capacity is new to the Branch, many stakeholders view it as a peripheral activity rather than a strategic function, with requests for support often coming in a reactive manner. The Branch operates with lean staffing across all functions, meaning that any communications infrastructure must be simple enough for busy personnel to adopt, efficient enough to avoid straining limited resources, and valuable enough to justify the investment amid competing priorities. However, this absence of existing infrastructure presents a significant opportunity: every system, process, and channel can be designed with strategic intent to reflect the Branch's values of transparency, accessibility, and impartiality from the beginning, creating a sustainable foundation that positions communications as integral to the Branch's mission rather than supplemental to it.

## External Environment

The Wyoming Judicial Branch operates in an environment where public trust in government institutions, including courts, faces increasing scrutiny. National trends indicate mixed feelings on state judiciaries, driven by political polarization, misinformation about legal processes, and a limited understanding of how courts operate. While Wyoming's rural character and close-knit communities foster different dynamics than those in urban states, the Branch cannot assume that public trust is automatic or permanent. Citizens increasingly expect transparency and accessibility from government institutions; however, court proceedings and legal language can often feel opaque and intimidating to those without legal training. The Branch must communicate in ways that demystify the judicial process, explain decisions without compromising impartiality, and demonstrate accountability while protecting judicial independence. This requires balancing openness with the constraints inherent to the judicial role—a more delicate equilibrium than other government branches face.

*A 2024 survey by the National Center for State Courts showed that **nearly two-thirds (63%) of Americans express trust and confidence in America's state courts.***

### Media Landscape & Information Ecosystems

Wyoming's media landscape encompasses traditional outlets, such as newspapers, TV, and radio, as well as digital platforms and social media, where information spreads rapidly and often without proper context. Local journalism has declined, resulting in fewer reporters covering courts and a reduced understanding of legal procedures. Of the reporters that remain, many start in Wyoming's media markets for a short time before transitioning to more prominent markets. The Cheyenne-Scottsbluff (#193) and Casper-Riverton (#198) markets are among the smallest television markets in the U.S., out of the 210 markets, according to Nielsen. This presents both challenges and opportunities: the Branch cannot rely on the media to interpret court activities, but it can position itself as a reliable source through owned media channels. Misinformation about court cases and legal decisions spreads quickly online, especially in high-profile cases. The Branch needs proactive strategies to provide accurate information before false narratives form. The Branch also has a responsibility to educate reporters, many of whom are in the beginning stages of their careers, on court processes and structure. Wyoming's geographic spread also requires adaptable communication strategies for rural and urban areas.

***About half of U.S. adults (53%) say they at least sometimes get news from social media. Wyomingites aged 18-44 far prefer getting news from social media compared to those aged 45+, who comparatively prefer television and print newspaper.***

*Sources: Pew Research Center (9/25/2025); Wyoming Local News Fund (1/2025)*

### Stakeholder Expectations & Information Needs

External stakeholders have diverse expectations for how the Branch communicates. Attorneys need timely updates on procedural rules, court schedules, and administrative changes affecting their practice. Litigants, both represented and self-represented, require clear guidance on navigating court processes, often without legal background. Legislators need transparent reports on Branch operations, budgets, and policies for oversight. The public expects accessible, understandable courts that maintain dignity and seriousness. Messages must be tailored to audiences while upholding core values and factual accuracy.

### Digital Access & Technological Expectations

The public increasingly expects government services, including court information, to be available digitally, on demand, and mobile-friendly. The COVID-19 pandemic accelerated this, normalizing virtual court proceedings and online access, permanently changing expectations. Citizens who are accustomed to instant access via search engines and apps may find traditional systems frustrating. While the Branch's growing digital resources show progress, issues like user experience, accessibility, and plain-language explanations need ongoing attention. Digital equity is a concern in Wyoming, where rural areas have limited access to broadband, and some populations lack devices or the necessary digital literacy. Communication strategies must address these disparities, ensuring that information reaches all Wyomingites, regardless of their level of technological access.

## SWOT Analysis

The following SWOT (strengths, weaknesses, opportunities, and threats) analysis summarizes the key internal and external factors that influence communication effectiveness within the Wyoming Judicial Branch. It identifies organizational strengths to build upon, internal challenges to address, and external opportunities and risks that will guide communication priorities in the years ahead.

### Strengths

**Credibility & Public Trust:** The Wyoming judiciary maintains a strong reputation for fairness, integrity, and professionalism, forming a solid foundation for transparent communication.

**Skilled & Dedicated Staff:** Judicial Branch staff show high levels of professionalism, dedication, and adaptability in managing information.

**Statewide Presence:** Courthouses and judicial personnel across Wyoming provide multiple points of local engagement with the public.

**Growing Technological Capacity:** The adoption of eFiling, remote hearings, and digital information tools expands accessibility and communication reach.

### Weaknesses

**Fragmented Internal Communication:** Reliance on informal information-sharing creates inconsistencies and delays in message delivery.

**Limited Public Outreach Resources:** The Branch has few dedicated staff or tools for ongoing public education, outreach, or media engagement.

**Complex Judicial Processes:** Legal terminology and procedural nuances can make communications difficult for non-legal audiences to understand.

**Inconsistent Visual & Message Branding:** Inter-court communications vary, leading to a lack of unified identity across the Branch.

### Opportunities

**Public Education & Outreach:** Increased public interest in civics and transparency creates openings for education about judicial independence and access to justice.

**Digital & Social Media Platforms:** Expanding use of digital tools allows the Branch to share information directly and reach underrepresented or rural audiences.

**Crisis Communication Preparedness:** Developing consistent protocols can strengthen public confidence during high-profile cases or emergencies.

**Interbranch Collaboration:** Enhanced communication with legislative and executive counterparts can foster shared understanding of court needs and resource priorities.

### Threats

**Erosion of Public Trust in Institutions:** National polarization and misinformation threaten confidence in impartial judicial decision-making.

**Shrinking Local Media Coverage:** Fewer journalists assigned to government and court beats limit opportunities for accurate public reporting.

**Resource Constraints:** Budget limitations may hinder the ability to expand communication staffing, training, or digital infrastructure.

**Cybersecurity & Information Risks:** Growing reliance on digital platforms increases exposure to security threats and misinformation.

**Misinterpretation of Judicial Independence:** Public or political actors may misunderstand the judiciary's role, leading to misperceptions of bias or lack of accountability.

# Audiences

The Wyoming Judicial Branch serves diverse stakeholders with varying information needs, communication preferences, and levels of engagement with the courts. Effective communication requires understanding these audiences and tailoring messages, channels, and approaches to meet them where they are. This strategic communications plan addresses both internal audiences and external audiences who interact with, report on, fund, or depend upon the judicial system.

## Primary Audiences

These groups have the most direct and frequent interaction with the Wyoming Judicial Branch and are central to its communication efforts.

### General Public

As the ultimate source of judicial legitimacy, the public is a central audience for Branch communications. Efforts will focus on enhancing understanding of court processes, decisions, and the judiciary's constitutional role. By providing accurate, accessible, and timely information, the Branch can strengthen public confidence, counter misinformation, and promote civic awareness. This group has a mixed level of trust with the state's judicial system.

- Wyoming residents seeking information about jury service, court procedures, or case outcomes
- Citizens following high-profile court cases or statewide legal issues
- Community members participating in court outreach events or civics education programs
- Individuals accessing online court resources or public records
- Self-represented litigants

### Judges, Justices, Branch Staff & District Court Clerks

Effective internal communication ensures that the judiciary speaks with a unified, consistent voice. Judges and staff must have timely access to updates, policies, and resources that support clear, coordinated communication with one another and the public. Strong internal alignment enables credible, transparent, and ethical external engagement.

- Supreme Court justices, district court judges, circuit court judges, and the chancery court judge
- Chamber staff (judicial assistants, law clerks, court reporters, etc.)
- Administrative Office of the Courts
- Clerks of district court offices
- Circuit court clerks

### Attorneys & the Legal Community

The judiciary's partnership with attorneys and local legal organizations supports fair and efficient court operations. Communications will focus on procedural updates, rule changes, and opportunities for collaboration that advance access to justice.

- Members of the Wyoming State Bar, local bar associations, and professional legal associations
- Public defenders, county and district attorneys, and private practice lawyers
- Legal aid organizations

## Secondary Audiences

These audiences influence public perception of the judiciary or play a supporting role in the administration of justice.

### Media Outlets & Journalists

The media influence public understanding of courts. The Branch aims to build strong ties with local and statewide reporters, as well as national and trade outlets as needed, providing factual and contextual information to ensure accurate coverage and prevent misconceptions about judicial decisions.

- Local media outlets (E.g., *Green River Star*, *Powell Tribune*, Basin Radio Network)
- Statewide media outlets (E.g., *Cowboy State Daily*, *WyoFile*, *Wyoming News Now*)
- National media outlets (E.g., Associated Press, NPR, *The New York Times*, CNN)
- Trade publications (E.g., *Law360*, *ABA Journal*, *National Law Journal*)
- New media (E.g., bloggers, social media influencers, podcasters)

### State & Local Government Leaders

Open communication with other government branches and officials fosters mutual respect and helps policymakers understand the judiciary's needs, responsibilities, and independence.

- Office of the Governor and other Executive Branch agencies
- Members of the Wyoming State Legislature
- County commissioners and other local government officials

### Job Candidates & Prospective Employees

Applicants for judicial, administrative, and support roles are a transitional audience that influence the perception of the Branch as an employer and public institution. Clear, fair, and professional communication with candidates boosts the Branch's credibility and focus on merit-based service.

- Applicants for judicial vacancies
- Candidates for positions in the Administrative Office of the Courts, Supreme Court, district court, circuit court, and chancery court.
- Interns/externs, consultants, and other short-term job applicants

## Tertiary Audiences

These groups have a broader or less direct relationship with the Branch but are essential for sustaining public trust and civic engagement.

### Educational Institutions and Students

Engaging with schools, universities, and civic programs helps foster early understanding of the judiciary's role and strengthens civic literacy among Wyoming's youth.

- University of Wyoming College of Law
- Community colleges in Wyoming
- Public and private schools in Wyoming

### National Judicial and Legal Organizations

Sharing information with peer courts and national associations supports the exchange of best practices and highlights Wyoming's innovations in judicial administration.

- National Center for State Courts
- Conference of Chief Justices
- Conference of State Court Administrators
- Conference of Court Public Information Officers

# Channels & Platforms

## Legend

■ Active channel

□ Inactive channel, included in plan

*This table identifies proposed and existing communications channels used by the Branch and what audiences those channels target specifically.*

	Facebook	Instagram	LinkedIn	YouTube	WJB Website	Direct mail	Direct email	Legislative testimony	Media Interviews	In-person/virtual court proceedings	govDelivery	Branch-sponsored community events	Intranet/Digital Folder	Schoox	ClayHR	Public Libraries
<b>Primary Audiences</b>																
General Public	□	□	□	■	■	■	■	■	■	■	■	■	■	■	■	■
Judges & Justices				■					■	■	■	■	■	■	■	■
Branch Staff				■					■	■	■	■	■	■	■	■
District Court Clerks				■					■	■	■	■	■	■	■	■
Attorneys	□	□	□	■	■	■	■	■	■	■	■	■	■	■	■	■
<b>Secondary Audiences</b>																
Media & Reporters				□	■	■	■	■	■	■	■	■	■	■	■	■
State & Local Government Leaders				■	■	■	■	■	■	■	■	■	■	■	■	■
Job Candidates	□	□	□	■	■	■	■	■	■	■	■	■	■	■	■	■
<b>Tertiary Audiences</b>																
Educational Institutions & Students		□	□	■				■								
National Legal Organizations																■

# Objectives & Strategies



## Overarching Plan Goal

*Build a foundational communications infrastructure that positions the Wyoming Judicial Branch as a transparent and accessible institution, while establishing the communications director as a trusted strategic partner to Branch personnel. This will result in consistent messaging, stronger stakeholder relationships, and increased public confidence in Wyoming courts.*

## Timeline

Pending approval by the Wyoming Judicial Council, implementation will begin January 1, 2026, and continue through June 30, 2027—an 18-month period that provides sufficient time to establish foundational communications systems while maintaining realistic expectations given resource constraints. The timeline is structured in two phases: Year One (calendar year 2026) focuses on building essential infrastructure, establishing core channels, and demonstrating early value to stakeholders. Year Two (January through June 2027) emphasizes expanding reach, refining systems based on lessons learned, and positioning the communications function for long-term sustainability beyond this initial plan period.

Each year is divided into quarters to create manageable implementation phases, allow for regular progress assessment, and provide flexibility to adjust tactics based on emerging needs or changing circumstances.

The timeline balances ambition with pragmatism, acknowledging that a single communications professional with a limited budget must prioritize high-impact activities that can be sustained over time.

## SMART Objectives

SMART objectives, which stand for Specific, Measurable, Achievable, Relevant, and Time-bound, offer a structured framework for turning broad communication goals into actionable, trackable milestones that drive progress and demonstrate value. For the Wyoming Judicial Branch's first strategic communications plan, SMART objectives are especially important because they convert the ambitious task of building and improving infrastructure into concrete deliverables with clear success criteria and realistic timelines.

By setting specific targets, the Branch can measure progress both quantitatively and qualitatively, adjust tactics based on effectiveness, and show a return on investment to leadership and stakeholders who might not view communications as a strategic function. The time-bound aspect of these objectives promotes accountability and momentum, ensuring that foundational work in Year One paves the way for more advanced strategies in Year Two and beyond. The measurable elements provide evidence to justify future resource allocation. Most importantly, SMART objectives keep the communications focus on outcomes that directly support the Branch's mission, rather than getting distracted by activities that lack impact, an essential consideration when operating with limited staff and budget constraints.

## Objective 1

## Infrastructure Development

*By the end of Year Two, establish and launch at least five new communication channels (external newsletter, social media presence on four platforms, media newsroom) with a combined reach of 500+ regular subscribers/followers and 25% quarter-over-quarter growth in engagement metrics.*

Tactic	Deadline	Assigned	Metrics/Notes
Redevelop standardized email distribution lists through GovDelivery for internal and external audiences.	Y1, Q1	Communications Director	Email open rates, click-through rates, subscriber count
Launch Facebook & Instagram presence with community-focused content, public service announcements, and educational materials.	Y1, Q1	Communications Director	Reach, impressions, engagement, likes/followers, link clicks
Create YouTube presence with education-focused strategy where informational videos, webinars, and livestreams are posted.	Y1, Q1	Communications Director	Channel subscribers, views, watch time, returning/unique viewers
Create LinkedIn presence with content strategy focused on professional audiences, job postings, and Branch initiatives.	Y1, Q1	Communications Director	Brand awareness, lead generation, engagement, page views, visitors, demographics
Explore options to improve inter-committee communications.	Y1, Q2	Communications Director, AOC Committee Support Staff	Relevant analytics
Establish media newsroom section on website with press release archive, media contact information, court statistics, stock images/videos and downloadable resources.	Y1, Q3	Communications Director, IT Division	Users, sessions, average engagement time, conversions, bounce rate
Develop a short video series for use on digital platforms that showcases the various areas of Branch.	Y1, Q4	Communications Director	Social media analytics
Launch quarterly external newsletter for attorneys, legislators, and interested public with plain-language court updates and educational content.	Y2, Q1	Communications Director	Email open rates, click-through rates, subscriber count
Track subscriber growth, open rates, click-through rates, and social media engagement monthly; adjust content strategy based on performance data.	Ongoing	Communications Director	

## Objective 2

### Internal Awareness & Utilization

*By the end of Year Two, achieve greater awareness among Branch personnel of the communications director role and available resources, with at least 30 proactive communication consultation requests from judges, administrators, or staff on projects or initiatives.*

Tactic	Deadline	Assigned	Metrics/Notes
Develop one-page "When to Engage Communications" guide outlining scenarios where communications support is valuable (new initiatives, policy changes, public-facing projects, crisis situations, media inquiries) to be distributed to new and existing judges, justices, and staff.	Y1, Q1	Communications Director	Feedback, assistance requests
Conduct "listening tour" with in-person or virtual sessions at conference meetings (clerk and judge) to introduce the communications role, assess needs, and build relationships with judges and staff.	Y1, Q2	Communications Director	Feedback
Hold quarterly check-in meetings with AOC division heads about new and ongoing initiatives and identify where communications support may be helpful.	Ongoing, beginning in Y1, Q2	Communications Director, AOC Division Heads	Feedback
Offer optional "brown bag" sessions (virtual or in-person) on topics like media relations basics, writing for public audiences, or crisis communication.	Y1, Q3 - Y2, Q2	Communications Director	Attendance, feedback
Develop and present comprehensive end-of-plan communications report to the Wyoming Judicial Council documenting progress against all SMART objectives, including quantitative metrics and qualitative outcomes.	Y2, Q2	Communications Director	Feedback, report metrics
Track consultation and project requests by quarter, document outcomes, and share success stories in internal newsletter to demonstrate value.	Ongoing	Communications Director	

## Objective 3

## Standardization & Brand Consistency

*By the end of Year One, create a comprehensive communications toolkit including existing brand guidelines, at least 10 customizable templates, and standardized processes that are adopted by at least 50% of personnel who regularly create public-facing materials.*

Tactic	Deadline	Assigned	Metrics/Notes
Audit existing Branch communications materials across courts to identify inconsistencies in branding, messaging, and quality.	Y1, Q1	Communications Director	Materials updated
Survey personnel who create communications materials to assess template usage and gather feedback for improvements.	Y1, Q1 & Y2, Q1	Communications Director	Feedback
Create template library including: letterhead, social media graphics, presentation slides, informational flyers, email signatures, newsletter formats, meeting agendas, stock images, public notices.	Y1, Q2-Q3	Communications Director	Utilization, feedback
Establish Branch intranet or shared digital folder where templates and guidelines are easily accessible to all personnel.	Y1, Q3	Communications Director	Utilization, feedback
Conduct simple training sessions (recorded for future reference) on how to access and customize templates.	Y1, Q4	Communications Director	Attendance/views, feedback
Implement brief approval process for high-visibility external communications to ensure brand consistency while respecting court autonomy.	Y2, Q1	Communications Director	Feedback
Update templates based on user feedback; showcase well-executed examples in internal newsletter.	Ongoing	Communications Director	Utilization

## Objective 4

### Media & External Stakeholder Relations

*By the end of Year Two, establish proactive relationships with at least 10 media contacts across Wyoming and achieve 80% positive or neutral media coverage of Branch activities, with average response time to media inquiries to under 4 hours during business days.*

Tactic	Deadline	Assigned	Metrics/Notes
Begin proactive media outreach with at least one press release per month on newsworthy Branch initiatives, appointments, or educational content.	Y1, Q1 then ongoing	Communications Director	Stories published, story sentiment
Develop media relations protocol including designated spokespersons, approval processes for different types of inquiries, and response time standards.	Y1, Q1	Communications Director	Feedback, utilization
Create media backgrounder kit with court system overview, common legal terminology, explanation of court levels and rules, statistics, and FAQs.	Y1, Q2	Communications Director	Feedback, utilization
Host inaugural 'media meet-up' session (in-person and virtual) to discuss court system overview, processes, key individuals, and Branch priorities with state and local reporters.	Y1, Q3	Communications Director	Attendance, feedback
Develop a crisis communications plan with preapproved holding statements and templates for use in the event of cyberattacks, employee or judicial misconduct, security incidents, and operational failures.	Y1, Q4	Communications Director	Feedback, utilization
Begin identifying one story per quarter to pitch that conveys a positive light on the Branch to a rotating list of reporters.	Y2, Q1	Communications Director	Successful pitches, stories published
Monitor media coverage monthly, track sentiment and accuracy, respond to inaccuracies promptly, and maintain regular contact with reporter network.	Ongoing	Communications Director	Story sentiment, feedback

## Objective 5

## Community Engagement & Public Education

*By the end of Year Two, establish the Wyoming Judicial Branch's presence in at least 12 community events or educational programs across at least six of the nine judicial districts, reaching a combined audience of 1,000+ Wyoming residents.*

Tactic	Deadline	Assigned	Metrics/Notes
Develop standardized "Courts 101" presentation with modular content that can be adapted for different audiences (civic groups, schools, senior centers, business organizations) and varying time lengths.	Y1, Q2	Communications Director	Feedback, utilization
Create portable display materials and informational handouts about Wyoming courts that can be used at community events and public gatherings.	Y1, Q2	Communications Director	Feedback, utilization
Coordinate traveling Supreme Court oral arguments in colleges and high schools throughout the state.	Y1, Q2	Communications Director, Clerk of the Supreme Court	Attendance, feedback
Participate in Constitution Day programming (September) in schools with in-person and virtual school visits explaining the judicial branch's role.	Y1, Q3	Communications Director	Secured appearances, feedback
Create "Know Your Courts" video series (3-5 minutes each) featuring judges and court staff explaining common court processes in plain language, including topics like "What to Expect as a Juror," "How to Prepare for Your Court Date," "Understanding Different Types of Courts in Wyoming," and "Your Rights in Court."	Y2, Q1	Communications Director	# of videos created, video metrics
Strengthen partnership program with Wyoming public libraries to serve as community access points for court information, providing libraries with printed court resources.	Y2, Q2	Communications Director	Partnerships secured, feedback

# Messaging

## Overview

The Wyoming Judicial Branch's messaging strategy establishes a consistent narrative framework that guides all communications over the two-year plan period and beyond. These messages strike a balance between the Branch's commitment to traditional judicial values—impartiality, fairness, and adherence to the law—with modern expectations for transparency, accessibility, and community engagement. The strategy provides flexibility to tailor messages for specific audiences while maintaining core themes that build understanding, trust, and confidence in Wyoming courts.

## Core Message

*The Wyoming Judicial Branch is a transparent, accessible pillar of Wyoming government where every person, regardless of background or circumstances, can have their voice heard and their disputes resolved fairly under the law.*

This core message serves as the foundation for all Branch communications. It emphasizes three critical elements:

- Transparency (we operate openly)
- Accessibility (we serve everyone)
- Fairness (justice is impartial)

Every communication product—from internal newsletters to press releases to social media posts—should reinforce at least one of these three pillars.

## Key Messages

### Message 1

### Commitment to Equal Access & Fairness

*The Wyoming Judicial Branch ensures that every person who comes before our courts, whether represented by an attorney or navigating the system independently, receives fair treatment under the law. Justice in Wyoming is not determined by wealth, status, or background, but by the facts of each case and the application of Wyoming law.*

**When to use:** Communications about self-represented litigant resources, access to justice initiatives, court accessibility improvements, responses to concerns about fairness or bias

#### Supporting points:

- Courts provide resources and assistance to help self-represented litigants understand and navigate legal processes.
- Court decisions are based solely on the law and evidence presented, without favor or bias.
- The Branch continuously works to remove barriers that prevent Wyomingites from accessing justice.

## Message 2

### Judicial Officers as Community Members

*Wyoming's judges and justices are members of the communities they serve. They are neighbors, parents, and civic participants who are deeply committed to upholding the rule of law. While judicial ethics require impartiality in deciding cases, judicial officers remain accessible and engaged with the public through community education, outreach, and transparency about court operations.*

**When to use:** Community engagement events, judicial selection/retention, responses to perceptions that judges are isolated or out of touch

**Supporting points:**

- Judges live and work in Wyoming communities and understand local concerns and values.
- Judicial officers are held to high ethical standards through codes of conduct and accountability mechanisms.
- Judges can and do engage with the public about court processes, legal education, and civic responsibility, separate from discussing pending cases.

## Message 3

### Tradition Meets Modern Transparency

*The Wyoming Judicial Branch has consistently operated with transparency and accountability, values deeply rooted in Wyoming's Constitution and legal traditions. Today's technology and public information tools allow us to maintain those commitments in ways that meet 21st-century expectations, making court information more accessible and understandable than ever before.*

**When to use:** Communications about new technology implementations, website enhancements, social media presence, public information initiatives, responses to concerns about change

**Supporting points:**

- Core judicial values (fairness, impartiality, transparency) remain constant even as methods of communication evolve.
- Online case access, eFiling, and digital resources expand access without changing how justice is administered.
- Enhanced public information efforts help Wyomingites understand court processes that have always been open to public observation.

## Message 4

### Impartiality & Independence

*The Wyoming Judicial Branch decides cases based solely on the law and the facts presented in court, free from political pressure, public opinion, or outside influence. This independence is essential to the rule of law and protects every Wyomingite's right to fair treatment, regardless of whether their position is popular or unpopular.*

**When to use:** Responses to controversial decisions, election cycles, political criticism of courts, educational content about separation of powers, legislative communications

**Supporting points:**

- Judicial independence is a constitutional principle that protects individual rights.
- Judges take an oath to uphold the law impartially, without regard to personal views or political considerations.
- Judicial decisions are based on applying the law to the specific facts of each case, which means outcomes aren't determined by whether a position is popular or unpopular with the public.

# Messaging Guidance

## Internal Staff (Judges, Court Personnel, AOC Staff)

Emphasize operational clarity, respect for their expertise, support for their work, transparency about decisions that affect them.

**Tone:** Professional, collegial, informative, appreciative

**Avoid:** Over-communication that creates information overload; assuming understanding of communications terminology; mandates without explanation.

### Message Priorities:

- How changes or initiatives support their daily work and the Branch's mission
- Clear explanation of policies, procedures, and expectations
- Opportunities for input and professional development

## Attorneys and Legal Professionals

Emphasize procedural accuracy, efficiency, professionalism, partnership in serving justice.

**Tone:** Professional, precise, respectful of legal expertise

**Avoid:** Oversimplification that insults their expertise; delays in communicating information that affects their practice

### Message Priorities:

- Timely updates on rule changes, procedural modifications, & technology implementations
- Recognition of attorneys' role in the justice system
- Opportunities for collaboration on access to justice initiatives

## General Public

Emphasize accessibility, transparency, fairness, community connection, practical relevance.

**Tone:** Approachable, clear, respectful, educational

**Avoid:** Legal terminology without plain-language explanation; defensive tone; assuming interest in procedural details; overly formal or distant language

### Message Priorities:

- Courts serve all Wyomingites fairly, impartially, & transparently
- Court processes are understandable and navigable
- Judicial officers are community members committed to the rule of law
- How to access court services and information

## Legislators

Emphasize accountability, fiscal responsibility, constitutional obligations, Branch needs and accomplishments.

**Tone:** Professional, transparent, collaborative, non-partisan

**Avoid:** Legalese without context; defensive posture; appearance of political advocacy; asking for support without clear justification

### Message Priorities:

- How Branch operations serve Wyoming residents and communities
- Demonstrated stewardship of public resources
- Constitutional mandate and operational requirements
- Data-driven justification for budget requests
- Respect for separation of powers while engaging appropriately in legislative process

# Evaluation

Effective evaluation transforms the Wyoming Judicial Branch's communications efforts from activity-based to outcomes-based, ensuring that resources are directed toward tactics that demonstrably advance the Branch's strategic objectives and broader mission. As the Branch's first strategic communications plan, evaluation serves multiple critical functions:

- Demonstrates the value of communications infrastructure to leadership and stakeholders.
- Identifies what works and what requires adjustment or discontinuation.
- Creates accountability for progress.
- Builds the evidence base for future resource allocation decisions.

## Evaluation Framework

Evaluation will occur at three levels:

- **Tactical evaluation** assesses whether individual activities were completed as planned and whether they achieved their immediate intended outcomes (e.g., newsletter launched on schedule, online media newsroom created).
- **Objective evaluation** measures progress toward the five SMART objectives using the specific metrics defined for each, determining whether targets were met, exceeded, or fell short.
- **Strategic evaluation** examines whether the overall communications infrastructure is advancing the Branch's mission of providing equal access to justice and maintaining public confidence in Wyoming courts, even if individual tactics or objectives required adjustment along the way.

## Evaluation Timeline

The communications director will track key performance indicators monthly or quarterly, depending on the metric. Quantitative data, including website analytics, email newsletter open and click-through rates, social media engagement, consultation request volume, and media inquiry response times, will be compiled in a simple dashboard or spreadsheet that shows trends over time. Qualitative observations about stakeholder feedback, successful collaborations, challenges encountered, and emerging opportunities will be documented in regular notes that inform tactical adjustments and provide context for formal evaluations.

At the conclusion of Year One (December 2026), the communications director will conduct a comprehensive internal evaluation in collaboration with AOC leadership. This evaluation will assess progress against all SMART objectives, analyzing both the quantitative achievement of targets and the qualitative assessment of how the communications infrastructure is being received and utilized by stakeholders.

A final comprehensive evaluation will occur at the plan's conclusion in June 2027, following the same internal assessment and formal reporting structure. This end-of-plan evaluation will assess the full 18-month implementation period, measuring ultimate achievement of all objectives and analyzing the cumulative impact of communications infrastructure development on the Branch's operations, stakeholder relationships, and public perception.



## Wyoming Judicial Branch

WyoCourts.gov | 307.777.7687

2301 Capitol Avenue  
Cheyenne, WY 82001





# Wyoming Judicial Branch

## Supervision of Circuit Court Clerical Staff and Performing Administrative Duties in Counties Without a Resident Judge and Circuit Courts With Multiple Judges in a Single Location Policy

<b>Policy Approver(s)</b>	Wyoming Judicial Council
<b>Storage Location</b>	wsc-share (Z:) AOC\Common\Policies\Wyoming Judicial Council \HR Committee
<b>Effective Date</b>	XXX
<b>Review Period</b>	XXX

### **I. GENERAL POLICY STATEMENT FOR SUPERVISION OF CIRCUIT COURT CLERICAL STAFF AND PERFORMING ADMINISTRATIVE DUTIES IN COUNTIES WITHOUT A RESIDENT CIRCUIT COURT JUDGE**

One of the circuit court judges within the judicial district shall have ultimate responsibility for supervising the court staff and performing administrative duties in the counties without a resident circuit court judge. The circuit court judges within the district shall submit notification of who that judge will be to the Wyoming Judicial Council (WJC). In the event the circuit court judges within the district do not make a selection, the WJC shall select a supervising/administrative judge.

### **II. GENERAL POLICY STATEMENT FOR SUPERVISION OF CIRCUIT COURT CLERICAL STAFF AND PERFORMING ADMINISTRATIVE DUTIES IN COURTS WITH MULTIPLE JUDGES IN A SINGLE COURT LOCATION**

When more than one judge presides in a single court location, one of the circuit court judges shall have ultimate responsibility for supervising the court staff and performing administrative duties. The circuit court judges within the single court location shall designate who that judge will be and shall submit notification of that selection to the WJC. In the event the circuit court judges within the single court do not make a recommendation, the WJC shall select a supervising/administrative judge.

### **III. SPECIFIC ACTIONS**

- A. On or before January 1 of each year, the circuit court judges within the affected courts and judicial districts shall submit written notice of their selection to the WJC. Written notice need not be submitted if no changes are made. The Administrative Office of the Courts may contact the affected courts to determine which circuit court judge has been selected.
- B. In the event the circuit court judges of a court or district have not given written notice as required herein or have not otherwise made a selection, the WJC shall make a selection at its next meeting.

**Approved By:**

<hr/> <b>Lynne Boomgaarden, Chief Justice</b> <b>Chair, Wyoming Judicial Council</b>		<b>Date</b>
---	--	-------------

DRAFT

**To:** Wyoming Judicial Council  
**From:** Judge Benjamin Burningham, Chair of the Chancery Court Division, Permanent Rules Advisory Committee  
**Date:** November 14, 2025  
**Re:** Chancery Court Rule Amendments

---

The Chancery Court Division of the Permanent Rules Advisory Committee recommends adoption of the following amendments to the Chancery Court Rules.<sup>1</sup> Over the past year, the division—composed of a Supreme Court justice, current and retired District Court judges, a District Court clerk, the Chancery Court judge, business and trust litigators, and a former legislator—undertook a comprehensive review of the rules, developed amendments, and solicited public comment. The division carefully considered all feedback, finalized its recommendations, and now submits these amendments for adoption by the Supreme Court.

This memorandum sets forth each proposed amendment with accompanying context. Additional background and rationale are available in the attached meeting minutes, the public comment packet (Attachment A to the minutes), and public comments (Attachment B to the minutes). The background materials and this memo are organized by consistent issue numbers for ease of review.

The division continues to work on Issue No. 7 (opt-out provision), which generated the most public comment and requires further finetuning. While that key amendment is not yet ready for adoption, the rules submitted with this memorandum are ready. Each proposed rule received either positive public comments or none in opposition and earned unanimous support from the Chancery Court Rules Division.

---

<sup>1</sup>Although neither General Order 23-02 nor Wyo. Stat. § 5-13-104 requires Wyoming Judicial Council approval of these rule amendments, the Chancery Court Rules Division submits them to the Council in the interests of transparency and branchwide communication and collaboration.

## **Proposal No. 1: Aligning Chancery Rules with eFiling Rules**

Chancery Court’s launch with mandatory eFiling predates the adoption of statewide eFiling rules. At its inception, the Chancery Court addressed eFiling through its civil procedure rules and eFiling manual. Since that launch, the Supreme Court adopted the *Wyoming Rules for Electronic Filing and Service*, which replace the Chancery Court’s manual with statewide rules. Accordingly, the Chancery Court rules should be amended to remove references to the prior manual, eliminate superseded requirements, and resolve any conflicting provisions. The proposed amendments clarify eService and eFiling procedures, signature requirements, and eFiling formatting standards. In short, these changes ensure that Chancery Court eFiling procedures align with statewide eFiling practices, eliminating confusion and making it easier for practitioners to move between jurisdictions.

This proposal received broad support in statewide presentations on the chancery court, generated no comments in opposition, and earned unanimous approval from the Chancery Rules Division.

### **Proposed Amendments**

#### **W.R.C.P.Ch.C. 5. Serving and Filing Pleadings and Other Papers.**

\*\*\*\*\*

##### **(b) Service: How made.**

(1) *Serving an Attorney.* If a party is represented by an attorney, service under this rule must be made on the attorney unless the chancery court orders service on the party.

(2) *Service in General.* Unless otherwise ordered by the chancery court, which will specify the method of service, documents shall be electronically served in accordance with the Wyoming Rules for Electronic Filing and Service. ~~the notice of electronic filing delivered to online inboxes on the electronic filing system constitutes service of the document on the electronic filing system users and the additional service of a hardcopy is unnecessary. Each registered user of the electronic filing system is responsible for regularly monitoring his or her online inbox accessible on the electronic filing system. The notice of electronic filing generated by the electronic filing system does not replace the certificate of service on the document being filed.~~

(3) ~~The registered user’s name and password required to submit documents to the electronic filing system serve as the user’s signature on all electronic documents filed with the chancery court for purposes of Rule 11 or for any other purpose. An electronically filed document shall be electronically signed by:~~ as provided in the Wyoming Rules for Electronic Filing and Service, and such electronic signature shall constitute a signature for purposes of Rule 11.

(A) ~~Inserting a digital image of the signing party's handwritten signature into the document; or~~

(B) ~~Using a signature block that includes the typed name of the individual preceded by a "/s/" in the space where the signature would otherwise appear. An example of a signature block with "/s/" is:~~

~~/s/ John Q. Smith  
JOHN Q. SMITH~~

**(c) Filing.**

(1) *Required Filings; Certificate of Service.* Any document after the initial pleading that is required to be served--together with a certificate of service--must be filed within a reasonable time after service. But disclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses must not be filed until they are used in the proceeding or the chancery court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission. A notice of discovery proceedings may be filed concurrently with service of discovery papers to demonstrate substantial and bona fide action of record to avoid dismissal for lack of prosecution.

(2) *How Filing Is Made--In General.* A document, including a case-initiating document, is filed by:

(A) ~~Electronically submitting it to the chancery court using the electronic filing system, and the electronic version shall be the officially filed document in the case. eFiling resources and registration information are available on the Wyoming Judicial Branch website. ~~The current version of the chancery court e-filing training, policies and log-in can be found on the chancery court website, [www.courts.state.wy.us/chancery-court/](http://www.courts.state.wy.us/chancery-court/).~~~~

(i) ~~Electronic filing must be completed within the time set forth in the Wyoming Rules for Electronic Filing and Service State Chancery Court Electronic Filing Administrative Policies and Procedures Manual to be considered timely filed on the date it is due. ~~Electronic filing constitutes filing of a document.~~~~

(ii) ~~When If a filed documents filed does not comply with the rules (such as the Wyoming Rules Governing Access to Case Records and the Wyoming Rules for Electronic Filing and Service), the document may be removed from the public docket and counsel will immediately be notified by email or through the electronic filing system and instructed to re-file the pleading within a specified amount of time. If the pleading is not correctly re-filed~~

~~within the required time, it shall not be considered timely filed as provided in the Wyoming Rules for Electronic Filing and Service.~~

(iii) Documents filed by pro se litigants shall comply with the electronic filing requirements.

(iv) Paper filings shall not be accepted absent a prior order of the court. Any request to be excused from the electronic filing requirements must be timely presented and demonstrate exceptional cause for excusal.

~~(B) Attachments to electronically filed documents may be scanned, however the document to which they are attached shall be uploaded directly from the filer's computer using the electronic filing system.~~

~~(CB) Each eFiled document must be formatted in accordance with the Wyoming Rules for Electronic Filing and Service. All pleadings shall be 8 1/2" x 11". Any attachments or appendices, which in their original form are larger or smaller, should be reduced or enlarged to 8 1/2" x 11".~~

(3) *Acceptance by the Clerk.* The chancery court clerk must not refuse to file a document solely because it is not in the form prescribed by these rules or by a local practice. However, in order to effectuate the expeditious resolution of a majority of the actions filed in chancery court within one hundred fifty (150) days of the issuance of the scheduling order, the chancery court clerk shall be active in the management of the docketed cases.

\*\*\*\*\*

### **W.R.C.P.Ch.C. 16. Pretrial Conference; Scheduling Management**

\*\*\*\*\*

#### **(c) Attendance and Matters for Consideration at a Pretrial Conference.**

\*\*\*\*\*

(3) *Accelerated Adjudication Actions.* The parties by written consent may authorize the chancery court to apply the accelerated adjudication procedures set forth in this Rule.

\*\*\*\*\*

(C) In any accelerated action, electronic discovery shall proceed as follows unless the parties agree otherwise:

(i) the production of electronic documents shall normally be made in a searchable format that is usable by the party receiving the e-documents;

(ii) the description of custodians from whom electronic documents may be collected shall be narrowly tailored to include only those individuals whose electronic documents may reasonably be expected to contain evidence that is material to the disputes;

(iii) where the costs and burdens of e-discovery are disproportionate to the nature of the dispute or to the amount in controversy, or to the relevance of the materials requested, the court will either deny such requests or order disclosure on condition that the requesting party advance the reasonable cost of production to the other side, subject to the allocation of costs in the final judgment; and

(iv) All discovery responses and documents produced by a party ~~shall~~ may be delivered but shall not be filed through the electronic filing system unless the chancery court orders otherwise, ~~or unless a response or document is incapable of delivery through the electronic filing system.~~ If not delivered through the electronic filing system, the response or document must be delivered via an electronic sharing methodology as agreed upon or approved at the initial conference. All documents delivered as a means of document production shall contain a bates stamp number on each page, as directed by the chancery court at the initial conference.

\*\*\*\*\*

## **W.R.C.P.Ch.C. 26. Duty to Disclose; General Provisions Governing Discovery**

\*\*\*\*\*

(d) Timing, Sequence of Discovery, and Electronic Delivery.

\*\*\*\*\*

(3) Electronic Delivery. All discovery responses and documents produced by a party ~~shall~~ may be delivered but shall not be ~~not~~ filed through the electronic filing system unless the chancery court orders otherwise, ~~or unless a response or document is incapable of delivery through the electronic filing system.~~ If not delivered through the electronic filing system, the response or document must be delivered via an electronic sharing methodology as agreed upon or approved at the initial conference. All documents delivered as a means of document production shall contain a bates stamp number on each page, as directed by the chancery court at the initial conference.

## **Uniform Rules for the Chancery Court**

### **U.R.Ch.C. 403. Format.**

(a) All filed documents shall: be formatted in accordance with the Wyoming Rules for Electronic Filing and Service.

~~(1) Be on 8 ½ by 11 inch, white paper;~~

~~(2) If typewritten or printed, be 12 point font, or larger, and in black ink;~~

~~(3) Be on one side of the paper;~~

~~(4) Be clearly legible; and,~~

~~(5) If filed electronically, comply with the Wyoming State Chancery Court, Electronic Filing Administrative Policies and Procedures Manual, available on the chancery court website, [www.courts.state.wy.us/chancery-court/](http://www.courts.state.wy.us/chancery-court/).~~

(b) Reserved. All briefs shall follow the above requirements and be double spaced (except descriptions of real property and quotations).

(c) Reserved.

(d) Nothing in this rule shall prohibit the filing of documents or written instruments on different size paper or double sided when (1) the original of the document or written instrument is another size paper and/or double-sided and (2) the law requires the original document or written instrument be filed with the court, as in the case of wills or other documents.

## **Proposal No. 2: Court Reporting in Chancery**

The Uniform Rules for the Chancery Court reference the “official court reporter” and largely mirror the rules governing district court reporters. Unlike district courts, however, the Chancery Court does not have an official or full-time court reporter, relying instead on a combination of technology and contracted court reporters. The proposed amendments to the court reporter provisions reflect this operational reality. They provide flexibility for both counsel and the court to arrange live reporting, permit digital recording of all proceedings, and require certified transcripts for any appeals. These changes recognize Chancery’s practical needs for flexibility during its early years.

This proposal generated no public comment in opposition. District court reporters were invited to submit public comment on these rules but declined to do so. The rules earned unanimous approval from the Chancery Court Rules Division.

### **Proposed Amendments**

#### **Uniform Rules for the Chancery Court**

##### **Rule 904. Notice to court reporter**

~~Any party requesting the reporting of a particular matter by the official court reporter shall provide notice to the official court reporter at least three working days before the matter is set for hearing. The three-day notice requirements can be waived by the court.~~

#### **U.R.Ch.C. 904. Digital Recording and Transcript Procedures**

##### **(1) Digital Recording of Proceedings.**

All chancery court proceedings, whether conducted in person, remotely, or in a hybrid format, shall be recorded by a digital recording system designated by the chancery court.

##### **(2) Live Reporting by Certified Court Reporters.**

(a) Court-Arranged Live Reporting. The chancery court may arrange live reporting by requesting the assistance of an official district court reporter, if one is available, or contracting with a private certified court reporter. The court shall give notice of its intent to arrange a court reporter in its order setting the proceeding or in another written notice. The notice shall include the reporter’s name, contact information, and instructions for purchasing a transcript.

(b) Party-Arranged Live Reporting. Any party may arrange live reporting by contracting with a private certified court reporter. The arranging party shall file a “Notice of Live Court Reporting” no later than three days before the hearing date, or as soon as practicable if the proceeding is set with less than three days’ notice. The notice shall include

the reporter’s name, contact information, and instructions for purchasing a transcript. The party that filed the notice is solely responsible for any costs incurred for the private reporter’s appearance, unless the parties agree in writing to share such costs.

**(3) Transcript from Digital Recording.**

(a) **Court-Arranged Transcription.** If a proceeding was not live-reported, the chancery court may arrange for a certified transcript to be prepared from the digital recording by either requesting the assistance of an official district court reporter, if one is available, or contracting with a private certified court reporter. The court shall notify the parties of the arrangement by the day after confirming that a reporter will prepare the transcript.

(b) **Party-Arranged Transcription.** If a proceeding was not live-reported, any party may arrange for a certified transcript to be prepared from the digital recording by a private court reporter. In such cases, the arranging party shall eFile notice of the arrangement by the day after confirming that a reporter will prepare the transcript, pay the transcription costs, and eFile the transcript with the court as provided below. If a certified transcript of the same proceeding already exists, the arranging party shall use that transcript rather than arranging a new one, unless the court orders otherwise.

**(4) eFiling of Transcript**

(a) Any transcript prepared by a certified court reporter, whether from live reporting or a digital recording, shall be eFiled using the electronic filing system’s “file only” function and designated “In Camera” to ensure access by chambers and to prevent access by parties or the public without purchase. The filing party shall also eFile with the court and eServe on all parties a “Notice of Filing Transcript” that includes the reporter’s contact information and purchase instructions.

(b) If the court arranged for the transcript, the reporter shall deliver it to the clerk of court, who shall eFile it as provided above.

(c) If a party arranged for the transcript, the reporter shall deliver the transcript to the arranging party, who shall eFile it as provided above.

(d) Notwithstanding its “In Camera” designation, copies of any non-confidential or appropriately redacted transcript may be purchased from the reporter and shall be available for public viewing at courthouse terminals.

**(5) Official Record.**

(a) A certified transcript produced by live reporting or from a digital recording by an official district court reporter or a contracted private court reporter shall constitute the official court record of the proceeding and must be submitted to the court as outlined above.

If more than one court reporter transcribes the same proceeding, the transcript prepared by the reporter first identified in a notice or in the court’s order setting the proceeding shall constitute the official record. Other transcripts may be prepared and purchased, but they shall not be deemed the official court record absent a court order to the contrary.

(b) In the absence of a certified transcript, the digital audio recording shall constitute the official record in chancery court and may be cited by reference to the precise minute and second, or a specified time range, at which the relevant portion of the proceeding occurs.

(c) Notwithstanding subsection (5)(b), digital recordings shall not be transmitted in lieu of a certified transcript in any appeal to the Wyoming Supreme Court. Any digital recording of a proceeding included in the record on appeal must be transcribed and certified by a court reporter. That transcript shall be designated, filed, and transmitted in accordance with the Wyoming Rules of Appellate Procedure. For purposes of those appellate rules, the official district court reporter or contracted private court reporter engaged under these rules shall be deemed the “official court reporter” for chancery court. The party designating a proceeding for inclusion in the record on appeal shall arrange and pay for the certified transcription of that proceeding if it has not already been produced.

**(6) Access and Fees.**

(a) Digital recordings of proceedings shall be made available to parties at rates established by statute or chancery court rules and by means as the chancery court may establish.

(b) Transcripts prepared by an official district court reporter shall be available for purchase by any party at rates set forth by statute and the Uniform Rules for District Courts.

(c) Appearance fees for contracted private court reporters shall be set by agreement between the reporter and the arranging party. Copies of transcripts prepared by a private reporter shall be available to parties at rates set by agreement between the reporter and the requesting party.

\*\*\*\*\*

**~~Rule 908. Rules for Court Reporters; Retention of Stenographic Notes; Certification and Continuing Education of Official Court Reporter; Equipment and Supplies; Payment of Fees.~~**

**~~(1) Court Reporter Notes.~~**

~~(a) All Official Court Reporters shall maintain or cause to be maintained a log of all electronic notes of any Chancery Court proceeding that is reported by them. This log shall list the name of the case, date of the proceeding, and an assigned reference number.~~

~~(1) All notes as well as the log shall be maintained in the offices of the Chancery Court, in a location known to the Chancery Court Judge.~~

~~(2) All notes shall be considered the property of the Chancery Court.~~

~~(b) All Official Court Reporters who perform their official duties with the use of an electronic writing device shall maintain a current copy of their “Personal Dictionary” in electronic format in the offices of the Chancery Court, in a location known to the Chancery Court Judge, and such electronic copy of the “Personal Dictionary” shall be considered the property of the Chancery Court.~~

~~(c) The Chancery Court shall create an “emergency” contingency plan regarding the production of transcripts that shall be implemented upon the death or incapacitation of the Official Court Reporter. Such plan shall include, but need not be limited to:~~

~~(1) The location of the Official Court Reporter's Case Log.~~

~~(2) The location of the disks (or other storage device) of the reporter's electronic notes.~~

~~(3) The location of the hardware/software used by the reporter to produce transcripts, including the name of the software and phone number of the software vendor.~~

~~(4) A list naming at least two individuals who are capable of reading the reporter's notes, if available.~~

~~(d) Court reporters shall use a uniform backup system for electronic notes, audio recordings of proceedings, dictionary, and emergency “contingency” plan as recommended by the Wyoming Professional Court Reporter's Association, and shall ensure and certify that all files are backed up monthly. In addition to the foregoing, the Chancery Court Judge may require his/her Official Court Reporter to take further precautions to protect court transcripts.~~

~~(e) All court transcripts are the work product of the Official Court Reporter. Arrangements shall be made through the Official Court Reporter regarding purchase of any and all transcripts, even though the original is contained in a court file.~~

~~(f) Unless otherwise provided for by statute, court reporters shall follow the federal maximum per page transcript rates for expedited transcripts.~~

~~**(H) Certification and continuing education of official court reporter.**~~

~~(a) All persons performing the duties of Official Court Reporter shall be certified. The reporter may obtain Wyoming certification by:~~

~~(1) Passing the Registered Professional Reporter examination administered by the National Court Reporters Association; or~~

~~(2) Passing the United States Court Reporter Association examination; or~~

~~(3) Passing a certification test from any other certifying state in which the requirements for certification are equivalent to the Registered Professional Reporter examination; or~~

~~(4) Having certification from the National Verbatim Reporters Association; or~~

~~(5) Serving in the capacity as a full time Official Court Reporter in a Wyoming district court.~~

~~(b) Any noncertified reporter hired hereafter shall be given two (2) years from the date of hire in which to obtain certification per the requirements of (a)(1), (2), (3), or (4) of this Rule.~~

~~(c) All Official Court Reporters shall be required hereafter to earn three (3) continuing education units during each consecutive three (3) year period as per the National Court Reporters Association. (The record of continuing education units are to be held by the Wyoming Supreme Court.)~~

### **~~(III) Equipment and Supplies.~~**

~~(a) All Official Court Reporters shall provide the equipment necessary to report and create transcripts of Chancery Court proceedings. This equipment may include, but need not be limited to, voice writing and stenographic writing machines, computers for transcription, and printers.~~

~~(b) All Official Court Reporters shall provide the software necessary for the production of transcripts.~~

~~(c) The State shall provide for the Official Court Reporter's use of those other items necessary to report and create transcripts of Chancery Court proceedings. These items may include, but need not be limited to, stenograph paper, printer paper and toner.~~

### **~~(IV) Payment of Fees; Multi-Defendant Proceedings.~~**

~~(a) All Official Court Reporters shall submit transcript invoices on a standard form. The invoice form shall identify the title and number of the cause for which the transcript was required to be furnished, the nature of the proceedings transcribed, and the fee approved therefore.~~

~~(b) If the Chancery Court conducts multi-defendant proceedings, the Court Reporter shall be compensated by the Chancery Court for one original transcript, and shall be compensated for copies of said transcript for each of the additional defendants' court files. If a court proceeding entails one defendant with multiple counts or cases, the Court Reporter shall be compensated by the Chancery Court for one original transcript, and shall be compensated for copies of said transcript for each of the defendant's additional court files. The rates for original transcripts and copies shall be as set forth in paragraph (c) below.~~

~~(c) The reporter may charge three dollars and eighty-five cents (\$3.85) per page of twenty-five (25) lines, for all transcripts, records and other papers required to be made and issued as the official reporter for hearings conducted after November 1, 2024. At no additional charge, the reporter shall include one (1) copy for the party ordering the original. The reporter may charge one dollar and twenty-five cents (\$1.25) per page for each additional copy, and may require payment in advance.~~

### **U.R.Ch.C. 908. Digital Record Management and Contracted Court Reporter Standards**

#### **(1) Certification and Continuing Education of Contracted Court Reporters.**

(a) Any court reporter contracted by the chancery court or by a party to produce a transcript must be certified under standards recognized by Wyoming law.

(b) Acceptable methods of certification include:

(i) Passing the Registered Professional Reporter (RPR) examination administered by the National Court Reporters Association;

(ii) Passing the United States Court Reporter Association examination;

(iii) Passing a certification examination from another state with equivalent requirements;

(iv) Holding a current certification from another nationally recognized court reporter certification body; or

(v) Any other method recognized by the Uniform Rules for District Courts.

(c) All contracted court reporters shall comply with continuing education requirements established by the Wyoming Supreme Court or the applicable professional association.

**(2) Equipment and Software.**

(a) Certified court reporters engaged in chancery court proceedings shall provide and maintain all equipment, software, and tools necessary for accurate reporting and transcript production.

(b) The chancery court may, in its discretion, provide access to additional resources as needed.

**(3) Backup and Emergency Contingency Planning.**

(a) All contracted court reporters shall maintain a uniform backup system for digital recordings and transcript files, consistent with recommendations of the Wyoming Professional Court Reporters Association.

(b) Each reporter shall maintain an emergency contingency plan that includes:

(i) The location and method of secure storage for digital recordings and transcript files;

(ii) A description of the hardware and software used in transcript production, including vendor contact information; and

(iii) A list of at least two qualified individuals capable of accessing the reporter's files in the event of an emergency.

(c) The chancery court may impose additional safeguards to ensure the integrity and continuity of court records.

## Rules for Fees and Costs for the Chancery Court

\*\*\*\*\*

### **R.Fe.Co.Ch.C. 10. Digital recording fees.**

#### **(1) Digital Recording Fee.**

The fee for a copy of the digital recording of any chancery court proceeding shall be \$30.00 per proceeding, with “proceeding” meaning each hearing, argument, conference, session, or trial scheduled by the chancery court under a single docket number.

#### **(2) Automated Speech-to-Text Output.**

If an automated speech-to-text output is available, it may also be provided at a rate of \$1.50 per minute of recorded content, in addition to the \$30.00 audio fee. If provided, such automated output is unedited, uncertified, and may contain errors or omissions. It is provided solely for the convenience of the parties and does not constitute an official transcript or any part of the official record.

#### **(3) Use of Fees to Support Access.**

To facilitate prompt and convenient access to proceedings consistent with the chancery court’s expedited nature, a portion of the fees collected under this rule may be used to compensate a vendor that provides digital recording tools, advanced speech-to-text technology, secure cloud-based storage, and online ordering of and access to recordings and speech-to-text outputs.

## **Proposal No. 3: Reflect Expanded Jurisdiction**

SF0053 (2025) amends Wyo. Stat. § 40-1-108 to authorize the Chancery Court to hear appeals from administrative cancellations of trademarks by the Wyoming Secretary of State. Rule 2, which outlines the court’s jurisdiction, should be updated to reflect this statutory expansion. This proposed amendment ensures Rule 2 is consistent with statute.

This proposal generated no comments in opposition and earned unanimous approval from the Chancery Rules Division.

### **Proposed Amendments**

#### **W.R.C.P.Ch.C. 2. Jurisdiction, Eligible Actions, Excluded Actions.**

\*\*\*\*\*

**(b) Eligible Actions.** The chancery court shall have jurisdiction to hear and decide actions for equitable or declaratory relief and for actions where the prayer for money recovery is an amount exceeding fifty thousand dollars (\$50,000.00), exclusive of claims for punitive or exemplary damages, prejudgment or post judgment interest, costs and attorney fees provided the cause of action arises from at least one (1) of the following:

\*\*\*\*\*

(16) A dispute concerning a trademark, trade name, or service mark, or an appeal from an administrative cancellation of a trademark by the Wyoming Secretary of State. The monetary threshold set forth in paragraph (b) of this rule shall not apply to actions brought under this subparagraph;

\*\*\*\*\*

## **Proposal No. 4: Balance Confidentiality and Publishing in Trust Cases**

Wyoming law broadly protects the privacy of those who have established a trust in any judicial proceeding concerning the trust, mandating that trust-related records be automatically sealed upon filing and kept out of the public record. Wyo. Stat. § 4-10-205. At the same time, Wyo. Stat. § 5-13-104(f) requires the Chancery Court to publish its decisions.

This proposed amendment reconciles these requirements by authorizing the publication of anonymized orders and opinions in trust proceedings. It outlines a process to ensure proper anonymization and protection of confidential information, while enabling the Chancery Court to build a body of trust decisions that provides trust actors and practitioners with greater predictability and certainty.

This proposal garnered support from trust litigators, generated no comments in opposition, and earned unanimous approval from the Chancery Rules Division.

### **Proposed Amendment:**

#### **W.R.C.P.Ch.C. 5.2. Privacy Protection for Filings Made with the Chancery Court**

(a) In General. Unless otherwise ordered by the chancery court, all documents filed with the chancery court shall comply with the Wyoming Rules Governing Access to Case Records.

(b) Publication of Orders and Opinions in Trust Cases.

(1) General Rule. Balancing the publication requirement of Wyo. Stat. § 5-13-104(f) with the confidentiality protections of Wyo. Stat. § 4-10-205, the chancery court may publish anonymized orders and opinions in contested trust proceedings, and may publish court-drafted orders in uncontested trust proceedings that foster predictability and certainty in Uniform Trust Code proceedings. The court will not publish proposed orders drafted and submitted by the parties in uncontested cases.

(2) Anonymization.

(A) The court may anonymize orders and opinions by removing or replacing with neutral identifiers the following:

(i) the case number and any e-filing document numbers;

(ii) names of trusts, settlors, trustees, beneficiaries, and fiduciaries,

(iii) dates, places, names of third parties, references to assets, values or amounts; and

(iv) any other information that may reveal the identity of the trust, settlors, trustees, beneficiaries, fiduciaries, or trust assets.

(3) Procedure.

(A) The court shall first enter its original, unaltered order or opinion in the case subject to the confidentiality protections of Wyo. Stat. § 4-10-205.

(B) The court shall then prepare and file an anonymized version of the order or opinion for review by the parties before publication.

(c) The parties will have fourteen (14) days from the date of such filing to request that additional information or detail be altered to protect the privacy of those who have established a trust. A party may request an extension of the 14-day review period before publication for good cause shown. Upon such a request, the court may grant additional time as necessary to ensure privacy concerns are adequately addressed

(D) The court will consider any timely request and may make further revisions as appropriate before publishing the anonymized order.

(E) If no request is filed, the court may proceed with publication, and the absence of a request will be treated as consent to publication.

## **No. 5: Facilitate District to Chancery Removal**

Rule 3(b) currently allows an action to be removed from district court to chancery if all parties consent in writing within 20 days of service on the last defendant. Although by rule removal is a topic of discussion at district court scheduling conferences, the current 20-day window often expires before those conferences occur, making timely removal impractical in many cases.

The proposed amendment extends the removal window to 60 days, providing litigants with additional time to consider and coordinate removal to Chancery Court. This change is intended to make transfer between courts more realistic, ensuring parties have a meaningful opportunity to consider and discuss removal.

This proposal received broad support in statewide presentations on the chancery court, generated no comments in opposition, and earned unanimous approval from the Chancery Rules Division.

### **Proposed Amendment:**

#### **W.R.C.P.Ch.C. Rule 3. Commencement of Action, Removal to Chancery Court, and Objection and Dismissal**

\*\*\*\*\*

(b) Removal to Chancery Court. An action may be removed from district court to chancery court when:

- (1) All parties consent in writing within ~~20~~ 60 days of service of the last defendant; and
- (2) The case meets the eligibility requirements of W.S. § 5-13-115 and these rules.

**(c) Removal after Amended Pleading.** If the case stated by the initial pleading is not removable, a notice of removal may be filed within ~~thirty-sixty~~ thirty-sixty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable, if all parties consent in writing and the case meets the eligibility requirements of W.S. § 5-13-115 and these rules.

\*\*\*\*\*

#### **W.R.C.P. Rule 3.2. Removal from District Court to Chancery Court.**

**(a) Removal to Chancery Court after Initial Pleading in District Court.** An action may be removed from district court to chancery court when:

(1) All parties consent in writing within ~~20~~60 days of service of the last defendant; and

(2) The case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

**(b) Removal to Chancery Court after Amended Pleading in District Court.** If the case stated by the initial pleading is not removable to chancery court, a notice of removal may be filed with the chancery court within ~~thirty~~sixty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable, if all parties consent in writing and the case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

\*\*\*\*\*

## **Proposal No. 6: Complex Case Track**

One goal of the Chancery Court is to resolve a majority of the actions filed in its court within one hundred fifty (150) days of the issuance of the scheduling order. Wyo. Stat. § 5-13-104(a), (h)); W.R.C.P.Ch.C. 1. Expediency is a core characteristic of the Chancery Court, but it stands in tension with the court’s other defining characteristic: specialization. While the Chancery Court is uniquely positioned to handle complex commercial disputes, the 150-day limit can make it impractical for such cases, discouraging litigants from leveraging the court’s specialization.

This proposed amendment introduces a “complex track” for cases involving multiple parties, numerous claims, substantial amounts at issue, and extensive discovery. This track allows for extended (but still expedited) timelines with court approval. Such a track would fit within statute and rule. Both statute and rule establish a goal of resolving most (not all) cases within 150 days, implicitly recognizing that more complex matters may justifiably require additional time.

This proposal received enthusiastic support in statewide presentations on the chancery court, generated no comments in opposition, and earned unanimous approval from the Chancery Rules Division.

### **Proposed Amendment:**

#### **W.R.C.P.Ch.C. 16**

\*\*\*\*\*

#### **(c) Attendance and Matters for Consideration at a Pretrial Conference.**

\*\*\*\*\*

(4) Complex Adjudication Actions. The parties by written consent may authorize the chancery court to apply the complex adjudication procedures set forth in this Rule. A case will be designated for complex adjudication procedures only upon court approval.

(A) Party Consent. Consent shall be noted in the initial joint case management submission or by separate written notice. The consent, on good faith grounds and based on information reasonably available to the parties, shall state the reasons for departing from the one hundred fifty (150) day goal; address the considerations listed below; and certify a commitment to diligent and expeditious prosecution, defense, and settlement efforts notwithstanding any complex adjudication designation.

(B) Court Approval. Upon receipt of the notice, the court shall determine, in its sole discretion, whether good cause exists to designate the case for complex adjudication. In making this determination, the court shall bear in mind the statutory directive that most chancery court cases be resolved within one hundred fifty (150) days of issuance of the scheduling order and may consider, without limitation, the following:

- (i) The number of parties;
- (ii) The number and complexity of claims;
- (iii) The anticipated volume of proportional discovery;
- (iv) The amount in controversy;
- (v) The nature of the issues;
- (vi) The likely length of trial; and
- (vii) Any special circumstances.

(C) Extended Timeline. Any case designated for complex adjudication need not be resolved within one hundred fifty (150) days of issuance of the scheduling order but shall be resolved as expeditiously as the nature of the case permits. The court may set a resolution deadline when designating a case for complex adjudication.

(D) Resolution Methods. The court and parties shall make reasonable efforts to resolve cases designated for complex adjudication in a just, speedy, and cost-effective manner. Such efforts include, without limitation, participating in early, ongoing, and active case management; prioritizing the resolution of legal and factual issues that facilitate case disposition; resolving discovery disputes informally where possible; tailoring discovery to the needs of the case; and engaging in early and regular alternative dispute resolution efforts.

\*\*\*\*\*

## **Proposal No. 7: Opt-Out Provision**

On May 22, 2025, the division voted to advance for public comment an amendment to Rule 3, which replaces the current opt-out provision resulting in automatic dismissal with an objection that would result in removal only upon a showing of good cause. In light of the public comment, the division continues to work on this issue. Yet, the division does not wish to delay the resolution of the foregoing rule amendments, which received no opposition and garnered unanimous division support. Those amendments are ready for adoption.

### **Conclusion**

The Chancery Court Division of the Permanent Rules Advisory Committee unanimously recommends adoption of these proposed amendments to the Wyoming Chancery Court Rules by the Wyoming Supreme Court. These amendments reflect a year of careful review, public input, and refinement, and will enhance the Chancery Court.

**Chancery Court Division**  
**Permanent Rules Advisory Committee**

**Microsoft Teams**  
**November 3, 2025**  
**12:00 pm – 1:00 pm**

**Notes**

**All Members Present:** Justice John Fenn, Judge Benjamin Burningham (chair), Judge Michael McGrady, Judge W. Thomas Sullins, Stuart Day, Matthew Kaufman, Amanda Sanchez, Timothy Stubson.

**Other participants:** Gena Hansen

<b>Welcome</b>	Judge Burningham opened the meeting by thanking division members for their hard work and the time they dedicated this year to refining the chancery court rules.
<b>Summary: Public Comment Response</b> <a href="#">Attachment A – Public Comment Solicitation</a> <a href="#">Attachment B – Public Comment Summary</a>	<p>Judge Burningham provided context for the meeting by recapping the division’s last meeting in August, where the division prepared language for public comment from September 1 to October 15. He also discussed how all public comments were compiled and categorized in Attachment B.</p> <p>He briefly summarized the comments and transitioned into a discussion of Issue No. 7, which generated the most comments.</p>
<b>Opt-Out</b> (Issue No. 7) <a href="#">Attachment C – Amendments to Proposal No. 7</a>	<p>Judge Burningham summarized the issue No. 7 public comments.</p> <p>Many strongly supported Option No. 1, arguing the current version of the rule limits filing in chancery, undermines the court’s utility, encourages gamesmanship, increases costs, and delays resolution.</p> <p>Others strongly oppose option 2. Those in opposition are primarily concerned about retaining the availability of jury trials.</p> <p>Some participants supported Option 1 but saw Option 2 as an improvement over the current rule. Some oppose Option 1 but can accept Option 2. A few opposed both options.</p> <p>Judge Burningham put the issue to the division, noting a few possible approaches, including revising Option 1 to clarify that good cause for removal exists when a defendant intends to demand a jury trial in district court and a jury trial would be available there. He shared this approach could minimize barriers to filing in chancery court while addressing concerns about jury trials.</p> <p>Justice Fenn reiterated his opposition, citing concerns about preserving the availability of jury trials. He expressed willingness to consider language that preserves jury trial availability</p> <p>Mr. Kaufman supported updating the rule to eliminate gamesmanship and emphasized the importance of enforcing chancery court</p>

	<p>designations in contracts. He raised concerns about jury demands invalidating forum selection agreements and advocated for a rule providing a step where the court can review case circumstances, evaluate jury demands, and interpret and enforce forum selection clauses.</p> <p>Judge Sullins noted that Option 1 may conflict with Wyo. Stat. § 5-13-104(a), which contemplates that chancery rules allow removal. Judge Burningham offered an alternative interpretation, sharing that the statute contemplates rules that provide for removal (as proposed), not automatic dismissal (as in the current rule).</p> <p>The division discussed whether changes to the proposed rule amendments would require another round of public comment. Judge Burningham and Justice Fenn agreed that while additional public comment is an option, it may be unnecessary, as the division had already solicited feedback and would be acting on those suggestions.</p> <p>Mr. Kaufman, Mr. Stubson, and Mr. Day discussed scenarios involving forum selection clauses and jury trial demands and agreed that the issue requires further review to ensure accurate language.</p> <p>Judge McGrady recommended tabling the discussion on this rule change and moving forward with other rules, as they were less controversial. The division discussed how best to continue working on Issue No. 7 without delay.</p> <p><b>Action:</b> Mr. Day moved to table Issue No. 7 for further committee consideration. Judge McGrady seconded. Motion carried.</p>
<p><b>Confidentiality and Publication in Trust Cases</b> (Issue No. 4) <a href="#">Attachment D – Amendments to Proposal No. 4.</a></p>	<p>Judge Burningham briefly summarized issue number 4, noted public support for the rule, and introduced the refinements suggested during the public comment period.</p> <p>The revised rule in Attachment D distinguishes between orders in contested cases and proposed orders in uncontested cases, expands the list of neutral identifiers to include trust assets, and allows parties to request an extension of the review period for anonymized orders.</p> <p><b>Action:</b> Mr. Stubson moved to recommend for adoption the amended version of Issue No. 4 set out in Attachment D. Mr. Kaufman seconded the motion. The motion carried unanimously.</p>
<p><b>Court Reporter Rules</b> (Issue No. 2)</p>	<p>The division moved to issue No. 2 (court reporter provisions), which received no public comment in opposition. Although the proposed rule amendments received no opposing comments, Judge Burningham flagged them for division discussion.</p> <p>Judge Burningham shared that he met with district court reporter leadership at the opening of the public comment period about the proposed rules. Leadership expressed initial concerns about the message the rules send about the need for court reporters in district court. In response to these concerns, Judge Burningham expressed a willingness to work with the reporters and encouraged the court reporters to review the proposal as a group, identify any workarounds, submit public comment, and suggest any proposed amendments that would address their concerns. The court reporters did not submit any comments or amendments. After the public comment period, Judge Burningham circled back to leadership to confirm that group had no public comments or proposals. He did not hear back.</p>

	<p>Mr. Day voiced that there was no other way around the issue and that practical realities required this approach. He noted the use of digital recording in neighboring states.</p> <p>Judge McGrady spoke to the value of court reporters and their concerns about the future.</p> <p>Mr. Stubson noted the rule’s comprehensive and flexible coverage for chancery court’s circumstances. It allows for the use of a live court reporter, contracted court reporter, and allows digital recording. He sees no prejudice to court reporters in adopting the rule.</p> <p>Judge Burningham acknowledged the value of live court reporters while noting the court’s current circumstances (no full-time court reporter position, limited justification for a full-time reporter in the court’s early years, and low prospects of receiving legislative funding for a full-time reporter). He stressed this is a practical and potentially temporary measure intended to reflect the court’s practices and allow the court to operate effectively until circumstances change. He also noted the role of live court reporters under the proposed rule – the rule allows for live court reporters (contracted by parties or court) and requires certification of any digital recording on appeal.</p> <p><b>Action:</b> Mr. Stubson moved to recommend adoption of the court reporter rule revisions as proposed in the public comment solicitation packet (Att. A, Issue No. 2). Mr. Day seconded the motion. The motion carried unanimously.</p>
<p><b>eFiling Alignment</b> (Issue No. 1)</p> <p><b>Statutory Jurisdiction Alignment</b> (Issue No. 3)</p> <p><b>Facilitate Removal to Chancery</b> (Issue No. 5)</p> <p><b>Complex Case Track</b> (Issue No. 6)</p>	<p>Judge Burningham summarized the remaining four proposals, none of which received public comment in opposition. The division voiced no concerns about the proposals.</p> <p><b>Action:</b> Mr. Day moved to recommend adoption of the rule amendments set out under Issue Nos. 1, 3, 5, and 6 of the public comment packet (Att. A). Mr. Kaufman seconded. The motion carried unanimously.</p>
<p><b>Good of the Order</b></p>	<p>Justice Fenn thanked the division and recognized the chancery court for its public outreach efforts. Mr. Day complimented the chancery court’s presentation to the Natrona County Bar. Judge Burningham thanked division members for their participation in the public education presentations and noted the high levels of interest and warm reception by the bar and business community. He shared that outreach efforts continue, including upcoming presentations in Jackson and Thermopolis, as well as upcoming webinars.</p> <p>No division member had other items for public comment.</p> <p><b>Action:</b> Judge Burningham and chancery court staff will assemble the proposed rule amendments for recommendation for adoption by the Wyoming Supreme Court.</p> <p>The division discussed meeting in December or January to focus</p>

	<p>exclusively on Issue No. 7 and keep moving forward without delay. A doodle poll will be circulated to schedule the next meeting.</p> <p>Before the next meeting, Judge Burningham and chancery court staff will provide some language for consideration. He invited any division member to suggest proposed language for division consideration. Justice Fenn welcomed new language to facilitate discussions.</p>
<b>Adjourn</b>	<p>Judge Burningham thanked the division for its time and effort in building a better business court and then adjourned the meeting.</p>

## Chancery Court Rule Amendments: Public Comment Solicitation

The Chancery Court Division of the Permanent Rules Advisory Committee invites public comment on the following proposed rule amendments. Comments may be submitted by email to [chancery@courts.state.wy.us](mailto:chancery@courts.state.wy.us) until **October 15, 2025**. To aid public comment, each proposed amendment is preceded by brief contextual information.

### **Proposal No. 1: Align chancery rules with eFiling rules**

By Order of the Wyoming Supreme Court, the Wyoming Rules for Electronic Filing and Service replaced the Wyoming State Chancery Court Electronic Filing Administrative Policies and Procedures Manual on April 5, 2025. These new eFiling rules supersede all other Wyoming trial court procedural rules on electronic filing and service. Wyo. R. Elec. Fil. & Serv. 1(b)(1). The proposed amendments to the chancery court rules remove references in those rules to the obsolete eFiling manual, eliminate superseded requirements from the chancery rules, and resolve any conflict between the chancery rules and eFiling rules.

#### **Proposed Amendments**

##### **W.R.C.P.Ch.C. 5. Serving and Filing Pleadings and Other Papers.**

\*\*\*\*\*

##### **(b) Service: How made.**

(1) *Serving an Attorney*. If a party is represented by an attorney, service under this rule must be made on the attorney unless the chancery court orders service on the party.

(2) *Service in General*. Unless otherwise ordered by the chancery court, which will specify the method of service, documents shall be electronically served in accordance with the Wyoming Rules for Electronic Filing and Service. ~~the notice of electronic filing delivered to online inboxes on the electronic filing system constitutes service of the document on the electronic filing system users and the additional service of a hardcopy is unnecessary. Each registered user of the electronic filing system is responsible for regularly monitoring his or her online inbox accessible on the electronic filing system. The notice of electronic filing generated by the electronic filing system does not replace the certificate of service on the document being filed.~~

(3) ~~The registered user's name and password required to submit documents to the electronic filing system serve as the user's signature on all electronic documents filed with the chancery court for purposes of Rule 11 or for any other purpose. An electronically filed document shall be electronically signed by: as provided in the Wyoming Rules for Electronic Filing and Service, and such electronic signature shall constitute a signature for purposes of Rule 11.~~

~~(A) Inserting a digital image of the signing party's handwritten signature into the document; or~~

~~(B) Using a signature block that includes the typed name of the individual preceded by a "/s/" in the space where the signature would otherwise appear. An example of a signature block with "/s/" is:~~

~~/s/ John Q. Smith  
JOHN Q. SMITH~~

**(c) Filing.**

(1) *Required Filings; Certificate of Service.* Any document after the initial pleading that is required to be served--together with a certificate of service--must be filed within a reasonable time after service. But disclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses must not be filed until they are used in the proceeding or the chancery court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission. A notice of discovery proceedings may be filed concurrently with service of discovery papers to demonstrate substantial and bona fide action of record to avoid dismissal for lack of prosecution.

(2) *How Filing Is Made--In General.* A document, including a case-initiating document, is filed by:

(A) Electronically submitting it to the chancery court using the electronic filing system, and the electronic version shall be the officially filed document in the case. eFiling resources and registration information are available on the Wyoming Judicial Branch website. ~~The current version of the chancery court e-filing training, policies and log in can be found on the chancery court website, [www.courts.state.wy.us/chancery-court/](http://www.courts.state.wy.us/chancery-court/).~~

(i) ~~Electronic filing must be completed within the time set forth in the Wyoming Rules for Electronic Filing and Service State Chancery Court Electronic Filing Administrative Policies and Procedures Manual to be considered timely filed on the date it is due. Electronic filing constitutes filing of a document.~~

(ii) ~~When If a filed documents filed does not comply with the rules (such as the Wyoming Rules Governing Access to Case Records and the Wyoming Rules for Electronic Filing and Service), the document may be removed from the public docket and counsel will immediately be notified by email or through the electronic filing system and instructed to re-file the pleading within a specified amount of time. If the pleading is not correctly re-filed within the required time, it shall not be considered timely filed as provided in the Wyoming Rules for Electronic Filing and Service.~~

(iii) Documents filed by pro se litigants shall comply with the electronic filing requirements.

(iv) Paper filings shall not be accepted absent a prior order of the court. Any request to be excused from the electronic filing requirements must be timely presented and demonstrate exceptional cause for excusal.

~~(B) Attachments to electronically filed documents may be scanned, however the document to which they are attached shall be uploaded directly from the filer's computer using the electronic filing system.~~

~~(CB) Each eFiled document must be formatted in accordance with the Wyoming Rules for Electronic Filing and Service. All pleadings shall be 8 1/2" x 11". Any attachments or appendices, which in their original form are larger or smaller, should be reduced or enlarged to 8 1/2" x 11".~~

(3) *Acceptance by the Clerk.* The chancery court clerk must not refuse to file a document solely because it is not in the form prescribed by these rules or by a local practice. However, in order to effectuate the expeditious resolution of a majority of the actions filed in chancery court within one hundred fifty (150) days of the issuance of the scheduling order, the chancery court clerk shall be active in the management of the docketed cases.

\*\*\*\*\*

### **W.R.C.P.Ch.C. 16. Pretrial Conference; Scheduling Management**

\*\*\*\*\*

#### **(c) Attendance and Matters for Consideration at a Pretrial Conference.**

\*\*\*\*\*

(3) *Accelerated Adjudication Actions.* The parties by written consent may authorize the chancery court to apply the accelerated adjudication procedures set forth in this Rule.

\*\*\*\*\*

(C) In any accelerated action, electronic discovery shall proceed as follows unless the parties agree otherwise:

(i) the production of electronic documents shall normally be made in a searchable format that is usable by the party receiving the e-documents;

(ii) the description of custodians from whom electronic documents may be collected shall be narrowly tailored to include only those individuals whose

electronic documents may reasonably be expected to contain evidence that is material to the disputes;

(iii) where the costs and burdens of e-discovery are disproportionate to the nature of the dispute or to the amount in controversy, or to the relevance of the materials requested, the court will either deny such requests or order disclosure on condition that the requesting party advance the reasonable cost of production to the other side, subject to the allocation of costs in the final judgment; and

(iv) All discovery responses and documents produced by a party ~~shall~~ may be delivered but shall not be filed through the electronic filing system unless the chancery court orders otherwise, ~~or unless a response or document is incapable of delivery through the electronic filing system.~~ If not delivered through the electronic filing system, the response or document must be delivered via an electronic sharing methodology as agreed upon or approved at the initial conference. All documents delivered as a means of document production shall contain a bates stamp number on each page, as directed by the chancery court at the initial conference.

\*\*\*\*\*

## **W.R.C.P.Ch.C. 26. Duty to Disclose; General Provisions Governing Discovery**

\*\*\*\*\*

(d) Timing, Sequence of Discovery, and Electronic Delivery.

\*\*\*\*\*

(3) Electronic Delivery. All discovery responses and documents produced by a party ~~shall~~ may be delivered but shall not be ~~not~~ filed through the electronic filing system unless the chancery court orders otherwise, ~~or unless a response or document is incapable of delivery through the electronic filing system.~~ If not delivered through the electronic filing system, the response or document must be delivered via an electronic sharing methodology as agreed upon or approved at the initial conference. All documents delivered as a means of document production shall contain a bates stamp number on each page, as directed by the chancery court at the initial conference.

## **Uniform Rules for the Chancery Court**

### **U.R.Ch.C. 403. Format.**

(a) All filed documents shall: be formatted in accordance with the Wyoming Rules for Electronic Filing and Service.

(1) ~~Be on 8 ½ by 11 inch, white paper;~~

~~(2) If typewritten or printed, be 12-point font, or larger, and in black ink;~~

~~(3) Be on one side of the paper;~~

~~(4) Be clearly legible; and,~~

~~(5) If filed electronically, comply with the Wyoming State Chancery Court, Electronic Filing Administrative Policies and Procedures Manual, available on the chancery court website, [www.courts.state.wy.us/chancery-court/](http://www.courts.state.wy.us/chancery-court/).~~

~~(b) Reserved. All briefs shall follow the above requirements and be double spaced (except descriptions of real property and quotations).~~

(c) Reserved.

(d) Nothing in this rule shall prohibit the filing of documents or written instruments on different size paper or double sided when (1) the original of the document or written instrument is another size paper and/or double-sided and (2) the law requires the original document or written instrument be filed with the court, as in the case of wills or other documents.

## **Proposal No. 2: Court Reporting in Chancery**

The Uniform Rules for the Chancery Court reference an “official court reporter” and parallel the district court rules governing court reporting. Yet, unlike district courts, the chancery court does not have an official or full-time court reporter, relying instead on a mix of technology, official district court reporters, or contracted reporters until the chancery court docket justifies hiring a full-time chancery court reporter. The proposed amendments reflect the current circumstances in the chancery court.

### **Proposed Amendments**

#### **Uniform Rules for the Chancery Court**

##### **Rule 904. Notice to court reporter**

~~Any party requesting the reporting of a particular matter by the official court reporter shall provide notice to the official court reporter at least three working days before the matter is set for hearing. The three day notice requirements can be waived by the court.~~

#### **U.R.Ch.C. 904. Digital Recording and Transcript Procedures**

##### **(1) Digital Recording of Proceedings.**

All chancery court proceedings, whether conducted in person, remotely, or in a hybrid format, shall be recorded by a digital recording system designated by the chancery court.

##### **(2) Live Reporting by Certified Court Reporters.**

(a) Court-Arranged Live Reporting. The chancery court may arrange live reporting by requesting the assistance of an official district court reporter, if one is available, or contracting with a private certified court reporter. The court shall give notice of its intent to arrange a court reporter in its order setting the proceeding or in another written notice. The notice shall include the reporter’s name, contact information, and instructions for purchasing a transcript.

(b) Party-Arranged Live Reporting. Any party may arrange live reporting by contracting with a private certified court reporter. The arranging party shall file a “Notice of Live Court Reporting” no later than three days before the hearing date, or as soon as practicable if the proceeding is set with less than three days’ notice. The notice shall include the reporter’s name, contact information, and instructions for purchasing a transcript. The party that filed the notice is solely responsible for any costs incurred for the private reporter’s appearance, unless the parties agree in writing to share such costs.

##### **(3) Transcript from Digital Recording.**

(a) Court-Arranged Transcription. If a proceeding was not live-reported, the chancery court

may arrange for a certified transcript to be prepared from the digital recording by either requesting the assistance of an official district court reporter, if one is available, or contracting with a private certified court reporter. The court shall notify the parties of the arrangement by the day after confirming that a reporter will prepare the transcript.

(b) **Party-Arranged Transcription.** If a proceeding was not live-reported, any party may arrange for a certified transcript to be prepared from the digital recording by a private court reporter. In such cases, the arranging party shall eFile notice of the arrangement by the day after confirming that a reporter will prepare the transcript, pay the transcription costs, and eFile the transcript with the court as provided below. If a certified transcript of the same proceeding already exists, the arranging party shall use that transcript rather than arranging a new one, unless the court orders otherwise.

#### **(4) eFiling of Transcript**

(a) Any transcript prepared by a certified court reporter, whether from live reporting or a digital recording, shall be eFiled using the electronic filing system’s “file only” function and designated “In Camera” to ensure access by chambers and to prevent access by parties or the public without purchase. The filing party shall also eFile with the court and eServe on all parties a “Notice of Filing Transcript” that includes the reporter’s contact information and purchase instructions.

(b) If the court arranged for the transcript, the reporter shall deliver it to the clerk of court, who shall eFile it as provided above.

(c) If a party arranged for the transcript, the reporter shall deliver the transcript to the arranging party, who shall eFile it as provided above.

(d) Notwithstanding its “In Camera” designation, copies of any non-confidential or appropriately redacted transcript may be purchased from the reporter and shall be available for public viewing at courthouse terminals.

#### **(5) Official Record.**

(a) A certified transcript produced by live reporting or from a digital recording by an official district court reporter or a contracted private court reporter shall constitute the official court record of the proceeding and must be submitted to the court as outlined above. If more than one court reporter transcribes the same proceeding, the transcript prepared by the reporter first identified in a notice or in the court’s order setting the proceeding shall constitute the official record. Other transcripts may be prepared and purchased, but they shall not be deemed the official court record absent a court order to the contrary.

(b) In the absence of a certified transcript, the digital audio recording shall constitute the official record in chancery court and may be cited by reference to the precise minute and second, or a specified time range, at which the relevant portion of the proceeding occurs.

(c) Notwithstanding subsection (5)(b), digital recordings shall not be transmitted in lieu of a certified transcript in any appeal to the Wyoming Supreme Court. Any digital recording of a proceeding included in the record on appeal must be transcribed and certified by a court reporter. That transcript shall be designated, filed, and transmitted in accordance with the Wyoming Rules of Appellate Procedure. For purposes of those appellate rules, the official district court reporter or contracted private court reporter engaged under these rules shall be deemed the “official court reporter” for chancery court. The party designating a proceeding for inclusion in the record on appeal shall arrange and pay for the certified transcription of that proceeding if it has not already been produced.

**(6) Access and Fees.**

(a) Digital recordings of proceedings shall be made available to parties at rates established by statute or chancery court rules and by means as the chancery court may establish.

(b) Transcripts prepared by an official district court reporter shall be available for purchase by any party at rates set forth by statute and the Uniform Rules for District Courts.

(c) Appearance fees for contracted private court reporters shall be set by agreement between the reporter and the arranging party. Copies of transcripts prepared by a private reporter shall be available to parties at rates set by agreement between the reporter and the requesting party.

\*\*\*\*\*

**~~Rule 908. Rules for Court Reporters; Retention of Stenographic Notes; Certification and Continuing Education of Official Court Reporter; Equipment and Supplies; Payment of Fees.~~**

**~~(1) Court Reporter Notes.~~**

~~(a) All Official Court Reporters shall maintain or cause to be maintained a log of all electronic notes of any Chancery Court proceeding that is reported by them. This log shall list the name of the case, date of the proceeding, and an assigned reference number.~~

~~(1) All notes as well as the log shall be maintained in the offices of the Chancery Court, in a location known to the Chancery Court Judge.~~

~~(2) All notes shall be considered the property of the Chancery Court.~~

~~(b) All Official Court Reporters who perform their official duties with the use of an electronic writing device shall maintain a current copy of their “Personal Dictionary” in electronic format in the offices of the Chancery Court, in a location known to the Chancery Court Judge, and such~~

~~electronic copy of the “Personal Dictionary” shall be considered the property of the Chancery Court.~~

~~(c) The Chancery Court shall create an “emergency” contingency plan regarding the production of transcripts that shall be implemented upon the death or incapacitation of the Official Court Reporter. Such plan shall include, but need not be limited to:~~

~~(1) The location of the Official Court Reporter's Case Log.~~

~~(2) The location of the disks (or other storage device) of the reporter's electronic notes.~~

~~(3) The location of the hardware/software used by the reporter to produce transcripts, including the name of the software and phone number of the software vendor.~~

~~(4) A list naming at least two individuals who are capable of reading the reporter's notes, if available.~~

~~(d) Court reporters shall use a uniform backup system for electronic notes, audio recordings of proceedings, dictionary, and emergency “contingency” plan as recommended by the Wyoming Professional Court Reporter's Association, and shall ensure and certify that all files are backed up monthly. In addition to the foregoing, the Chancery Court Judge may require his/her Official Court Reporter to take further precautions to protect court transcripts.~~

~~(e) All court transcripts are the work product of the Official Court Reporter. Arrangements shall be made through the Official Court Reporter regarding purchase of any and all transcripts, even though the original is contained in a court file.~~

~~(f) Unless otherwise provided for by statute, court reporters shall follow the federal maximum per page transcript rates for expedited transcripts.~~

**~~(H) Certification and continuing education of official court reporter.~~**

~~(a) All persons performing the duties of Official Court Reporter shall be certified. The reporter may obtain Wyoming certification by:~~

~~(1) Passing the Registered Professional Reporter examination administered by the National Court Reporters Association; or~~

~~(2) Passing the United States Court Reporter Association examination; or~~

~~(3) Passing a certification test from any other certifying state in which the requirements for certification are equivalent to the Registered Professional Reporter examination; or~~

~~(4) Having certification from the National Verbatim Reporters Association; or~~

~~(5) Serving in the capacity as a full time Official Court Reporter in a Wyoming district court.~~

~~(b) Any noncertified reporter hired hereafter shall be given two (2) years from the date of hire in which to obtain certification per the requirements of (a)(1), (2), (3), or (4) of this Rule.~~

~~(c) All Official Court Reporters shall be required hereafter to earn three (3) continuing education units during each consecutive three (3) year period as per the National Court Reporters Association. (The record of continuing education units are to be held by the Wyoming Supreme Court.)~~

### **~~(III) Equipment and Supplies.~~**

~~(a) All Official Court Reporters shall provide the equipment necessary to report and create transcripts of Chancery Court proceedings. This equipment may include, but need not be limited to, voice writing and stenographic writing machines, computers for transcription, and printers.~~

~~(b) All Official Court Reporters shall provide the software necessary for the production of transcripts.~~

~~(c) The State shall provide for the Official Court Reporter's use of those other items necessary to report and create transcripts of Chancery Court proceedings. These items may include, but need not be limited to, stenograph paper, printer paper and toner.~~

### **~~(IV) Payment of Fees; Multi Defendant Proceedings.~~**

~~(a) All Official Court Reporters shall submit transcript invoices on a standard form. The invoice form shall identify the title and number of the cause for which the transcript was required to be furnished, the nature of the proceedings transcribed, and the fee approved therefore.~~

~~(b) If the Chancery Court conducts multi defendant proceedings, the Court Reporter shall be compensated by the Chancery Court for one original transcript, and shall be compensated for copies of said transcript for each of the additional defendants' court files. If a court proceeding entails one defendant with multiple counts or cases, the Court Reporter shall be compensated by the Chancery Court for one original transcript, and shall be compensated for copies of said transcript for each of the defendant's additional court files. The rates for original transcripts and copies shall be as set forth in paragraph (c) below.~~

~~(c) The reporter may charge three dollars and eighty five cents (\$3.85) per page of twenty five (25) lines, for all transcripts, records and other papers required to be made and issued as the official reporter for hearings conducted after November 1, 2024. At no additional charge, the reporter shall include one (1) copy for the party ordering the original. The reporter may charge one dollar and twenty five cents (\$1.25) per page for each additional copy, and may require payment in advance.~~

### **U.R.Ch.C. 908. Digital Record Management and Contracted Court Reporter Standards**

**(1) Certification and Continuing Education of Contracted Court Reporters.**

(a) Any court reporter contracted by the chancery court or by a party to produce a transcript must be certified under standards recognized by Wyoming law.

(b) Acceptable methods of certification include:

(i) Passing the Registered Professional Reporter (RPR) examination administered by the National Court Reporters Association;

(ii) Passing the United States Court Reporter Association examination;

(iii) Passing a certification examination from another state with equivalent requirements;

(iv) Holding a current certification from another nationally recognized court reporter certification body; or

(v) Any other method recognized by the Uniform Rules for District Courts.

(c) All contracted court reporters shall comply with continuing education requirements established by the Wyoming Supreme Court or the applicable professional association.

**(2) Equipment and Software.**

(a) Certified court reporters engaged in chancery court proceedings shall provide and maintain all equipment, software, and tools necessary for accurate reporting and transcript production.

(b) The chancery court may, in its discretion, provide access to additional resources as needed.

**(3) Backup and Emergency Contingency Planning.**

(a) All contracted court reporters shall maintain a uniform backup system for digital recordings and transcript files, consistent with recommendations of the Wyoming Professional Court Reporters Association.

(b) Each reporter shall maintain an emergency contingency plan that includes:

(i) The location and method of secure storage for digital recordings and transcript files;

(ii) A description of the hardware and software used in transcript production, including vendor contact information; and

(iii) A list of at least two qualified individuals capable of accessing the reporter's files in the event of an emergency.

(c) The chancery court may impose additional safeguards to ensure the integrity and continuity of court records.

**Rules for Fees and Costs for the Chancery Court**

\*\*\*\*\*

**R.Fe.Co.Ch.C. 10. Digital recording fees.**

**(1) Digital Recording Fee.**

The fee for a copy of the digital recording of any chancery court proceeding shall be \$30.00 per proceeding, with "proceeding" meaning each hearing, argument, conference, session, or trial scheduled by the chancery court under a single docket number.

**(2) Automated Speech-to-Text Output.**

If an automated speech-to-text output is available, it may also be provided at a rate of \$1.50 per minute of recorded content, in addition to the \$30.00 audio fee. If provided, such automated output is unedited, uncertified, and may contain errors or omissions. It is provided solely for the convenience of the parties and does not constitute an official transcript or any part of the official record.

**(3) Use of Fees to Support Access.**

To facilitate prompt and convenient access to proceedings consistent with the chancery court's expedited nature, a portion of the fees collected under this rule may be used to compensate a vendor that provides digital recording tools, advanced speech-to-text technology, secure cloud-based storage, and online ordering of and access to recordings and speech-to-text outputs.

## **Proposal No. 3: Reflect Expanded Jurisdiction**

SF0053 (2025) amends Wyo. Stat. § 40-1-108 to authorize the chancery court to hear appeals from administrative cancellations of trademarks by the Wyoming Secretary of State. This proposed amendment updates Rule 2 to reflect this statutory expansion of jurisdiction.

### **Proposed Amendments**

#### **W.R.C.P.Ch.C. 2. Jurisdiction, Eligible Actions, Excluded Actions.**

\*\*\*\*\*

**(b) Eligible Actions.** The chancery court shall have jurisdiction to hear and decide actions for equitable or declaratory relief and for actions where the prayer for money recovery is an amount exceeding fifty thousand dollars (\$50,000.00), exclusive of claims for punitive or exemplary damages, prejudgment or post judgment interest, costs and attorney fees provided the cause of action arises from at least one (1) of the following:

\*\*\*\*\*

(16) A dispute concerning a trademark, trade name, or service mark, or an appeal from an administrative cancellation of a trademark by the Wyoming Secretary of State. The monetary threshold set forth in paragraph (b) of this rule shall not apply to actions brought under this subparagraph;

\*\*\*\*\*

## **Proposal No. 4: Balance Confidentiality with Publishing**

Wyoming law protects “[t]he privacy of those who have established a trust” in “any judicial proceeding concerning the trust” and seals certain trust records. Wyo. Stat. § 4-10-205. At the same time, Wyo. Stat. § 5-13-104(f) mandates publication of the chancery court’s decisions. The proposed amendment to W.R.C.P.Ch.C. 5.2 reconciles the two statutes by authorizing the publication of anonymized decisions in trust cases.

### **Proposed Amendment:**

#### **W.R.C.P.Ch.C. 5.2. Privacy Protection for Filings Made with the Chancery Court**

(a) *In General.* Unless otherwise ordered by the chancery court, all documents filed with the chancery court shall comply with the Wyoming Rules Governing Access to Case Records.

(b) *Publication of Orders and Opinions in Trust Cases.*

(1) *General Rule.* Balancing the publication requirement of Wyo. Stat. § 5-13-104(f) with the confidentiality protections of Wyo. Stat. § 4-10-205, the chancery court may publish anonymized orders and opinions in trust proceedings.

(2) *Anonymization.*

(A) The court may anonymize orders and opinions by removing or replacing with neutral identifiers the following:

(i) the case number and any e-filing document numbers;

(ii) names of trusts, settlors, trustees, beneficiaries, and fiduciaries,

(iii) dates, places, names of third parties, references to amounts; and

(iv) any other information that may reveal the identity of the trust, settlors, trustees, beneficiaries, or fiduciaries.

(3) *Procedure.*

(A) The court shall first enter its original, unaltered order or opinion in the case subject to the confidentiality protections of Wyo. Stat. § 4-10-205.

(B) The court shall then prepare and file an anonymized version of the order or opinion for review by the parties before publication.

(c) The parties will have fourteen (14) days from the date of such filing to request that additional information or detail be altered to protect the privacy of those who have established a trust.

(D) The court will consider any timely request and may make further revisions as appropriate before publishing the anonymized order.

(E) If no request is filed, the court may proceed with publication, and the absence of a request will be treated as consent to publication.

## **Proposal No. 5: Facilitate District to Chancery Removal**

Rule 3(b) allows an action to be removed from district court to chancery if all parties consent in writing within 20 days of service on the last defendant. Removal is a topic of discussion for scheduling conferences in district court. W.R.C.P. 16(a)(6). Yet, often, the removal deadline expires before the scheduling conference. This proposal expands the removal window to make removal a more practical option.

### **Proposed Amendments**

#### **W.R.C.P.Ch.C. Rule 3. Commencement of Action, Removal to Chancery Court, and Objection and Dismissal**

\*\*\*\*\*

(b) Removal to Chancery Court. An action may be removed from district court to chancery court when:

- (1) All parties consent in writing within ~~20~~ 60 days of service of the last defendant; and
- (2) The case meets the eligibility requirements of W.S. § 5-13-115 and these rules.

**(c) Removal after Amended Pleading.** If the case stated by the initial pleading is not removable, a notice of removal may be filed within ~~thirty-sixty~~ days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable, if all parties consent in writing and the case meets the eligibility requirements of W.S. § 5-13-115 and these rules.

\*\*\*\*\*

#### **W.R.C.P. Rule 3.2. Removal from District Court to Chancery Court.**

**(a) Removal to Chancery Court after Initial Pleading in District Court.** An action may be removed from district court to chancery court when:

- (1) All parties consent in writing within ~~20-60~~ days of service of the last defendant; and
- (2) The case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

**(b) Removal to Chancery Court after Amended Pleading in District Court.** If the case stated by the initial pleading is not removable to chancery court, a notice of removal may be filed with the chancery court within ~~thirty-sixty~~ days after receipt by the defendant, through service or

otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable, if all parties consent in writing and the case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

\*\*\*\*\*

## **Proposal No. 6: Complex Matters**

One “goal of chancery court” is “to resolve a majority of the actions filed in its court within one hundred (150) days of the issuance of the scheduling order.” W.R.C.P.Ch.C. 1. *See also* Wyo. Stat. § 5-13-104(a), (h) (The “Wyoming supreme court shall establish procedures and regulations for the effective and expeditious resolution of disputes,” which means “the resolution of a majority of the actions filed in the chancery court within one hundred fifty (150) days of the filing of the action issuance of the scheduling order.”).

Expediency is a core characteristic of chancery court. But it stands in tension with the court’s other defining characteristic: specialization. While chancery court is uniquely positioned to handle complex commercial and trust disputes, the 150-day target can be impractical for such cases and can discourage litigants from leveraging the court’s specialization.

One way to ease this tension is to introduce a "complex track" for cases involving multiple parties, numerous claims, substantial amounts at issue, or extensive discovery. While longer than the default timeline, this track could still move expeditiously, preserving the court’s efficiency and specialization.

Such a track would fit within statute and rule. Both statute and rule establish a goal of resolving most (not all) cases within 150 days, recognizing that more complex matters may require additional time.

This proposed amendment to Rule 16 introduces a complex adjudication track with safeguards to ensure that resolution may extend beyond the standard 150-day timeline for a small segment of chancery cases, these cases will be resolved as quickly as possible.

### **Proposed Amendments:**

#### **W.R.C.P.Ch.C. 16**

\*\*\*\*\*

#### **(c) Attendance and Matters for Consideration at a Pretrial Conference.**

\*\*\*\*\*

(4) Complex Adjudication Actions. The parties by written consent may authorize the chancery court to apply the complex adjudication procedures set forth in this Rule. A case will be designated for complex adjudication procedures only upon court approval.

(A) Party Consent. Consent shall be noted in the initial joint case management submission or by separate written notice. The consent, on good faith grounds and based on information reasonably available to the parties, shall state the reasons for departing from the one hundred fifty (150) day goal; address the considerations

listed below; and certify a commitment to diligent and expeditious prosecution, defense, and settlement efforts notwithstanding any complex adjudication designation.

(B) *Court Approval.* Upon receipt of the notice, the court shall determine, in its sole discretion, whether good cause exists to designate the case for complex adjudication. In making this determination, the court shall bear in mind the statutory directive that most chancery court cases be resolved within one hundred fifty (150) days of issuance of the scheduling order and may consider, without limitation, the following:

- (i) The number of parties;
- (ii) The number and complexity of claims;
- (iii) The anticipated volume of proportional discovery;
- (iv) The amount in controversy;
- (v) The nature of the issues;
- (vi) The likely length of trial; and
- (vii) Any special circumstances.

(C) *Extended Timeline.* Any case designated for complex adjudication need not be resolved within one hundred fifty (150) days of issuance of the scheduling order but shall be resolved as expeditiously as the nature of the case permits. The court may set a resolution deadline when designating a case for complex adjudication.

(D) *Resolution Methods.* The court and parties shall make reasonable efforts to resolve cases designated for complex adjudication in a just, speedy, and cost-effective manner. Such efforts include, without limitation, participating in early, ongoing, and active case management; prioritizing the resolution of legal and factual issues that facilitate case disposition; resolving discovery disputes informally where possible; tailoring discovery to the needs of the case; and engaging in early and regular alternative dispute resolution efforts.

\*\*\*\*\*

## **Proposal No. 7: Modify the Opt-Out Provision**

Rule 3 currently requires automatic dismissal upon objection by any defendant. The statute, however, contemplates removal rather than dismissal. *See* Wyo. Stat. § 5-13-104(a)(iii). Removal is more efficient because the action continues without requiring the plaintiff to refile and serve the defendants again. The committee requests public comment on two alternative approaches to address these issues.

The first option replaces Rule 3’s unilateral and automatic dismissal with removal to district court, but only upon a showing of good cause.

The second option retains the unilateral opt-out but replaces automatic dismissal with removal to district court using the transfer procedures in W.R.C.P. 40.1

### **Proposed Amendments:**

#### **Option 1: Replace Automatic Dismissal with Good Cause Removal**

##### **W.R.C.P.Ch.C. 3**

\*\*\*\*\*

(a) Original Filing in Chancery Court. A civil action is commenced in the chancery court when service is completed upon all defendants, pursuant to Rule 4. A civil action is “brought” for statute of limitations purposes upon filing the initial pleading in chancery court. If any named party files an objection to having the matter proceed in chancery court on or before the date its first responsive pleading or motion to dismiss is due, the chancery court shall ~~enter its order dismissing the case without prejudice. An objection to proceeding in chancery court is waived if not brought within the time periods in this rule. A dismissal of a case in chancery court is subject to W.S. § 1-3-118. Notwithstanding any objection brought under this rule, t determine whether the case should be removed from chancery court for good cause determined by the chancery court judge in his discretion.~~ The chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115.

\*\*\*\*\*

#### **Option 2: Retain Opt-Out but Replace Automatic Dismissal with Removal under Rule 40.1 mechanisms**

##### **W.R.C.P.Ch.C. 3**

\*\*\*\*\*

(a) *Original Filing in Chancery Court.* A civil action is commenced in the chancery court when service is completed upon all defendants, pursuant to Rule 4. A civil action is “brought” for statute

of limitations purposes upon filing the initial pleading in chancery court. ~~If any named party files an objection to having the matter proceed in chancery court on or before the date its first responsive pleading or motion to dismiss is due, the chancery court shall enter its order dismissing the case without prejudice. Any named party may file an objection to proceeding in chancery court on or before the date its first responsive pleading or motion to dismiss is due. Within five days of the objection, the plaintiff shall either produce a valid contract designating the chancery court as the forum for resolving disputes or specify the district court where the action could properly have been filed and to which it should be removed. If the chancery court has not been designated as the forum for resolving disputes in a valid contract, the chancery court shall enter an order removing the case to the district court designated by the plaintiff in accordance with Rule 40.1(c). An objection to proceeding in chancery court is waived if not brought within the time periods provided in this rule. A dismissal of a case in chancery court is subject to W.S. § 1-3-118. Notwithstanding any objection brought under this rule, the chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115.~~

\*\*\*\*\*

**W.R.C.P.Ch.C. 40.1**

**(a) Transfer of Trial.**

- (1) *Time.* Any party may move to transfer trial within 15 days after the last pleading is filed.
- (2) *Transfer.* The chancery court shall transfer the action to another county for trial if the chancery court is satisfied that the convenience of witnesses would be promoted thereby.
- (3) *Hearing.* All parties shall have an opportunity to be heard at the hearing on the motion and any party may urge objections to any county.
- (4) *Transfer.* If the motion is granted the chancery court shall order that the action be transferred to the most convenient county to which the objections of the parties do not apply or are the least applicable, whether or not such county is specified in the motion.
- (5) *Additional Motions to Transfer.* After the first motion has been ruled upon, no party may move for transfer without permission of the chancery court.
- (6) *Upon Transfer.* When a transfer is ordered the action shall continue in the county to which it is transferred as though it had been originally filed therein.
- (7) The presiding judge may at any time upon the judge's own motion order a transfer of trial when it appears that the ends of justice would be promoted thereby.

**(b) Change of Judge.**

- (1) *Peremptory Disqualification.* Not Applicable.

(2) *Disqualification for Cause.*

(A) Grounds. Whenever the grounds for such motion become known, any party may move for a change of chancery judge on the ground that the presiding judge

- (i) has been engaged as counsel in the action prior to being appointed as judge,
- (ii) is interested in the action,
- (iii) is related by consanguinity to a party,
- (iv) is a material witness in the action, or
- (v) is biased or prejudiced against the party or the party's counsel.

(B) Motion, Affidavits and Counter-Affidavits. The motion shall be supported by an affidavit or affidavits of any person or persons, stating sufficient facts to show the existence of such grounds. Prior to a hearing on the motion any party may file counter-affidavits.

(C) Hearing. The motion shall be heard by the presiding judge, or at the discretion of the presiding judge by another judge. If the motion is granted, the presiding judge shall immediately call in another judge to try the action.

(3) *Effect of Ruling.* A ruling on a motion for a change of chancery judge shall not be an appealable order, but the ruling shall be entered on the docket and made a part of the record and may be assigned as error in an appeal of the case.

(4) *Motion by Judge.* The presiding judge may at any time on the judge's own motion order a change of judge when it appears that the ends of justice would be promoted thereby.

**(c) District Court Removal.**

(1) Upon Removal. When removal to district court is ordered under Rule 3(a):

(A) The clerk of the chancery court shall transmit, through the electronic filing system, to the clerk of the district court to which the action has been transferred all records electronically filed in an action.

(B) The objecting party shall be assessed a docket fee through the chancery court's electronic filing system.

(C) The action shall continue in the district court to which it is transferred as though it had been filed initially therein.

**Chancery Court Rule Amendments:  
Public Comment Summary**

<b>Proposal Number (Proposed Rule Amendment)</b>	<b>Commentator</b>	<b>Comment</b>	<b>Notes for Division's Consideration</b>
<b>No. 1</b> (Align Chancery Rules with eFiling Rules)	Driggs, Bills & Day PC by Nick Dillinger	I support standardization of eFiling rules wherever possible, and the intent to conform the Court reporting rules to the reality of the staffing of the Chancery Court.	
<b>No. 2</b> (Court Reporting in Chancery)	Driggs, Bills & Day PC by Nick Dillinger	I support standardization of eFiling rules wherever possible, and the intent to conform the Court reporting rules to the reality of the staffing of the Chancery Court.	Judge Burningham consulted with district court reporter leadership and invited court reporters to submit public comments, suggest amendments, or identify solutions to staffing challenges in chancery court. While the court reporters raised some concerns, they did not submit comments or proposed amendments.
<b>No. 3</b> (Reflect Expanded Jurisdiction)	No Comments		
<b>No. 4</b> (Confidentiality & Publishing) Rule 5.2	Long Reimer Winegar LLP by Kaylee Harmon	<p>Thank you for the opportunity to comment on the proposed rule amendments for the Wyoming Chancery Court. Our firm, Long Reimer Winegar LLP, regularly represents parties before the Chancery Court, particularly in trust matters, and we are committed to promoting rules that enhance clarity, fairness, and judicial efficiency.</p> <p>We have reviewed the proposed amendment to W.R.C.P.Ch.C. 5.2., which addresses privacy protections for filings in trust proceedings before the Chancery Court. Our comments on this proposal are respectfully submitted for the Committee's consideration.</p> <p><i>Comments on Proposed Amendment to W.R.C.P.Ch.C. 5.2.:</i></p> <p>Overall, we are supportive of this proposed amendment and recognize the value of developing a published body of case law for trust matters before the Chancery Court.</p>	The commentator's proposals enhance the amendment. Publishing proposed orders in uncontested cases does little to build a body of instructive decisions and will merely add work to the court and parties, expanding the list of neutral identifiers to include trust assets is consistent with statute, and allowing parties to request an extension for good cause will facilitate greater coordination between counsel and client when necessary without delaying resolution of underlying matters.

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>Greater transparency and accessibility of precedent can promote consistency and predictability in trust-related litigation.</p> <p>We recommend, however, that the rule distinguish between contested and uncontested trust proceedings. In uncontested matters, privacy concerns often outweigh the benefits of publication. Such proceedings are typically initiated to obtain judicial affirmation of specific administrative actions within a particular trust and do not seek a ruling that would provide guidance in bona fide disputes.</p> <p>Accordingly, we suggest modifying subsection (b)(1) of W.R.C.P.Ch.C. 5.2. to clarify the general rule as follows (emphasis added):</p> <p>“(1) General Rule. Balancing the publication requirement of Wyo. Stat. § 5-13-104(f) with the confidentiality protections of Wyo. Stat. § 4-10-205, the chancery court may publish anonymized orders and opinions in <u>contested</u> trust proceedings.”</p> <p>Next, we recommend expanding the list of neutral identifiers that may be removed or replaced during the anonymization process to include references to a trust's assets. Trust assets may contain sensitive or identifiable information, and their disclosure could inadvertently compromise the privacy of the parties. We therefore suggest revising subsections (b)(2)(A)(iii) and (iv) to read as follows (emphasis added):</p> <p>“(iii) dates, places, names of third parties, references to <u>assets, values or amounts</u>; and</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>“(iv) any other information that may reveal the identity of the trust, settlors, trustees, beneficiaries, or fiduciaries, <u>or trust assets</u>.”</p> <p>Finally, with respect to the procedure for entry of the anonymized order or opinion, we recommend that the rule allow parties to request an extension of the 14-day review period prior to publication for good cause shown. The anonymization process often requires consultation between counsel and clients to ensure that privacy concerns are fully addressed, and flexibility in this review period would help safeguard those interests.</p> <p>We appreciate the Committee’s thoughtful efforts to improve the administration of Chancery Court proceedings and thank you for considering our input on this specific amendment. We would be pleased to provide any additional information the Committee may require or participate in future discussions regarding this rule.</p>	
<b>No. 5</b> (Facilitate District to Chancery Removal)	Driggs,Bills & Day PC by Nick Dillinger	I support Proposal No. 5. Under the current rule, when an out of state defendant is served, the 20 day timeframe for removal can pass prior to the Defendant being required to answer. Additionally, and due to the accelerated nature of chancery court, counsel for Defendant has several things to consider as they prepare their answer often not allowing them to determine whether or not Chancery Court may be a better forum for the matter.	Local bar associations and firms expressed strong support for this adjustment during chancery court presentations throughout the state.
<b>No. 6</b> (Complex Matters)	No Comments		This rule received broad support in statewide chancery court presentations.
<b>No. 7</b> (Modify Opt-Out Provision)	Jackson Hole Trust Company by Amy Potter - Josey Woodul - Kathleen Cook -	Our sole comment concerns Proposal No. 7. Of the two alternative approaches presented, we find Option 1, ‘ <i>Replace Automatic Dismissal with Good Cause Removal</i> ’, to be preferable.	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	Anita Klaeser -	We find Option 1 more appropriately preserves judicial discretion by allowing the Chancery Court to act where good cause exists, rather than imposing a hard and fast rule. We believe the retention of this discretion will provide the Chancery Court with the flexibility to retain jurisdiction over matters that are appropriately before it and aligned with the Court's intended role.	
	Halloran, Farkas & Kittila by Michael Halloran	<p>This is a comment on your proposal number 7 to amend Rule 3 on opting out of Chancery Court jurisdiction.</p> <p>While we would hope that someday you would require all cases involving matters of equity be litigated in the Court of Chancery—as does Delaware Chancery and that of many other states, we do not think your rule proposal makes it clear that if the parties have agreed, by contract or otherwise, to Chancery Court jurisdiction then under no circumstances can the case be removed out of the Chancery Court. In other words, the agreement of the parties should always be respected. We in the Wyoming Bar are now commonly inserting such agreements in the contracts of our clients.</p>	<p><b>Forum Selection Clause.</b> Both proposals aim to clarify that the chancery court will enforce forum-selection clauses despite objections.</p> <p>Option One retains language providing, “The chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115. “</p> <p>Option Two premises removal on the absence of a forum selection clause.</p>
	Vickery & Shepard Trial Lawyers by Earl (Lanny) Vickery	<p>On behalf of my firm, I strongly urge the Committee to adopt Option 1 regarding Opt-outs, replacing automatic dismissal with removal upon a showing of good cause.</p> <p>We applauded the creation of the Chancery Courts as a mechanism to provide a specialized court for the expeditious resolution of disputes involving commercial, business, trust and similar issues. Having such a court is squarely in line with Wyoming's public policy to present itself as a good place to establish and maintain a business. But allowing an automatic opt out works against that policy and diminishes the Chancery Court as a practical option.</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>I have explained the Chancery Court option to several business clients. When I outline the Court's expertise and the prospect of a prompt resolution, most react favorably and hear it as a desirable option. But when I explain that they could go through the process of filing, only to have a defendant opt out, leaving us to start all over in another court, the general response is "why bother?" Thus, I have had only one client who has agreed to proceed in Chancery Court and to assume the risk that the defendant would not opt out and put us back at square one.</p> <p>Admittedly, allowing a transfer, as in Option 2, is a better option than outright dismissal. But if the public policy behind the creation of the Chancery Court is to entice businesses to form and remain in Wyoming, and if the Chancery Court is part of the matrix to accomplish that goal, a private litigant should not be able to unilaterally dilute this policy. Whether to transfer to another court should be a decision reserved to the Court, and should involve a standard by which to make that decision. "Good cause" is a workable standard with which everyone is familiar. It allows the exercise of appropriate discretion, protecting a defendant's right to opt out in appropriate circumstances, while respecting the plaintiff's choice of forum and Wyoming's public policy in establishing the Chancery Court in the first place.</p> <p>I respectfully urge the Committee to adopt Option 1.</p>	
	Corthell and King P.C. by Marty Oblasser	<p>I write in support of Option 1, which replaces automatic dismissal with removal upon a showing of good cause.</p> <p>Option 2, while an improvement over the current rule, still allows unilateral and automatic removal by any party. That framework invites gamesmanship and allows defendants to manipulate the system. Option 1 ensures that removal is grounded in legitimate concerns – such as</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>statutory ineligibility, complexity requiring a jury trial, or other practical considerations – rather than tactical maneuvering.</p> <p>Furthermore, logic would dictate that judicial and staff resources are wasted each time a matter is filed in Chancery Court, only to be closed shortly thereafter. In that same vein, plaintiffs lose time and incur delay in refiling under the current automatic dismissal framework. Removal under Option 1 maintains the continuity of proceedings, avoids resetting deadlines, and keeps the case moving forward efficiently.</p> <p>Ultimately, forum selection should not rest on unilateral veto power by a single defendant. The decision whether Chancery Court is an appropriate forum is best made by the judiciary, which can weigh the statutory eligibility requirements, contractual obligations, and interests of justice. Option 1 properly restores that discretion to the court, where it belongs. I respectfully urge the Committee to adopt Option 1.</p>	
	Driggs, Bills & Day PC by Nick Dillinger	I support Proposal No 7, Option #1 and Option #2 as it relates changing an objection from dismissal to removal. I favor Option #1 over Option #2 for removal with good cause; however, I think it is important to protect Defendant's right to a jury trial and if so desired, Defendant should be required to submit a request for jury trial with their objection. I worry that a defendant could abuse the removal option by stating a desire protect its right to a jury trial, then not submitting the jury trial request.	
	Yonkee and Toner by Jay Gilbertz	I am writing in relation to the request for comments on proposed rule changes in Chancery Court. My comments are directed at the proposed amendment to Rule 3 where two options are presented. I am concerned about "Option #1" which provides that if a party objects to proceeding in Chancery court the case will stay in Chancery unless the	<b>Good Cause.</b> The good cause standard is commonly used in court rules to provide flexibility and address both the foreseeable and the unforeseeable.

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>judge finds "good cause" to dismiss. Of course, good cause is not defined and left to the eye of the beholder.</p> <p>I am surprised this is being suggested. Just a few years ago, when the rules were first being crafted, this same notion of good cause was proposed in draft rules. After substantial comment and objection to that proposal, including input from the American College of Trial Lawyers (ACTL), the rule was changed and adopted in its current form allowing any party that does not want to proceed in Chancery the right to object and have the case decided in district court. ACTL's objection, as with many of the other Wyoming lawyers, was that this had the strong likelihood of depriving individuals of their right to have the case decided by a jury of their peers. A right that would be fully afforded them if the case was filed in district court. Now, just a few years later, we are back with a suggestion to implement the very same rule which was strongly objected to <i>and</i> rejected in 2020.</p> <p>This is an important matter. Many Wyoming residents value their right to have a jury decide their disputes because juries are not just fact finders -- juries also represent the collective wisdom and judgment of a group of community members. I know I deeply value that right, and I trust many of you do as well. The idea that a jury of our peers decides the facts of a particular case is a fundamental aspect of our judicial system that sets it distinctly apart from nearly every other system. Vesting the decision-making power over whether a jury will hear the case in only a plaintiff or the discretion of a judge is simply wrong. Yet that will happen because now the defendant is obligated to show some undefined "good cause". If they otherwise were entitled to a jury in district court, a Wyoming citizen's desire for a jury is cause enough (yet not so under this rule). Worse yet, if the matter stays in chancery because that is</p>	<p><b>Jury Trial.</b> The division can address concerns about jury trials by specifying that "good cause" exists when a defendant desires a jury trial and such a trial would be available in district court under the Wyoming Rules of Civil Procedure. This approach makes jury trials available without enabling unilateral objections intended solely to delay resolution.</p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>the judge's discretion, the defendant has no opportunity to challenge that decision until the case is over and will then face the difficult abuse of discretion standard.</p> <p>Here is how it could play out: A client comes to me because their house burned down in a fire caused by a space heater, yet their insurance company refuses to pay under the fire and casualty policy making a series of silly and transparent excuses. I write to the company demanding immediate payment and presenting them with my drafted Complaint in district court that will sue the company for breach of contract and seek additional damages for bad faith (a contract claim unique to insurance). Fearing that a jury will not be kind to them, the insurance company quickly hires lawyers and files a preemptive declaratory judgment lawsuit in Chancery court asking for a determination of what its contractual obligations are. Unless I can convince the chancery judge that my client's desire for a jury is "good cause" the insurance company has just dictated what kind of trial we will have. Worse yet, they have crammed us into an accelerated pre-trial process where the insurance company can more effectively play games with the discovery process to hamper my client's case and access to information.</p> <p>I have watched the disturbing spectacle as politicians and other leaders have systematically attempted to degrade the legal system and the independence of the judiciary showing no respect for its important role as the third branch of our government. Using a rule of procedure in Chancery court to create a serious impediment to a citizen's right to a jury trial would be an equally grave affront to the system --this one, self-inflicted. We came by these rules and legal rights for a reason.</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>The choices we discern as having been made in the Constitutional Convention impose burdens on governmental processes that often seem clumsy, inefficient, even unworkable, but those hard choices were consciously made by men who had lived under a form of government that permitted arbitrary governmental acts to go unchecked. There is no support in the Constitution or decisions of this Court for the proposition that the cumbersomeness and delays often encountered in complying with explicit Constitutional standards may be avoided, either by the Congress or by the President. With all the obvious flaws of delay, untidiness, and potential for abuse, we have not yet found a better way to preserve freedom than by making the exercise of power subject to the carefully crafted restraints spelled out in the Constitution. <i>I.N.S. v. Chadha</i>, 462 U.S. 919, 958, 103 S.Ct. 2764, 2788, 77 L.Ed.2d 317 (1983) (Burger, C.J.) (internal citations omitted).</p> <p>While a Wyoming citizen's right to have his or her dispute decided by a jury may not raise to the level of a constitutional imperative, that right should not be stripped from them by a rule change in Chancery court done in the name of "efficiency". Larry Yonkee is often quoted as saying "<i>If twelve people tell me I am wrong, I am probably wrong.</i>" There is a lot packed in that simple sentence, the least of which is a reverence for the decisions made by juries representing the wisdom and experience of the community.</p> <p>Wyomingites should be entitled to having their peers decide their disputes as provided for under Rule 38; or to waive that right by not making a jury demand; or <b>if they choose</b>, to have that dispute resolved without a jury in chancery court. I am aware of no other circumstance where the Rules of Civil Procedure provide a Plaintiff with the nearly absolute power to unilaterally decide something as fundamental as whether a jury will or will not hear the</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	Yonkee and Toner by Kendal Hoopes	<p>case. The committee should not amend the rule as proposed in Option 1.</p> <p>The preface to Proposal No. 7 indicates that the purpose of the amendment is to allow cases originally filed in Chancery Court to be removed to a district court rather than dismissed in an effort to promote efficiency. However, Proposal No. 7, Option 1 actually inserts a substantial change that would result in defendants being forced to litigate in Chancery Court over their objection. This issue received significant comment from the Wyoming Bar when the original Chancery Court Rules were established. It is surprising that this issue is coming up again and the manner in which it is being proposed. It is simply not appropriate to deprive parties of their right to a jury trial or require them to litigate in a Chancery Court located far away from the county in which they reside.</p> <p>Chancery Court is fine for parties who desire to take advantages of the process it can provide and who are not concerned about a jury trial. Proposal 7, Option 1 would open the door for large companies with vast resources to utilize Chancery Court as a strategic maneuver to avoid a jury trial in the county in which the defendant resides. Forcing parties into Chancery Court is not consistent with the Rule of Law and the basic fundamental rights that we still fortunately have in Wyoming.</p> <p>The changes proposed in Proposal No. 7, Option 2 are unnecessary. The plaintiff who unsuccessfully tries to force a defendant into Chancery Court should bear the costs of refiling and any inconvenience that comes with it. Wyoming law pertaining to venue and jurisdiction are well established.</p>	<p><b>Jury Trial.</b> Same as above.</p> <p><b>Big Business.</b> Chancery Court is designed to reduce litigation costs by limiting motions practice, requiring settlement efforts, actively managing cases, and accelerating resolutions. By closely monitoring proceedings and curbing excessive discovery and frivolous motions, the court promotes efficiency and maintains a fair forum. These practices uphold—not undermine—the Rule of Law by ensuring cost-effective litigation and equal treatment for all parties.</p> <p><b>Requiring parties “to litigate in a Chancery Court located far away from the county in which they reside.”</b> Chancery is a statewide court with authority to “hold court in any county where venue is appropriate.” Wyo. Stat. § 5-13-104. The court will travel to hold court. Trial location is a topic for discussion during initial scheduling conferences.</p> <p><b>Docket Fee.</b> The objecting defendant is the sole beneficiary of removal. If the defendant prefers a different forum, it may pay the associated docket fee or remain in chancery. Requiring the plaintiff to pay an additional filing fee in district court after forfeiting the initial \$610 chancery fee would unfairly penalize plaintiffs for choosing to file in chancery.</p>
	Lonabough and Riggs LLP by Haultain Corbett	On behalf of the law firm of Lonabough and Riggs, LLP, I wish to strongly object to both Option 1 and Option 2 of Proposal No. 7, Modify the Opt-Out Provision, of the	<p><b>Jury Trial.</b> Same as above.</p> <p><b>Local Forum.</b> Same as above.</p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>proposed chancery court rule amendments, for the reason that venue in chancery court should be entirely optional and agreed to by all parties to the action.</p> <p>Under Option 1, the chancery court judge determines, in his sole discretion, whether there is good cause for removal from chancery court. In a recent matter, attorneys for an adverse party attempted to bring an action in chancery court against this firm's client without first obtaining the consent of our firm or our client. The firm objected because the matter was complex and not easily handled by chancery court. The action in chancery court was summarily dismissed and the adverse party subsequently filed an identical action in district court. That is how it should be.</p> <p>Under Option 2, removal to district court from chancery court is conditioned on a number of factors, including the fact that the chancery court judge is satisfied that the convenience of witnesses is promoted and the case is transferred to the "most convenient county." This rule is unnecessary because the Wyoming Rules of Civil Procedure adequately govern venue. Also objectionable is the rule requiring that a docket fee be assessed against the objecting party.</p> <p>Chancery court is designed for the convenience of the parties and under the current rules has jurisdiction only if all parties consent. There is no reason to force jurisdiction on a party who objects. We also strongly believe that it is important for many litigants to retain the right to a jury trial in the local jurisdiction.</p> <p>We would urge the court to reject both Option 1 and Option 2 of Proposal No. 7.</p>	<p><b>Objection to handling complex matters in chancery.</b> As a specialized court, chancery is designed to resolve complex business and trust cases efficiently. The proposed complex adjudication track further enhances the court's ability to manage these matters.</p> <p><b>Option 2 conditioned on factors in Rule 40.1.</b> This comment misreads the proposal. The proposed rule provides: "If the chancery court has not been designated as the forum for resolving disputes in a valid contract, the chancery court shall enter an order removing the case to the district court designated by the plaintiff in accordance with Rule 40.1(c)." Subsection 40.1(c) provides only the mechanics of the case transfer. The "factors" in Rule 40.1(a)&amp;(b) are not applicable to a Rule 3 removal under the proposed rules.</p> <p><b>Docket Fee.</b> Same as above.</p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	Hathaway Kunz by Sean Larson	I am for all of the proposed Rule changes, and I believe the rule change for opt-out should be the first alternative: to demonstrate good cause. There should not be an automatic opt out, and the Chancery Court should have discretion as to good cause. This should prevent many defendants from automatically opting out just to do the opposite of the Plaintiff without good reasoning for the opt out. An example of a good cause would be a civil litigant who is entitled to a jury trial.	
	Wendtland & Wendtland by Anthony Wendtland	<p>I am writing in response to the invitation to comment on the proposed change to Chancery Rule 3. Thank you for allowing me to comment.</p> <p>The way the Chancery Court is currently set up, parties who use it give away the right to a jury trial, one of our most fundamental rights. However, they can always make an election out of Chancery Court to avoid that. That was an important issue when the Chancery Court rules were first proposed, and the decision was made that Wyoming citizens should not be deprived of such a fundamental right without their prior knowing consent.</p> <p>Option 1 eliminates the ability of a defendant to opt out of Chancery Court. It leaves the decision whether to retain the case in Chancery Court with the Court who decides whether there is "good cause," whatever that will actually really mean, to retain jurisdiction of the case.</p> <p>Proposal No. 7 states that the reason for the proposed amendment to Rule 3 is to be "more efficient" so that a plaintiff does not have to refile in district court if a defendant objects to being forced into chancery court. If efficiency is the goal, then Option 2 would arguably achieve that goal without harming other existing rights substantively or practically.</p>	<p><b>Forcing litigants into a "distant jurisdiction."</b> Same as above.</p> <p><b>Preemptive Declaratory Judgment Action.</b> An anticipatory dec action is always subject to dismissal at a court's discretion when it is apparent that improper ulterior motives—like heading off a rancher's claims to avoid a jury—led to its filing. This is already Wyoming law on account of the Wyoming Supreme Court's interpretation of Wyoming's Declaratory Judgments Act. See <i>Beatty v. Chicago, B. &amp; Q.R. Co.</i>, 49 Wyo. 22, 52 P.2d 404, 410 (Wyo. 1935) (declaratory judgment properly declined when an action that ultimately sought contractual damages was brought as a declaratory-judgment action; federal law at the time did not recognize declaratory judgment actions and possibility existed that plaintiff chose to file a declaratory judgment action to avoid litigating in federal court). As such, defendant presenting these circumstances in a Rule 3 objection would present "good cause" for removal to district court. "First-to-file" conflicts are well developed in federal law and the above rule is acknowledged throughout. See, e.g., <i>Koresko v.</i></p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>However, Option 1 is not a tool of efficiency. It is, instead, an unnecessary extraordinary extension of the Chancery Court's jurisdiction. It will almost always require a defendant party to litigate in Chancery Court against their will and, as proposed, it will do that in a particularly harsh way to the most unsophisticated parties. Option 1 clearly just strips a party of that right for no apparent reason</p> <p>The serious substantive change proposed by Option 1 is one that will enable large land developer entities – who already possess an economic advantage over the average citizen landowner - to file a preemptory declaratory judgment case in Chancery Court in a way that will often effectively strip the landowner they are dealing with of the right to a civil jury. Large land developers and energy companies will do this knowing they are about to be sued for damages by a Wyoming ranch in a surface use agreement case. Under Option 1, such a dec suit can easily be filed in a way that will, in most cases, just strip a Wyoming rancher or other citizen landowner of the right to a jury - ultimately forcing the landowner to try the case to the bench in a distant jurisdiction at increased cost and expense. Large land developers and energy companies will quickly develop a strategy with their attorneys to always use Option 1 in this way to minimize their risk and even more effectively spend Wyoming citizens out of court.</p> <p>I would hate to see the ability of Wyoming landowners to have land disputes decided by a jury when appropriate effectively cutoff by a Judicial Branch driven Chancery Court Rule change like this. Such a change is not needed, and the citizenry is not asking the Judicial Branch to make a change like that. Please don't make rule changes like this that sacrifice the right to a civil jury trial on the altar of expediency.</p>	<p><i>Nationwide Life Ins. Co.</i>, 403 F. Supp. 2d 394, 399, 402 (E.D. Pa. 2005).</p> <p><b>Big Business.</b> Same as above.</p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	Lubnau Law by Allison Gee	<p>I write in response to the proposed amendments to the Chancery Court Rules. I agree with Tom Toner's analysis as to Proposal No. 7 regarding proposed amendments to Rule 3. Option 1 goes against the initial idea of Chancery Court being voluntary (either consent to the jurisdiction once filed or in advance by contract).</p> <p>I support Option 2 transferring the civil action to the appropriate District Court. I do have concern about the five-day response time by the Plaintiff – increasing this to 10 days will not likely burden the parties and helps ensure that an attorney on vacation does not miss a pleading filing deadline.</p>	<p><b>Initial Idea of Chancery: Mutual Consent.</b> The statute creating chancery does not contemplate automatic dismissal upon unilateral objection. Instead, it contemplates rules that allow removal. Wyo. Stat. § 5-13-104(a)(iii). Amending the rules to allow removal for good cause would align more closely with legislative intent than the current unilateral opt-out mechanism resulting in automatic dismissal.</p> <p><b>Option Two Response Time.</b> Increasing the five-day response time to ten days is a reasonable request that will not materially delay resolution.</p>
	Yonkee Toner by Tom Toner	<p>I am writing in response to the invitation to comment on the proposed change to Chancery Rule 3.</p> <p>Option 1 eliminates the ability of a defendant to opt out of Chancery Court. It leaves the decision whether to retain the case in Chancery Court with the Court who decides whether there is "good cause," whatever that might mean, to keep the case.</p> <p>Proposal No. 7 states that the reason for the proposed amendment to Rule 3 is to be "more efficient" so that a plaintiff does not have to refile in district court if a defendant objects to being forced into chancery court. If efficiency is the goal, then Option 2 meets that goal. However, Option 1 is not a tool of efficiency. It is an extraordinary extension of the Chancery Court's jurisdiction. It forces a party to litigate in Chancery Court against his or her will. Rule 3 currently makes it clear that can never happen. Chancery Court denies the right to a jury trial, one of our most fundamental rights. That was an important issue when the Chancery Court rules were first proposed, and the decision was made that Wyoming people should not</p>	<p><b>Jury Trial.</b> Same as above.</p> <p><b>Forcing litigants into a "distant jurisdiction."</b> Same as above.</p> <p><b>Preemptive Declaratory Judgment Action.</b> Same as above.</p>

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
		<p>be deprived of such a fundamental right without their consent. Option 1 strips a party of that right. I find it hard to believe that an attempt is being made to deny Wyoming citizens this important right in the name of "efficiency."</p> <p>If two parties are willing to forego their constitutional right to a jury trial for an expedited process, then the Chancery Court is the way to go. However, the drastic change proposed by Option 1 will enable large companies, like the oil and gas companies I litigate against on a regular basis, who fear facing a jury of Wyoming citizens to file a preemptory declaratory judgment case in Chancery Court knowing they are about to be sued for damages by a Wyoming ranch in a surface use agreement case. Under Option 1, the company can neatly strip a Wyoming rancher of the right to a jury and force the rancher to try the case in a distant jurisdiction at increased cost and expense. The large companies can and will use Option 1 to minimize their risk and spend Wyoming citizens out of court.</p> <p>The National Judicial College published a pamphlet entitled <i>Why Jury Trials are Important to a Democratic Society</i>. This pamphlet says, "Trial by jury is a unique part of America's democracy. Most countries do not have jury trials. It is one of the things that make us unique as a country, and something we should be proud of. . . Jury Trials offer the voice of the people to the civil and criminal justice systems . . . We do not want judges and lawyers making every important decision; they are not representative of the people of the United States. Juries provide the voice of common sense and the perspective of the citizen to our developing body of law." I hope that the committee shares those values and that the voice of Wyoming citizens is not smothered by a rule change justified by nothing more than expediency.</p>	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	Lubnau Law by Tom Lubnau	I agree with Tom Toner and Alison Gee's analysis. The courts should be looking for ways to guarantee the right to a jury trial unless waived by the parties, not take it away. In that regard, I am concerned the proposed rule change might be unconstitutional if one party can cram down a waiver of jury trial on the other party.	<b>Jury Trial.</b> Same as above.
	Land Water Energy Law by Reba Epler	I support option one for removal: Option 1: Replace Automatic Dismissal with Good Cause Removal.  Please let Chancery Court Division of the Permanent Rules Advisory Committee know that I feel this is the best option, so that someone can't drag a dispute out by simply not agreeing to be in Chancery Court. I feel this is the better of the 2 options.	
	Pehora Edwards & Rampulla LLC by Mario Rampulla	We have had numerous debates in our office regarding the functionality of the Chancery Court in light of the current "Opt-Out Provision". We have concluded that this provision (opt-out) will likely (and may already have) significantly reduce the number of complex matters that could be addressed by the Chancery Court. The adage of "good law bad facts, good facts bad law" will invariably cause one party or the other to avoid the Chancery Court, as theoretically the Chancery Court will be more adept at seeing through the smoke and mirrors that sometimes gets presented in these situations. That being said, I think Option 1: Replace Automatic Dismissal with Good Cause Removal is the better option. It forces the party desiring to dismiss the matter to demonstrate a reasonable basis as to why the matter should be dismissed, rather simply avoiding the Chancery Court. If the Chancery Court is to become the Court in Wyoming to address complex issues (from my perspective "Trust and Estate" issues), it needs this change to have a sufficient docket.	
	Balloun Law Professional Corporation	I read through all of the proposed changes and think they are worthwhile and reflect the efficient administration of	

Proposal Number (Proposed Rule Amendment)	Commentator	Comment	Notes for Division's Consideration
	O Shane Balloun	justice. The implementation of the Chancery Court and the exercise of its new jurisdiction has been a very positive development for Wyoming.	
	Wyoming State of the American College of Trial Lawyers by Kim Cannon (Chair)	<p>Please accept this comment from the Wyoming State Committee of the American College of Trial Lawyers (the "College") in response to the public comment solicitation put out by the Chancery Court Division of the Pennament Rules Advisory Committee inviting comment by October 15, 2025.</p> <p>Previously, the College submitted a comment dated May 13, 2020 expressing our concern about Chancery Court proceedings in which the litigants would have no right to a jury trial. I enclose a copy of the letter of May 13, 2020 from Scott Ortiz, Chair of the Wyoming Committee of the American College of Trial Lawyers.</p> <p>This letter underscores our concern that the right to a jury trial not be infringed by any rules in the Chancery Court system.</p> <p>We have read the most recent proposed Amendments to the Rule and are concerned about Proposal No. 7 in which the "opt-out" provision would be modified. Specifically, Option 1 purports to "replace automatic dismissal with good cause removal." Would "good cause" include a request to have the matter tried before a jury? That strikes us as very unclear. To the extent that discretion is granted to the Chancery Court, the right to a jury trial should not be a matter of discretion. Any limitation on the right to remove a case to district court and have it tried before a jury is of great concern to us.</p>	<b>Jury Trial.</b> Same as above.

## Attachment C: Amendments to Proposal No. 7

The following proposals address concerns raised during the comment period about the availability of a jury trial under Option 1 and the time for a plaintiff to respond under Option 2. For ease of review, new language in the proposals is highlighted.

### Option 1: Replace Automatic Dismissal with Good Cause Removal

#### W.R.C.P.Ch.C. 3

\*\*\*\*\*

(a) Original Filing in Chancery Court. A civil action is commenced in the chancery court when service is completed upon all defendants, pursuant to Rule 4. A civil action is “brought” for statute of limitations purposes upon filing the initial pleading in chancery court. If any named party files an objection to having the matter proceed in chancery court on or before the date its first responsive pleading or motion to dismiss is due, the chancery court shall ~~enter its order dismissing the case without prejudice. An objection to proceeding in chancery court is waived if not brought within the time periods in this rule. A dismissal of a case in chancery court is subject to W.S. § 1-3-118. Notwithstanding any objection brought under this rule, t~~ determine whether the case should be removed from chancery court for good cause determined by the chancery court judge in his discretion. Good cause for removal includes, but is not limited to, circumstances where a defendant affirms that it will demand a jury trial in district court under the Wyoming Rules of Civil Procedure. If the defendant so affirms and a jury trial is available in district court, the chancery court shall remove the case to district court in accordance with Rule 40.1(c). The chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115.

\*\*\*\*\*

#### W.R.C.P.Ch.C. 40.1

\*\*\*\*\*

#### **(c) District Court Removal.**

(1) Upon Removal. When removal to district court is ordered under Rule 3(a):

(A) The clerk of the chancery court shall transmit, through the electronic filing system, to the clerk of the district court to which the action has been transferred all records electronically filed in an action.

(B) The objecting party shall be assessed a docket fee through the chancery court’s electronic filing system.

(C) The action shall continue in the district court to which it is transferred as though it had been filed initially therein.

## Option 2: Retain Opt-Out but Replace Automatic Dismissal with Removal under Rule 40.1 mechanisms

### W.R.C.P.Ch.C. 3

\*\*\*\*\*

(a) *Original Filing in Chancery Court.* A civil action is commenced in the chancery court when service is completed upon all defendants, pursuant to Rule 4. A civil action is “brought” for statute of limitations purposes upon filing the initial pleading in chancery court. ~~If any named party files an objection to having the matter proceed in chancery court on or before the date its first responsive pleading or motion to dismiss is due, the chancery court shall enter its order dismissing the case without prejudice. Any named party may file an objection to proceeding in chancery court on or before the date its first responsive pleading or motion to dismiss is due. Within ten days of the objection, the plaintiff shall either produce a valid contract designating the chancery court as the forum for resolving disputes or specify the district court where the action could properly have been filed and to which it should be removed. If the chancery court has not been designated as the forum for resolving disputes in a valid contract, the chancery court shall enter an order removing the case to the district court designated by the plaintiff in accordance with Rule 40.1(c). An objection to proceeding in chancery court is waived if not brought within the time periods provided in this rule. A dismissal of a case in chancery court is subject to W.S. § 1-3-118. Notwithstanding any objection brought under this rule, the chancery court may enforce a valid contract designating the chancery court as the forum to resolve disputes meeting the eligibility requirements of W.S. § 5-13-115.~~

\*\*\*\*\*

### W.R.C.P.Ch.C. 40.1

\*\*\*\*\*

#### **(c) District Court Removal.**

(1) Upon Removal. When removal to district court is ordered under Rule 3(a):

(A) The clerk of the chancery court shall transmit, through the electronic filing system, to the clerk of the district court to which the action has been transferred all records electronically filed in an action.

(B) The objecting party shall be assessed a docket fee through the chancery court’s electronic filing system.

(C) The action shall continue in the district court to which it is transferred as though it had been filed initially therein.

## Attachment D: Amendments to Proposal No. 4

Based on public comments, the proposal is amended to exclude publishing proposed orders in uncontested matters, expand the list of neutral identifiers to include trust assets, and permit parties to request an extension of the review period for anonymized orders.

### Proposed Amendment:

#### W.R.C.P.Ch.C. 5.2. Privacy Protection for Filings Made with the Chancery Court

(a) In General. Unless otherwise ordered by the chancery court, all documents filed with the chancery court shall comply with the Wyoming Rules Governing Access to Case Records.

(b) Publication of Orders and Opinions in Trust Cases.

(1) General Rule. Balancing the publication requirement of Wyo. Stat. § 5-13-104(f) with the confidentiality protections of Wyo. Stat. § 4-10-205, the chancery court may publish anonymized orders and opinions in any **contested trust proceedings and may publish anonymized court-drafted orders in uncontested trust proceedings if doing so would foster predictability and certainty in Uniform Trust Code proceedings. The court will not publish proposed orders drafted and submitted by the parties in uncontested cases.**

(2) Anonymization.

(A) The court may anonymize orders and opinions by removing or replacing with neutral identifiers the following:

(i) the case number and any e-filing document numbers;

(ii) names of trusts, settlors, trustees, beneficiaries, and fiduciaries,

(iii) dates, places, names of third parties, references to **assets, values or amounts;** and

(iv) any other information that may reveal the identity of the trust, settlors, trustees, beneficiaries, fiduciaries, **or trust assets.**

(3) Procedure.

(A) The court shall first enter its original, unaltered order or opinion in the case subject to the confidentiality protections of Wyo. Stat. § 4-10-205.

(B) The court shall then prepare and file an anonymized version of the order or opinion for review by the parties before publication.

(c) The parties will have fourteen (14) days from the date of such filing to request that additional information or detail be altered to protect the privacy of those who

have established a trust. A party may request an extension of the 14-day review period before publication for good cause shown. Upon such a request, the court may grant additional time as necessary to ensure privacy concerns are adequately addressed.

(D) The court will consider any timely request and may make further revisions as appropriate before publishing the anonymized order.

(E) If no request is filed, the court may proceed with publication, and the absence of a request will be treated as consent to publication.

## Attachment 10.1

### ***ALTERNATIVE SERVICE WORK GROUP: SUGGESTED RULE 4 (STRIKE/UNDERSCORE COPY)***

\* \* \* \*

(k) ~~Alternative Service by Publication.~~ Alternative service by publication is service by means other than personal service. Alternative service includes service by publication or any other means reasonably calculated to provide actual notice unless a specific method is provided by law. Alternative service may be had where specifically provided for by statute, and in the following cases:

(1) When the defendant resides out of the state, or the defendant's residence cannot be ascertained, and the action is:

- (A) For the recovery of real property or of an estate or interest therein;
- (B) For the partition of real property;
- (C) For the sale of real property under a mortgage, lien or other encumbrance or charge;
- (D) To compel specific performance of a contract of sale of real estate;

(2) In actions to establish or set aside a will, where the defendant resides out of the state, or the defendant's residence cannot be ascertained;

(3) In actions in which it is sought by a provisional remedy to take, or appropriate in any way, the property of the defendant, when:

- (A) the defendant is a foreign corporation, or
- (B) a nonresident of this state, or
- (C) the defendant's place of residence cannot be ascertained,

(D) and in actions against a corporation incorporated under the laws of this state, which has failed to elect officers, or to appoint an agent, upon whom service of summons can be made as provided by these rules and which has no place of doing business in this state;

(4) In actions which relate to, or the subject of which is real or personal property in this state, when

(A) a defendant has or claims a lien thereon, or an actual or contingent interest therein or the relief demanded consists wholly or partly in excluding the defendant from any interest therein, and

(B) the defendant is a nonresident of the state, or a dissolved domestic corporation which has no trustee for creditors and stockholders, who resides at a known address in

Wyoming, or

(C) the defendant is a domestic corporation which has failed to elect officers or appoint other representatives upon whom service of summons can be made as provided by these rules, or to appoint an agent as provided by statute, and which has no place of doing business in this state, or

(D) the defendant is a domestic corporation, the certificate of incorporation of which has been forfeited pursuant to law and which has no trustee for creditors and stockholders who resides at a known address in Wyoming, or

(E) the defendant is a foreign corporation, or

(F) the defendant's place of residence cannot be ascertained;

(5) In actions against personal representatives, conservators, or guardians, when the defendant has given bond as such in this state, but at the time of the commencement of the action is a nonresident of the state, or the defendant's place of residence cannot be ascertained;

(6) In actions where the defendant is a resident of this state, but has departed from the county of residence with the intent to delay or defraud the defendant's creditors, or to avoid the service of process, or keeps concealed with like intent;

(7) When an appellee has no attorney of record in this state, and is a nonresident of and is absent from the state, or has left the state to avoid the service of notice or process, or the appellee keeps concealed so that notice or process cannot be served;

(8) In an action or proceeding under Rule 60, to modify or vacate a judgment after term of court, or to impeach a judgment or order for fraud, or to obtain an order of satisfaction thereof, when a defendant is a nonresident of the state or the defendant's residence cannot be ascertained;

(9) In suits for divorce, alimony, custody, visitation, support, to affirm or declare a marriage void, or the modification of any decree therefor entered in such suit, when the defendant is a nonresident of the state, or the defendant's residence cannot be ascertained, or the defendant keeps concealed in order to avoid service of process;

(10) In actions for adoption, establishing a guardianship or a conservatorship, and termination of parental rights;

(11) In all actions or proceedings which involve or relate to the waters, or right to appropriate the waters of the natural streams, springs, lakes, or other collections of still water within the boundaries of the state, or which involve or relate to the priority of appropriations of such waters including appeals from the determination of the state board of control, and in all actions or proceedings which involve or relate to the ownership of means of conveying or transporting water situated wholly or partly within this state, when the defendant or any of the defendants are nonresidents of the state or the defendant's residence or their residence cannot be ascertained.

(1) *Requirements for Alternative Service by ~~Publication~~.*

(1) Motion and Affidavit Required. Before alternative service by ~~publication~~ can be

made, the party seeking service shall file a motion for alternative service with a supporting affidavit of the party, or the party's agent or attorney, an affidavit of the party, or the party's agent or attorney, must be filed stating:

(A) that service of a summons cannot be made within this state, on the defendant to be served by publication or alternative means, and

(B) stating the defendant's address, if known, or that the defendant's address is unknown and cannot with reasonable diligence be ascertained, and

(C) detailing the efforts made to obtain an address, and

(D) that the case is one of those mentioned in subdivision (k), and

(E) the requested means of service is reasonably calculated to provide actual notice to the defendant and the factual basis to support that assertion. If no other alternative service is reasonably calculated to provide actual notice to the defendant, the moving party may request that the court allow alternative service by publication. When such affidavit is filed, the party may proceed to make service when the court enters an order approving the means for the alternative service by publication.

(2) Publication and Notice to Clerk Order.

(A) Address in publication.— In any case in which service by publication is made when the address of a defendant is known, it must be stated in the publication. The court shall find that personal service of a summons pursuant to Rule 4(e) cannot be made on the defendant to be served; and

(i) The manner of alternative service proposed by the serving party is reasonably likely to provide actual notice to the defendant; or

(ii) That no other manner of service is reasonably likely to provide actual notice to the defendant and therefore service by publication shall be required.

(B) Notice to and from clerk.— Immediately after the first publication the party making the service shall deliver to the clerk copies of the publication, and the clerk shall mail a copy to each defendant whose name and address is known by registered or certified mail and marked 'Restricted Delivery' with return receipt requested, directed to the defendant's address named therein, and make an entry thereof on the appearance docket. The court order allowing alternative service shall:

(i) State the requirements for service, which may include a requirement that the serving party include a copy of the court's order with the documents to be served;

(ii) State how the serving party must prove service occurred; and

(iii) State the conditions under which service is deemed complete.

(C) Affidavit at time of hearing.— In all cases in which a defendant is served by publication of notice and there has been no delivery of the notice mailed to

~~the defendant by the clerk, the party who makes the service, or the party's agent or attorney, at the time of the hearing and prior to entry of judgment, shall make and file an affidavit stating~~

~~(i) the address of such defendant as then known to the affiant, or if unknown,~~

~~(ii) that the affiant has been unable to ascertain the same with the exercise of reasonable diligence, and~~

~~(iii) detailing the efforts made to obtain an address.~~

Such additional notice, if any, shall then be given as may be directed by the court.

(3) Alternative Service When Permitted. When alternative service is required by law or by order of the court, the following provisions apply.

(A) The person seeking service shall effectuate service as required by the court's order permitting alternative service.

(B) For service by publication:

(i) Address in publication. In any case in which service by publication is made when the address of a defendant is known, it must be stated in the publication.

(ii) Service by publication must be made by the clerk for four consecutive weeks in a newspaper published:

(a.) in the county where the complaint is filed; or

(b.) if there is no newspaper published in the county, then in a newspaper published in this state, and of general circulation in such county; and

(c.) if publication is made in a daily newspaper, one insertion a week shall be sufficient; and

(d.) publication must contain

(I) a summary statement of the object and prayer of the complaint,

(II) mention the court wherein it is filed,

(III) notify the person or persons to be served when they are required to answer, and

(IV) notify the person or persons to be served that judgment by default may be rendered against them if they fail to appear.

(iii) Notice to and from clerk. Immediately after the first publication the party making the service shall deliver to the clerk a certificate of mailing to the clerk for signature and seal and one (1) copy of the papers served and a copy of the publication. The

certificate of mailing shall state that the clerk mailed the provided papers to the served party—and a description of papers served—at their last known address by certified mail. The party making service shall tender the cost of mailing as provided by Rule 4(x).

~~(m) [Reserved] Publication of Notice. — The publication must be made by the clerk for four consecutive weeks in a newspaper published:~~

- ~~(1) in the county where the complaint is filed; or~~
- ~~(2) if there is no newspaper published in the county, then in a newspaper published in this state, and of general circulation in such county; and~~
- ~~(3) if publication is made in a daily newspaper, one insertion a week shall be sufficient; and~~
- ~~(4) publication must contain~~
  - ~~(A) a summary statement of the object and prayer of the complaint,~~
  - ~~(B) mention the court wherein it is filed,~~
  - ~~(C) notify the person or persons to be served when they are required to answer, and~~
  - ~~(D) notify the person or persons to be served that judgment by default may be rendered against them if they fail to appear.~~

~~(n) When Service by Publication is Complete; Proof. —~~

- ~~(1) Completion. — Service by publication shall be deemed complete at the date of the last publication, when made in the manner and for the time prescribed in the preceding sections; and~~
- ~~(2) Proof. — Service by publication shall be proved by affidavit.~~
- ~~(3) For purposes of Rule 4(u), when service is made by publication, a defendant shall be deemed served on the date of the first publication.~~

Proof of Service. After the serving party accomplishes service pursuant to the court's order or Rule, the party shall:

- (1) If service was by publication, file the affidavit of the publisher showing the requisite publications.
- (2) If service was by other alternative means, file a notarized statement that service was accomplished according to the court order accompanied by evidence to support the statement as provided in the order permitting service.

(o) *Alternative Service by Publication upon Unknown Persons.* When an heir, devisee, or legatee of a deceased person, or a bondholder, lienholder or other person claiming an interest in the subject matter of the action is a necessary party, and it appears by affidavit that the person's name and address are unknown to the party making service, proceedings against the person may be had by designating the person as an unknown heir, devisee or legatee of a named decedent or defendant,

or in other cases as an unknown claimant, and alternative service by publication may be had as provided in these rules for cases in which the names of the defendants are known.

DRAFT



## Strategic Alignment Plan

For: Wyoming Access to Justice Commission,  
Equal Justice Wyoming, and  
Equal Justice Wyoming Foundation Board  
September 2025



**PUBLIC  
KNOWLEDGE®**

## Table of Contents

1	Stakeholders	1
2	Alignment Overview	1
3	Methodology	2
3.1	Pre-Session Survey Analysis	3
4	Roles and Responsibilities	4
4.1	Roles and Responsibilities Matrix	6
5	Reduction of Redundancies	7
5.1	Competing Grant Lifecycles	7
5.2	Overlapping Roles	7
5.3	Redundancy Themes	8
6	Opportunities for Collaboration	9
6.1	Opportunity Themes	10
7	Coordinated Grant Strategy	11
7.1	Next Steps for Grant Strategy Coordination	11
8	Future Alignment Opportunities	12
8.1	Shared Data and Evaluation Processes	12
8.2	Alignment and Coordination of Outreach	13
9	90-Day Implementation Steps Worksheet	14



# 1 Stakeholders

## Invited Attendees:

**Access to Justice Commission:** Justice Kari Gray, Hon. Bobbi Overfield, Hon. Nichole Collier, Jennifer Beeston, Walter Eggerts, Devon O’Connell, Janet Montgomery, Sen. Jared Olsen, Rep. Joe Webb, Dona Playton, Mackenzie Williams, Craig Silva

**Equal Justice Wyoming:** Cathy Duncil, Katie Hogarty, Hon. Robin Cooley, Hon. Daniel Stebner, Danielle Burnside, Stuart Day, Jennifer Kirk, Erik Oblasser, Tawnya Plumb, Elisa Butler, Claire Smith

**Equal Justice Wyoming Foundation Board:** Tenille Straley, Annie Droppert, Amy Iberlin, Susan Combs, Dale Cottam, Walter Eggerts, Sean Larson, Kelly Owen, Brent Rhodes, Jordyn Surber, Jeffery Van Fleet, Robert Walters, Sharon Wilkinson

**Equal Justice Wyoming Staff:** Angie Dorsch, Leora Hoshall, Jessica Wales, Hank Wisdorf, AmeriCorps VISTA Member Genessis Campos

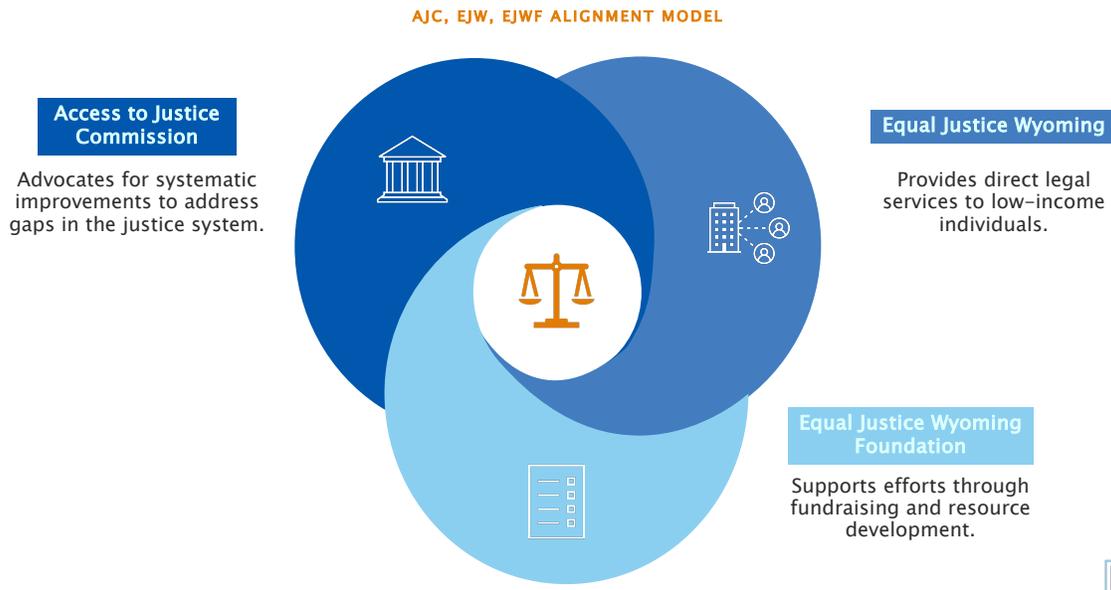
**Public Knowledge® Facilitators:** Lukas Cramer, Katie Dijkstal

**Date:** September 5 and 6, 2025

# 2 Alignment Overview

Equal Justice Wyoming (EJW), in collaboration with the Equal Justice Wyoming Foundation (EJWF) and the Access to Justice Commission (AJC) supports access to civil legal services for residents of Wyoming through policy recommendations, grant distribution, fundraising, outreach, and direct support to those in need through an extensive network of legal professionals and stakeholders. **Together, the three organizations share a unified mission of expanding access to justice throughout Wyoming.**

EJW administers grants and supports pro bono programs; EJWF supports these efforts through fundraising and resource development; and AJC advocates for systemic improvements to address gaps in the justice system. To align activities and streamline service support, the three organizations conducted an on-site strategic alignment session, with external facilitation provided by Public Knowledge® (PK) so all stakeholders could actively engage. This session advanced their shared goal while targeting areas of redundancy to increase efficiency in everyday activities and develop collaborative, innovative solutions to serve those in the state who need legal assistance.



This session aimed to clarify each entity's roles and functions, reassess their interrelationships, reduce potential redundancies, and identify pathways for deeper collaboration. All three organizations share a desire to align their goals, leverage collective strengths, and enhance their overall impact on access to justice in Wyoming.

This document may serve as a guide for future decision-making and opportunity development by establishing avenues for communication and differentiation of responsibilities.

### 3 Methodology

We believe in a thorough and collaborative solution to strategic alignment, supported by a series of exercises designed to inclusively engage all stakeholders. Prior to the in-person strategic alignment session, PK distributed a pre-session survey to gather feedback and perspectives from key stakeholders across all three organizations. These results were used to craft discussion questions and guide participants through a series of facilitated consensus workshops that resulted in the identification of themes and aligned action steps.

This report documents and compiles the outputs of the session, including identified priorities, redundancies, and opportunities that support the mission of creating a more efficient set of relationships among AJC, EJW, and EJWF.

### 3.1 Pre-Session Survey Analysis

Before the session, stakeholders from the three organizations participated in an environmental scan that asked targeted questions regarding role clarification, strengths, opportunities, and weaknesses. This exercise established a baseline for the current environment prior to the alignment session and prompted stakeholders to frame their thoughts in a forward-looking perspective. The key themes of this survey are outlined in **Table 1** below.

Table 1. Pre-Session Survey Analysis

Roles	Strengths	Opportunities	Collaboration
<ul style="list-style-type: none"> <li>• Interconnectedness of roles is unclear</li> <li>• Individual organizations are clearly defined</li> <li>• Intersections of organizations lack clarity</li> <li>• Partnership model is limited in its current state</li> <li>• Excitement about greater connection amongst organizations</li> <li>• Clearer understanding of each organization’s specific purposes and goals</li> </ul>	<ul style="list-style-type: none"> <li>• Providing services to those in need</li> <li>• Passion for the mission</li> <li>• Collaboration across the state</li> <li>• Strong network of participating attorneys</li> <li>• Commitment to supporting access to justice</li> <li>• Diversity and experience of stakeholder background bring expertise in the field</li> <li>• Growing participation brings more change to those who need it</li> </ul>	<ul style="list-style-type: none"> <li>• Joint planning with complementary tasks</li> <li>• Definition of each organization’s primary responsibilities</li> <li>• Identification of shared priorities and initiatives</li> <li>• Efficiency of processes across all three organizations</li> <li>• Coordinated grant application review</li> <li>• Improved communication amongst organizations for greater access to justice</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of new opportunities</li> <li>• Educational outreach across the state</li> <li>• Complimentary support throughout the grant lifecycle</li> <li>• Data-driven decision-making for service delivery</li> <li>• Communication across organizations by identified board members</li> <li>• Development of multi-layered advocacy model</li> </ul>

## 4 Roles and Responsibilities

Through a series of breakouts and multi-organization discussions, AJC, EJW, and EJWF worked to identify their primary roles and responsibilities that will serve as a foundation for future activities and collaboration, clarifying tasks and creating actionable next steps. After roles and responsibilities were identified for each organization, they were further distilled into common categories. These categories serve as an organizational structure for increasing access to justice in Wyoming and include:

- Implementation of Activities
- Policy and Initiatives
- Community and Legal Outreach
- Funding Strategy
- Referral Processing
- Evaluation and Impact

Clarifying the categories of primary activities will support increased efficiency, team accountability, and decision-making while working towards a common goal of addressing the gap in access to justice. Assessing these roles and responsibilities, depicted below, helped to identify opportunities to address service gaps in the lifecycle of support to Wyoming residents. Reviewing the overlaps and opportunities led to discussion of an upcoming needs assessment that will continue the defining of roles, needs, and next steps for the three organizations.



The AJC will continue to leverage its stakeholder expertise to guide policy and initiatives that advance access to justice goals. AJC will collaborate with EJW and EJWF to share insights, coordinate outreach, and strengthen systemwide impact. EJW will serve as the primary coordinator of direct services through support to grantees and external stakeholders, and support for pro bono participation. AJC and EJWF will complement these efforts through outreach, education, and initiatives that expand access to legal services

across the state. EJWF will focus on enhancing fundraising and outreach capacity by cultivating new funding sources, developing events, and engaging major donors to fund the growth of the legal services network.

The future of the EJW staff's role among the three organizations continues to be an area of focus that is being analyzed by EJW and EJWF. In July 2025, the EJWF board met to complete a strategic planning session focused on staffing needs and changes. These decisions will serve as a foundation for the ongoing discussions of each organization's relationship with staff moving forward. All parties will continue to better align goals and expectations for staff inclusion and focus.

Stakeholders were asked to identify their primary roles, responsibilities, and day-to-day tasks in their respective organizations, and this information is outlined in **Table 2**.



## 4.1 Roles and Responsibilities Matrix

Table 2. Roles and Responsibilities

Category	AJC	EJW	EJWF
Implementation	<ul style="list-style-type: none"> <li>• Review and recommendation of potential initiatives</li> <li>• Use of Judicial Branch Strategic Plan as guidance</li> </ul>	<ul style="list-style-type: none"> <li>• Committee recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Initiatives for funding</li> </ul>
Policy and Initiatives	<ul style="list-style-type: none"> <li>• Review and recommendation of potential initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Delivery of services to low-income individuals in need</li> <li>• Review and recommendation of policy changes</li> <li>•</li> </ul>	
Outreach	<ul style="list-style-type: none"> <li>• Review and recommendation of potential initiatives</li> <li>• Attorney, firm, and State Bar engagement</li> </ul>	<ul style="list-style-type: none"> <li>• Resource and material development</li> <li>• Public outreach</li> <li>• Attorney, firm, and State Bar engagement</li> <li>• Pro bono support</li> <li>• Support access to justice initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Attorney, firm, and State Bar engagement</li> </ul>
Funding	<ul style="list-style-type: none"> <li>• Review and recommendation of potential initiatives</li> </ul>	<ul style="list-style-type: none"> <li>• Issuance of grants</li> <li>• Grant lifecycle management</li> <li>• Fund management</li> </ul>	<ul style="list-style-type: none"> <li>• Fund management</li> <li>• Issuance of grants</li> <li>• Fundraising facilitation</li> </ul>
Referral		<ul style="list-style-type: none"> <li>• Field referral processing</li> </ul>	

## 5 Reduction of Redundancies

In recent years, there have been several changes to the framework of AJC, EJW, and EJWF as well as to their respective roles. Each organization has worked to clarify its individual roles in promoting an efficient and effective system for the betterment of access to justice within the state. In doing so, several tasks and activities have been identified as redundant but have not been sufficiently discussed by the combined group of stakeholders. During this session, all three organizations identified and explored their primary areas of redundancy or conflict to assess opportunities for efficiency and collaboration in the future.

### 5.1 Competing Grant Lifecycles

From this discussion, overlapping roles and duplicated processes were identified, specifically related to the grant lifecycle and timelines. Having varying entry points for grantees' services was also identified as hindering efficiency in response to requests for services. EJW and EJWF can streamline the grant lifecycle process by modifying data entry required by grant recipients and aligning review timelines. The organizations can clarify the best methods for routing individuals requesting services through a simplified point of entry to improve the process for individuals accessing resources and services from grantees. It is essential that all three organizations continue to communicate with one another to identify actionable steps for modifying current processes and promoting lasting efficiency.

### 5.2 Overlapping Roles

Throughout recent changes to the structure of the three organizations, staffing continues to be a lingering issue for AJC, EJW, and EJWF, because the EJW staff has historically been involved in supporting day-to-day activities, grant lifecycle activities, and funding frameworks across all parties. The overlapping roles and the gaps in knowledge that all three face today create delays in decision-making and knowledge transfer between board and commission members. To alleviate challenges to staffing and support, we recommend that all three organizations continue to:

1. Analyze roles and responsibilities over time, encouraging inter-organization discussions.
2. Develop a formal inter-organizational plan to strengthen alignment among the three organizations and to streamline communications.
3. Identify opportunities for cross-collaboration in order to alleviate the burden on any one stakeholder, coordinate tasks, and provide a channel for the efficient sharing of information.

## 5.3 Redundancy Themes

Table 3. Redundancy Themes

Category	Theme
Grant Lifecycle Process	<ul style="list-style-type: none"> <li>• Decision-making related to EJW funding</li> <li>• Grant application process and repetition of documentation required</li> <li>• Scope of EJW and EJWF grant lifecycle process</li> <li>• Grantee application burden</li> <li>• Separate grant timelines of EJW and EJWF</li> </ul>
Funding	<ul style="list-style-type: none"> <li>• Overlapping funding opportunities</li> </ul>
Staffing	<ul style="list-style-type: none"> <li>• Involvement of staff in AJC, EJW, and EJWF activities</li> </ul>
Outreach and Distribution	<ul style="list-style-type: none"> <li>• Siloed collaboration with outside stakeholders</li> <li>• Lack of clarity for outreach objectives and responsibilities</li> </ul>

## 6 Opportunities for Collaboration

With a shared mission to support access to justice for all citizens in Wyoming, the three organizations identified opportunities for enhanced collaboration, future partnership, and support. Using the categories and defined activities from the roles and responsibilities exercise, members discussed the current processes of each organization and identified areas for collaboration and alignment. Ideas were then categorized into common themes. Grant processes, funding, outreach, and data emerged as the thematic categories. These categories and associated opportunities are outlined in **Table 4**.

Each organization plays a distinct and purposeful role. With AJC driving policy recommendations; EJW working with the legal community and the public, as well as distributing grants; and EJWF focusing on fundraising and innovative funding opportunities, the potential impact of alignment and collaboration is significant.

The collaboration points were further distilled into three actionable areas of focus. In selecting these actionable areas, consideration was given to greatest impact, most immediate need, and logistical feasibility.

The actionable areas of focus are:

- Coordinated Grant Strategy
- Shared Data and Evaluation Processes
- Alignment and Coordination of Outreach

Members discussed the potential for a coordinated grant strategy. A common grant entry point, unified applications, and grant funding alignment were discussed with this strategy. Additionally, the sharing of data and performance measures was identified as an opportunity. A future streamlined approach to collecting data, sharing data, and operating with common performance measures would improve evaluation and ongoing quality assurance efforts. Finally, the potential to document and align outreach efforts was identified as a future strategy for alignment. All three organizations approach stakeholder outreach with different messages for varying purposes. The development of an outreach plan for the three organizations could maximize their respective networks and expand support.

A coordinated approach to grant processes was recognized as the most pressing opportunity for alignment. The organizations chose to focus first on how AJC, EJW, and EJWF can come together to strengthen and streamline grant processes for recipients and ultimately increase access to and the quality of civil legal services for the citizens of Wyoming.



## 6.1 Opportunity Themes

Table 4. Opportunities for Collaboration

Category	AJC	EJW	EJWF
Grant Process		<ul style="list-style-type: none"> <li>Plan a coordinated grant process</li> </ul>	<ul style="list-style-type: none"> <li>Attend EJW and AJC meetings for grant process planning</li> </ul>
Funding	<ul style="list-style-type: none"> <li>Support policy alignment efforts</li> <li>Engage the legal community at a high level to promote involvement and contributions</li> </ul>	<ul style="list-style-type: none"> <li>Engage with AJC for policy alignment</li> <li>Engage with EJWF for fundraising and supplemental funding opportunities</li> </ul>	<ul style="list-style-type: none"> <li>Provide supplemental support through raising funds for civil legal services and access to justice related initiatives</li> </ul>
Outreach	<ul style="list-style-type: none"> <li>Enhance high-level outreach efforts to promote the need for justice services and increased resources</li> </ul>	<ul style="list-style-type: none"> <li>Coordinate and plan outreach efforts</li> </ul>	<ul style="list-style-type: none"> <li>Support outreach efforts to increase fundraising</li> </ul>
Data	<ul style="list-style-type: none"> <li>Support coordinated data-sharing efforts</li> </ul>	<ul style="list-style-type: none"> <li>Update and increase the use and sharing of the Needs Assessment</li> <li>Work collaboratively to develop performance measures for grants</li> </ul>	<ul style="list-style-type: none"> <li>Support updating the Needs Assessment</li> </ul>

## 7 Coordinated Grant Strategy

EJW and EJWF coordinate and distribute grants for civil legal service organizations to provide legal support and resources to low-income individuals in Wyoming. The desire to enhance collaboration throughout the grant lifecycle emerged as the most important alignment opportunity. AJC, EJW, and EJWF defined the roles and responsibilities that each organization plays throughout the grant lifecycle. Clearly defining each role allowed the organizations to focus on the processes that must be maintained by all to ensure civil legal service grants are strategically targeted, responsibly managed, and sustainably funded.

A synopsis of the roles and responsibilities of each organization, as they pertain to the grant process, is provided below.

### **Access to Justice Commission**

AJC engages with courts, attorneys, and policymakers to identify the most pressing civil legal needs across Wyoming. AJC acts as the high-level generator of ideas and policy recommendations to inform statewide priorities. AJC identifies ideas for specific projects and identifies current gaps in funding. They can and do provide crucial outreach to policymakers and the greater legal community.

### **Equal Justice Wyoming**

EJW serves as the administrative arm of the civil legal services grant process. EJW provides the infrastructure that ensures funding is appropriately distributed to grantees across the state. EJW creates and issues the Requests for Proposal (RFPs). They review applications and make grant award decisions. EJW has a dedicated team of staff members who monitor grants and ensure compliance with state and federal grant expectations.

### **Equal Justice Wyoming Foundation**

EJWF acts as the private, philanthropic partner in the grant process. EJWF has full independence as a 501(c)(3) and can diversify resources and leverage community fundraising opportunities. EJWF secures donations, diversifies investments to supplement legislatively appropriated funding, and engages community financial support. EJWF's unique role increases the scope and reach of the grant program.

## 7.1 Next Steps for Grant Strategy Coordination

The grant process is complex, and EJW is currently preparing the RFP for the coming year. A methodical approach is required for future alignment. All three organizations identified the need for consistent communication to enhance coordination and align future grant processes. Regular communication is a logical first step to bring the three organizations

together in a cohesive and strategic alliance. They also articulated the need for close and consistent coordination between EJW and EJWF for funding opportunities.

The three organizations agreed to move forward with **three distinct steps to plan for a future grant strategy alignment**. These steps are listed below.

1. Each organization will extend invitations for upcoming meetings to representatives of the other organizations.
2. EJW and EJWF will meet to discuss grant alignment and fundraising opportunities.
3. AJC will plan for educational outreach opportunities to educate policymakers on grant funding and engagement.

## 8 Future Alignment Opportunities

Additional opportunities were identified by the organizations for future collaboration. These opportunities will ensure a unified front to streamline services, increase awareness and engagement, and secure the financial future of civil legal services.

### 8.1 Shared Data and Evaluation Processes

A coordinated system for data sharing and performance assessment across the three organizations is needed to enhance the civil legal services network in Wyoming. Each organization approaches the collection and use of data in varying ways. AJC collects data at a high-level regarding policy and future initiatives. EJW and EJWF collect data through the statewide civil legal needs assessment, client surveys, and grantee data. Given EJWF's role as an independent fundraising entity, they collect data regarding funding and community fiscal engagement.

In the coming months, via an RFP process, an outside consulting firm will be selected to develop and manage the needs assessment. This presents a significant opportunity for data-sharing across organizations. Engaging in a joint, collaborative review of the needs assessment can help ensure the data is analyzed in a way that is meaningful for all three groups. Joint action planning can occur with this review to coordinate responsibilities and accountability.

A centralized data aggregation tool where data from grantees is collected is a solution that could help capture historical data and analyze trends.

A data gap analysis can also be conducted by AJC, EJW, and EJWF. A gap analysis highlights areas where critical information is missing across organizations and helps illustrate blind spots where a lack of data hinders progress. By mapping out where information is lacking

or incomplete, organizations can ensure that data gaps are filled and appropriate objectives are in place to enhance data collection, availability, and analysis.

## 8.2 Alignment and Coordination of Outreach

Development of a coordinated outreach plan that utilizes best practices from each of the three organizations will continue to bolster access to services throughout Wyoming while promoting open communication across AJC, EJW, and EJWF.

A collaborative outreach plan may encourage all three organizations to share resources, lessons learned, and best practices. AJC, EJW, and EJWF should consider the following indicators when developing a collaborative plan moving forward.

- Who is the target audience of the outreach campaign?
- What is the goal in developing a relationship?
- How will you measure success?
- What timelines or milestones will you use to track progress?

During the session, stakeholders expressed a desire to work more collaboratively to further the mission of closing the gap in access to justice across Wyoming. Others identified a lack of success metrics as an opportunity area. Using a formalized outreach framework designed in a collaborative space by all three organizations will bring tangible results to the identified opportunity areas discussed during the multi-organization session.

AJC, EJW, and EJWF have a unique opportunity to collaborate on a unified outreach plan that will grow the legal network as well as support end users. Maintaining open communication channels and establishing recurring check-ins will promote a strong sense of ownership and drive continual growth of the three aligned organizations for the betterment of Wyoming residents.



## 9 90-Day Implementation Steps Worksheet

SMART Goal:		Objective (what)		
Intent and purpose (why)			Start date: End date:	
Implementation steps (how)		Who	When	Status
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
Coordinator	Collaborators or Partners	Resources	Performance Measures	Issues or Concerns
Team Members				



# Wyoming Judicial Branch

## FSX, FCE, and Private PASS Role Policy (V2)

<b>Policy Approver(s)</b>	Wyoming Judicial Council (Adopted September 11, 2023)
<b><u>Policy Effective Date</u></b>	September 11, 2023
<b><u>Version Effective Date</u></b>	<u>December 15, 2025</u>
<b>Review Period</b>	Every two (2) years

### I. PURPOSE

Anyone with access to the Public Access terminals or who havehas access to the Wyoming Judicial Branch (WJB) network (at Court locations or via the WJB VPN) will have the ability to look up any non-confidential case information via Public PASS. The following arepolicy establishes additional permissions that would be allowed for these groups to use in the eFiling system, File&ServeXpress (FSX), case management system, FullCourt Enterprise (FCE), or another application called Private PASS that grants access to additional confidential information.

**NOTE:** It is general IT best practice to allow only the minimal permissions necessary to perform one’s job duties. This Policy utilizes that philosophy.

### II. APPLICATION

This policy applies to all justices, judges, employees, and contractors of the WJB with access to the WJB network.

### III.ACCESS BY ROLE

#### A. Supreme court justices

1. Access to confidential information in all district, chancery, and circuit courts in any of the applications.

#### B. District court judges

1. Access to confidential information in all district and chancery courts in any of the applications, and additional, and access to all non-confidential information in all circuit courts for criminal case types only (no civil case types) in Private PASS. Additional permissions within FCE for judge notes, judge appointments, hearings, search warrant information, image annotations, reports, document templates, and reminders are granted in each judge’s “home” court.

#### C. Chancery court judges

1. Access to confidential information in all district and chancery courts in any of the applications. Additional permissions within FCE for judge notes, judge appointments, hearings, search warrant information, image annotations, reports, document templates, and reminders are granted in each judge's "home" court.

**D. Circuit court judges**

1. Access to confidential information in all circuit courts in any of the applications, and access to all non-confidential information in all district courts for criminal case types only (no juvenile or civil case types). Additional permissions within FCE for judge notes, judge appointments, hearings, search warrant information, image annotations, reports, document templates, and reminders are granted in each judge's "home" court.

**E. Supreme court chambers staff (judicial assistants, staff attorneys)**

1. Access to confidential information in all district, chancery, and circuit courts.

**F. District and chancery court chambers staff (judicial assistants, law clerks/staff attorneys, court reporters)**

1. Access to confidential information in their "home" district court in any of the applications, and access to all non-confidential information in all district courts. Upon request, and in coordination with the district court clerk, chambers staff permissions can be elevated to the same as a district court judge in a non-"home" court. Additional permissions within FCE for judge notes, judge appointments, hearings, search warrant information, image annotations, reports, document templates, and reminders are granted in each chamber staff's "home" court.

**G. Supreme court clerks**

1. Access to confidential information in all district, chancery, and circuit courts.

**H. District, chancery, and circuit court clerks**

1. Various role levels within their own "home" court in FSX and FCE, and access to non-confidential information in all the courts in FCE.

**Approved By:**

Kate M. Fox Lynne Boomgaarden,  
Chief Justice

Date

## Attachment 14.1

### Change Log for Committee Updates – Protection Order Packets October 2025

Number of Forms Affected
Two from DV, one from SA, one from ST = 4 forms affected.

Forms That Were Changed	Changes	Relevant Statutes or Rules
<ul style="list-style-type: none"> <li>• PO DV 02 Instructions for Petition (DV)</li> <li>• PO SA 02 Instructions for Petition (SA)</li> <li>• PO ST 02 Instructions for Petition (ST)</li> </ul>	Corrected guidance regarding what information should be redacted when creating a redacted Petition.	Rule 7 of Rules Governing Access to Case Records
<ul style="list-style-type: none"> <li>• PO DV 03 Petition for Order of Protection (DV)</li> </ul>	Added reminders not to list child's address if the address is covered by confidentiality.	35-21-112(b)

Instructions changed from this:

What is a redacted Petition, and how do I make one?

A redacted Petition is a document with certain information blacked out. The information is blacked out to keep people who are not part of the case from seeing it. When you file your Petition, you will also need to give the Clerk of Court a redacted version of the Petition. You can make a redacted version of your Petition by using a black marker or pen or both to mark out (cover up) certain information on a copy of the Petition. Here's what to redact:

- Petitioner's address. Do not leave any of the address visible. In the redacted Petition, the address lines should all look like this: [REDACTED]
- Names of children under the age of 18. Leave only the child's initials visible. If the child's name is Jordan Johnson, the redacted Petition should show J [REDACTED].

**Important Note:** Make sure you redact a *copy* of the Petition. Do not redact the Petition itself.

Instructions changed to this:

What is a redacted Petition, and how do I make one?

A redacted Petition is a document with certain information blacked out. The information is blacked out to keep people who are not part of the case from seeing it. When you file your Petition, you will also need to give the Clerk of Court a redacted version of the Petition. You can make a redacted version of your Petition by using a black marker or pen or both to mark out (cover up) certain information on a copy of the Petition. Here's what to redact:

- Dates of Birth. Each place you list a birth date, leave only the year visible. If you wrote Jan. 16, 1988, it will look like [REDACTED], 1988. Or 1-16-88 will be [REDACTED]-88.
- Names of children under the age of 18. Leave only the child's initials visible. If the child's name is Jordan Johnson, the redacted Petition should show J [REDACTED]. Do not redact the name if the child is the Petitioner.

**Important Note:** Make sure you redact a *copy* of the Petition. Do not redact the Petition itself.

DV Petition now includes the small print in the right-hand column:

7. Respondent and I are parents/guardians of the following minor children:

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives: <small>Leave blank if address is confidential.</small>

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives: <small>Leave blank if address is confidential.</small>

## Attachment 14.2

### Change Log for Updates – Summary Distribution of Personal Property October 2025

Number of Forms Affected
Two intestate, two testate = 4 forms affected.

Forms That Were Changed	Changes	Relevant Statutes or Rules
<ul style="list-style-type: none"> <li>• Probate for Personal Property Intestate Affidavit of Distribution.</li> <li>• Probate for Personal Property Testate Affidavit of Distribution.</li> </ul>	Corrected Affidavits to allow for use when deaths were prior to the statutory change in addition to deaths since the statutory change.	2-1-201(a)(i)
<ul style="list-style-type: none"> <li>• Instructions for Intestate Affidavit of Distribution.</li> <li>• Instructions for Testate Affidavit of Distribution.</li> </ul>	Updated Instructions to include both the \$200k value and the \$400k value. Added guidance for using checkbox options.	2-1-201(a)(i)

Instructions (shown for Intestate Affidavit):

<p>You can use this form if all of the following are true:</p> <ul style="list-style-type: none"> <li>✓ The person who died did not have a Last Will and Testament, which is usually just called “a Will.”</li> <li>✓ It has been at least 30 days since the person died.</li> <li>✓ The person who died owned <u>personal property</u> – which means things such as cars, jewelry, and bank accounts.</li> <li>✓ The entire estate located in Wyoming (including all of the personal property <u>and</u> all real property – house, land, etc. – that the person owned in Wyoming), <u>after</u> debts are subtracted, is worth no more than \$400,000.00 for a person who died on or after July 1, 2025, or no more than \$200,000.00 for a person who died before July 1, 2025. (This is called a <b>small estate</b>.)</li> <li>✓ Nobody has been named the Personal Representative in <u>Wyoming</u> for this estate, and nobody has a case pending (underway) in <u>Wyoming</u> in order to be named the Personal Representative.</li> <li>✓ The person who died was your spouse, sibling, legal parent, legal child, grandparent, grandchild, uncle, aunt, or other qualifying blood relation.</li> <li>✓ You are the only person who has a right to the property. OR: You are prepared to fill out a chart listing the names of all the people who have a right to the property.</li> </ul>
---

**Section 6.**

This section is where you state that the value of this property is small enough to allow you to use this form. Read the two choices carefully. If one of them is true, check that box.

If the value of the estate is too high, you cannot use this form. The limit on the value depends on when the Decedent died.

You will subtract the amount of debts against the property (debts owed by the Decedent) from the value of the property. Read the information in the gray box above Section 6 on the form for important information about the Decedent's debts.

Remember that this is about property in Wyoming. If the Decedent also had property outside Wyoming, do not include its value.

**Affidavit (shown from Intestate):**

6.  The Decedent died before July 1, 2025, and the value of the entire estate located in Wyoming and subject to administration, less liens and encumbrances, does not exceed \$200,000.00.

**OR**

The Decedent died on or after July 1, 2025, and the value of the entire estate located in Wyoming and subject to administration, less liens and encumbrances, does not exceed \$400,000.00.

Important Note: If neither of the statements in this section is true, you cannot use this form.