

2025
State of the Judiciary

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General Session

Mr. President, Mr. Speaker, Governor and Madame First Lady, members of the 68th Legislature, elected officials, members of the judiciary, guests, and citizens of the Great State of Wyoming. It is an honor for me to speak with you today on behalf of the Wyoming Judicial Branch. Thank you, President Biteman and Speaker Neiman for the invitation to say a few words today.

What a great pleasure it has been to get to know so many of you over these recent months and weeks. Thank you each and all for your devotion, service and time to serve the people of Wyoming.

Wyoming's courts likewise stand ready to faithfully and steadfastly serve the people of Wyoming. We share with you this devotion. **And we are ever mindful of an essential fact: We do not write the laws. As Legislators, you do. We did not write the Constitution or amendments to it. As Legislators, you and the Wyoming voters do that. Our job is to apply Wyoming's laws to the cases Wyoming citizens bring to their courts.**

And we have one immovable north star, that is our adherence to Wyoming's own unique Laws. This commitment to justice ensures that our courts continue to deliver fairness, integrity, and accountability to the people.

As you know, we are not an executive branch agency, we are not the bureaucracy, we are not the "government." The Wyoming judiciary provides a constitutional service to the people, and in fact the court's role is often to protect you from the government; for example, when they want to search your house without a warrant, or take your property without just compensation. It is important to keep in mind this branch provides constitutional access to courts for the Wyoming people.

The Wyoming judiciary also delivers on the everyday work of solving people's legal disputes. We ensure Law and Order to control crime and keep our communities safe. We make prosperity possible – protection of private property rights and certainty in business transactions. We help people navigate the challenge of dissolving marriages and providing for children.

In short, the judiciary provides the just, speedy, and inexpensive resolution of people's disputes.

In Fiscal Year 2024, circuits courts had nearly 98,000 cases filed – 22,000 criminal, 56,633 traffic, and the rest civil, protection orders, small claims, or evictions. In district courts there were 13,221 cases filed -- 2,628 criminal, 7,163 civil cases, 1,141 juvenile cases, and 2,291 probate cases. That's a lot of justice, for less than 4 percent of the General Fund. It's a valued and efficient return on the people's investment for the service that our Wyoming Constitution mandates.

We also recognize that we must adapt to the changing demands of today's society, especially when it comes to technology enhancing access and efficiency.

- We have completed the rollout of Efiling in all our district courts. This is a huge accomplishment, and provides an indispensable service to litigants. This year we will start on efiling in the circuit courts.
- We have started a court navigator pilot program in Natrona County and have already expanded it to Uinta County. That program trains

non-lawyer volunteers to assist self-represented litigants to more effectively pursue the cases they file in our courts;

- Also to assist self-represented litigants, we have been upgrading our court forms so they are more user-friendly.
- We have piloted a behavioral health diversion program in Campbell County, to treat the mental illness of people accused of non-violent crimes and alleviate the cost of incarceration or treatment in the Wyoming State Hospital. The program is about to expand to Laramie and Natrona Counties.
- We took over the management of treatment courts this year, and we are working on strengthening and expanding those courts throughout the State.
- We have a governance structure, the Wyoming Judicial Council, that gives all levels of judges a voice in Judicial Branch decision making. Together we continue to engage in strategic planning, so that the Judicial Branch continues to deliver on its core mission to provide

justice through timely, fair, and impartial resolution of the people's legal disputes.

- We have a solid support team in the 280 employees who file and scan the pleadings, or manage the efilings, the clerks who help the self-represented litigant, the database administrators, staff attorneys who help with legal research, the HR professionals, the educators and trainers – in short, the people who make this operation work.

Our non-judge employees received raises in the last two years which have been a big help in retaining our good workers. We are not asking for more raises this year; but as you know, what you give with one hand is very quickly taken away by inflation. So we will be back, because we are committed to fair compensation for our people.

As for judicial pay, that too is falling behind every year that inflation takes a bite. Wyoming ranks 37th and 42nd for judicial pay in the nation. We need to keep attracting the best lawyers to these positions. And so, while I am not asking for a judicial salary increases this year, I am letting you know

that is quickly becoming a critical future need, and we look forward to working with you on this issue.

Also, we must provide a safe place for our people to come to work, and for the public to come to obtain justice, and for jurors to come to help dispense justice. This is an issue we will keep coming back to you on, because threats to judges nationally, and here in Wyoming, are only increasing. Wyoming citizens must be able to come to their courthouses without fear, and judges must be able to open their front doors without risk of being harmed. We are in the process of finalizing a security audit of 11 of our courts and when that is complete we will most likely be asking for more resources to make those court more secure.

Overall, the Wyoming Judiciary is efficient, strong, and lean.

We have a few new faces to report to you in the judiciary since I last addressed you.

- As you know Justice Kautz retired in March. Justice Jarosh has quickly gotten up to speed and is a key member of our Supreme Court team.

- Judge Bunting took over as Circuit Court judge in Sheridan and Johnson Counties, when Judge Cundiff retired.
- Judge Cooley took over as District Court judge in Laramie County when Judge Campbell retired.
- Judge McGrady was sworn in to a new district judge position for the 6th Judicial District, based in Campbell County.
- Judge Weisman took over as Circuit Court judge in Teton County when Judge Haws retired.
- And in December, Judge Forwood took over as Circuit Court judge in Laramie County when Judge Lee retired.
- Circuit Court judge Christensen, in Natrona County, will retire in March, with his replacement to be selected later this month.
- District Court Judge Sharpe, in Laramie County, will retire in May; the Judicial Nominating Commission is just starting to consider applications for that position.

I'm also pleased to report that our new full-time Chancery Court judge, Ben Burningham, was sworn in just a couple of weeks ago. As you know,

the Chancery Court was created by the 2019 legislature, and it opened for business December 1, 2020. Filings have picked up gradually, and with a full-time judge we expect the Chancery Court will serve more and more citizens in 2025.

We welcome these new judges and justices, and we thank the retiring judges for their excellent service. These are people who serve from and for their communities.

All are selected and retained through the merit selection process that our citizens voted to include in the Wyoming Constitution in 1972.

The Merit Selection process allows the voters to have their say. Each judge or justice must stand for retention in the general election after one full year of his or her appointment, and thereafter on a regular schedule.

Judicial selection in Wyoming is hard work, but our merit selection process selects judges on the basis of their qualifications for ethics, intelligence, temperament, courage, integrity, experience, education, ability

to communicate, civic and professional responsibility, and the desire to continue learning. It selects men and women who are committed to Wyoming Law. The laws you write.

This is my fourth and final opportunity to address you as Chief Justice of the Wyoming Supreme Court and head of the Wyoming Judicial Branch. I like to think that I've been an effective leader, but I have no doubt that the Judicial Branch will get along fine without me. That's because the 58 judges and justices that do the work of the Wyoming courts are a team in which each has a specific role in service to the Wyoming people.

Article 1, Section 8 of the Wyoming Constitution stipulates:

"All courts shall be open and every person for an injury done to person, reputation or property shall have justice administered without sale, denial or delay..."

Our courts don't just decide cases; they are accountable to Wyoming's laws and the Constitution, and to the people of Wyoming.

- Our court proceedings are open to the public (except in certain types of cases determined by the legislature, such as juvenile cases).
- Many of our cases are live streamed for easier access.
- Decisions are based on the facts and the law.
- Juries, made up of citizens from the community, are often the ones to decide the outcome of cases.
- Decisions of trial courts can be appealed to a higher court for review.
- Decisions are often delivered in written form so the parties can see the law the judge has applied to their case.
- Proceedings are captured in a written record, and those records are publicly accessible.

Further, judges are subject to rigorous rules of ethical conduct and can be removed from the bench if they violate those rules. In Wyoming, we are subject to the Code of Judicial Conduct and the Commission on Judicial Conduct and Ethics.

We have only minor requests in our budget exception this year. As I think many of you know, the Judicial Branch is a lean operation, and it continues in that commitment. We ask for what we need; nothing more.

I am available to answer any questions you have about it; as is our Court Administrator, Elisa Butler. We are right across the street. I also encourage you to reach out to your local judges; they are right down the street in each of your communities.

The mandatory retirement age of 70 is written into the Wyoming Constitution. I knew that when I started at the Court, I just never thought that I would be that old, or that 70 doesn't actually seem that old anymore. But it turns out that I will be turning 70 in May and so I will be retiring. Justice Boomgaarden will be taking over as Chief Justice, and I know she will do an excellent job of leading the Branch, along with the Wyoming Judicial Council.

It has been such a great honor for me to serve as the leader of the amazing people who make up this Wyoming Judicial Branch, to work

cooperatively with the members of the Executive and Legislative branches,
and to serve the state I love dearly.

Thank you for your support. I wish you well and godspeed in your
important work as legislators.

Thank you again for the opportunity to speak with you. God Bless
Wyoming, and thank you for your service.