

HOUSE BILL NO. HB0054

Chancery court judges-district and circuit court assistance.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to courts; authorizing the assignment of
2 cases and proceedings from circuit courts and district
3 courts to chancery court judges; specifying requirements
4 for transfers; authorizing retired chancery court judges to
5 provide judicial service as specified; making conforming
6 amendments; and providing for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 5-1-106(f), 5-3-112(a)(intro) and
11 (iii), 5-9-131(a)(intro) and 5-13-116 by creating new
12 subsections (b) and (c) are amended to read:

13

14 **5-1-106. Retirement of judges of the supreme court or**
15 **district courts; pension; assignment of retired judges.**

1

2 (f) Any justice of the supreme court, chancery court
3 judge or district court judge of this state, who has
4 retired pursuant to the provisions of this section, and who
5 is not practicing law, may, notwithstanding his retirement,
6 be called upon, with his consent, at the request of a
7 district court judge or circuit court judge, with the
8 consent of the chief justice, or by the chief justice, and
9 assigned to service on any court. A retired justice or
10 judge shall receive as a salary during any period of
11 assignment an amount equal to the current compensation of a
12 judge of the court to which he is assigned. The salary
13 received by a retired justice or judge during any period of
14 assignment shall not affect the receipt of any retirement
15 allowance received by the retired justice or judge during
16 the period of assignment. Assignments of retired justices
17 or judges under this section shall only be made in a manner
18 that does not jeopardize the qualified status of state
19 retirement plans established by the Wyoming legislature.
20 When called to serve, a retired judge or justice shall
21 receive the same per diem and travel allowances as allowed
22 active judges or justices. Per diem, allowances and

1 compensation shall be paid from the contingent fund of the
2 court to which the judge or justice is assigned.

3

4 **5-3-112. Assignment to circuit court judge or**
5 **chancery court judge.**

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7 (a) A judge of the district court may assign to a
8 circuit court judge or a chancery court judge any case or
9 proceeding within the jurisdiction of the district court
10 subject only to the following restrictions:

11

12 (iii) Consent of each plaintiff and each
13 defendant in a civil action; ~~wherein the amount in~~
14 ~~controversy is greater than fifty thousand dollars~~
15 ~~(\$50,000.00);~~ and

16

17 **5-9-131. Assignment to district court judge or**
18 **chancery court judge.**

19

20 (a) A circuit court judge may assign to a district
21 court judge or a chancery court judge any case or
22 proceeding within the jurisdiction of the circuit court
23 subject only to the following restrictions:

1

2 **5-13-116. Powers generally; expenses of judges when**
3 **acting in a circuit court.**

4

5 (b) A judge of the chancery court may hear any case
6 or proceeding assigned to the chancery court by a district
7 court in accordance with W.S. 5-3-112(a) or a circuit court
8 in accordance with W.S. 5-9-131.

9

10 (c) The expenses of any chancery court judge holding
11 court in any circuit court pursuant to assignment under
12 W.S. 5-9-131 or in any district court pursuant to
13 assignment under W.S. 5-3-112(a), including the judge's
14 traveling expenses, and the judge's expenses while holding
15 court, shall be charged to the fund of the court where the
16 judge is holding court pursuant to assignment under W.S.
17 5-3-112(a) or 5-9-131.

18

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)