

HOUSE BILL NO. HB0093

The people's right to judicial transparency.

Sponsored by: Representative(s) Lucas, Bear, Brady, Hoeft, Johnson, McCann, Ottman, Singh, Smith, Strock, Webb and Webber

A BILL

for

1 AN ACT relating to courts; requiring court records and
2 audio recordings to be publicly available online at no
3 cost; specifying exceptions; providing definitions; making
4 conforming amendments; authorizing and requiring
5 rulemaking; providing an appropriation; and providing for
6 effective dates.

7

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

9

10 **Section 1.** W.S. 5-1-112 is created to read:

11

12 **5-1-112. Court records and court recordings; free**
13 **online access required; exceptions; definitions.**

14

15 (a) As used in this section:

1

2 (i) "Court" means the Wyoming supreme court, the
3 district courts, chancery court, circuit courts, probate
4 courts and municipal courts of Wyoming and any other court
5 in Wyoming established by state law;

6

9

10 (A) All pleadings, motions, filings, orders
11 and judgments;

12

13 (B) Evidence, exhibits and discovery
14 materials submitted to a court, including interrogatories,
15 depositions, affidavits and appendices;

16

17 (C) Case metadata, including docket
18 numbers, filing dates, case status and parties of record.

19

20 (iii) "Sensitive and bulky exhibits" means
21 money, controlled substances, child pornography, firearms,
22 oversized charts, enlarged pictures and any other physical

1 evidence that cannot be reduced to online access with
2 reasonable effort and expense.

3

4 (b) Except as provided in subsection (c) of this
5 section, each court shall make all of its court records
6 available for public viewing at no cost through an online
7 portal accessible through the court's website. For purposes
8 of this subsection:

9

10 (i) Each court may include a link on its website
11 to the website where public access is made available;

12

13 (ii) Groups of courts may utilize the same court
14 information technology system or file access system to
15 provide public online access to court records;

16

17 (iii) Public access shall be made available
18 through standard internet browsers without requiring
19 registration or the payment of fees or costs;

20

21 (iv) Nothing in this section shall be construed
22 to prohibit or limit a court from charging fees for:

23

1 (A) Parties making electronic filings in
2 that court;

3

4 (B) Paper copies of court records.

5

6 (c) Courts may, by rule, exempt or limit online
7 public access to the following court records:

8

9 (i) Court records in proceedings in juvenile
10 court;

11

12 (ii) Court records in adoption, guardianship and
13 conservatorship proceedings;

14

15 (iii) Court records in cases and proceedings
16 involving minors, except for those cases and proceedings
17 where:

18

19 (A) The minor is charged with a criminal
20 offense as an adult:

21

22 (B) The case is transferred from juvenile
23 court to district court in accordance with W.S. 14-6-237.

1 For court records in cases under this subparagraph, only
2 court records generated after a case is transferred to
3 district court shall be included in the public access
4 online system.

5

6 (iv) Sensitive and bulky records;

7

8 (v) Sexual assault offenses charged under title
9 6, chapter 2, article 3 of the Wyoming statutes, in
10 accordance with W.S. 6-2-319;

11

12 (vi) Court records in cases that are sealed by a
13 court, in accordance with all of the following:

14

15 (A) A court may seal a case upon motion by
16 a party and upon a showing by clear and convincing evidence
17 that:

18

19 (I) There exists an interest that will
20 suffer serious and likely harm from disclosure of the court
21 records;

22

1 (II) The interest identified in
2 subdivision (I) of this subparagraph outweighs the public's
3 interest in access to the court records; and

4

5 (III) There is no less restrictive
6 alternative available to adequately protect the interest
7 identified in subdivision (I) of this subparagraph.

8

9 (B) Any sealing of court records made under
10 this paragraph shall be narrowly tailored;

11

12 (C) A court ordering the sealing of court
13 records under this paragraph shall provide particularized
14 findings on the record for the need for sealing and shall
15 specify the duration of the sealing and a mechanism for
16 periodically reviewing the order sealing the court records;

17

18 (D) The court shall give preference to
19 redaction, anonymization and delayed disclosure over
20 sealing court records;

21

22 (E) For cases or court records sealed under
23 this paragraph, the case number and a brief description of

1 the reason for sealing or restricting the court records
2 shall be included on the website or online portal where
3 court records may be accessed in accordance with this
4 section.

5

6 (d) Except as provided in subsection (e) of this
7 section, each court shall:

8

9 (i) Provide live, real-time audio or video
10 streaming of each hearing or proceeding at no cost to the
11 public;

12

13 (ii) Provide audio or video recordings of each
14 hearing or proceeding on the court's website at no cost to
15 the public not later than seven (7) days after the hearing
16 or proceeding concludes;

17

18 (iii) Maintain an online archive of its audio
19 and video recordings searchable by case number, party and
20 date.

21

22 (e) Subsection (d) of this section shall not apply
23 to:

1

2 (i) Courts that have not made audio or video
3 recordings of its hearings or proceedings at any time
4 before July 1, 2026;

5

6 (ii) Cases and proceedings identified in
7 paragraphs (c) (i), (ii), (iii), (v) and (vi) of this
8 section.

9

10 (f) In implementing this section, the supreme court
11 or the judicial conference of district judges, as
12 applicable, shall:

13

14 (i) Individually or collectively for groups of
15 courts, develop, maintain and operate an online portal or
16 access system to make court records and recordings
17 available to the public at no cost;

18

19 (ii) Establish technical standards for
20 uploading, indexing and securing court records;

21

22 (iii) Promulgate rules for the redaction of
23 confidential information in accordance with law.

1

2 **Section 2.** W.S. 5-2-120(a) is amended to read:

3

4 **5-2-120. Judicial systems automation account created;**
5 **purposes; court information technology equipment.**

6

7 (a) There is created an account entitled the
8 "judicial systems automation account." No funds shall be
9 expended from the account unless and until the legislature
10 appropriates the funds. Funds within the account shall be
11 used by the supreme court for the purchase, maintenance and
12 operation of computer hardware, including court information
13 technology equipment, and software to enhance the
14 communication, records and management needs of the courts
15 of the judicial branch of the state of Wyoming. Funds
16 within the account may be used, as determined by the
17 supreme court, to provide online public access to court
18 records and recordings in accordance with W.S. 5-1-112.
19 Interest accruing to this account shall be retained therein
20 and shall be expended for the purposes provided in this
21 section, as appropriated by the legislature. Annually, the
22 supreme court shall develop a plan for all trial and
23 appellate courts within the state for the expenditure of

1 funds from the account. Prior to implementation, the plan
2 shall be annually submitted to the joint appropriations
3 ~~interim~~-committee and joint judiciary interim committee for
4 review and comment.

5

6 **Section 3.** There is appropriated one hundred thousand
7 dollars (\$100,000.00) from the general fund to the Wyoming
8 supreme court for purposes of implementing this act. The
9 supreme court shall oversee the distribution of funds from
10 this appropriation to other courts to ensure that each
11 court receives funds to comply with this act. This
12 appropriation shall be for the period beginning July 1,
13 2026 and ending June 30, 2028. This appropriation shall not
14 be transferred or expended for any other purpose and any
15 unexpended, unobligated funds remaining from this
16 appropriation shall revert as provided by law on June 30,
17 2028. It is the intent of the legislature that this
18 appropriation not be included on the supreme court's
19 standard budget request for the immediately succeeding
20 fiscal biennium.

21

22 **Section 4.** The supreme court and any other court may
23 take any action necessary to implement this act.

1

2 Section 5.

3

6

11

12