



**June 15, 2021**

# **Wyoming Judicial Branch**

**Topic No. 7**  
***Operational Efficiencies in Wyoming Courts***

# Wyoming Judiciary

## Supreme Court

5 justices

Wyo. Const. art. 5, § 2

## District Court

24 judges

Wyo. Const. art. 5, § 10

## Chancery Court

March 1, 2023  
Wyo. Stat. Ann. §  
5-13-109(b)

No more than 3 judges  
Wyo. Stat. Ann. §  
5-13-103(a)

## Circuit Court

24 judges

Wyo. Stat. Ann. § 5-9-102

## Municipal Courts

98 Municipalities  
78 Judges

Wyo. Stat. Ann. §§ 5-6-104 – 304

Judges appointed by Mayor  
Wyo. Stat. Ann. § 5-6-103

# Selection & Retention

## **Selection for all Circuit, District and Chancery Court judges, and Supreme Court justices.**

- Judicial Nominating Commission

3 members elected by Wyoming State Bar, 3 members appointed by the Governor, Chief Justice of Wyoming Supreme Court acts as Chair and votes only in case of tie. Wyo. Const. art. 5, § 4(c) and (e).

Governor appoints judge from 3 nominees submitted by JNC. Wyo. Const. art. 5, § 4(b).

- May be retained or rejected on the ballot in general election. Supreme Court justices every 8 years. Wyo. Const. art. 5, § 4(f). District Court judges every 6 years. Wyo. Const. art. 5, § 4(f). Chancery Court judges every 6 years. Wyo. Stat. Ann. § 5-13-106. Circuit Court judges every 4 years. Wyo. Stat. Ann. § 5-9-109.
- May be removed (or disciplined) by the Wyoming Supreme Court upon recommendation of the Commission on Judicial Conduct and Ethics. Wyo. Const. art. 5, § 6.
- District Court judges and Supreme Court justices (but not Chancery or Circuit Court judges) must retire at age 70. Wyo. Const. art 5, § 5; Wyo. Stat. Ann. § 5-1-106.

# Supreme Court

**Appellate jurisdiction, general superintending power over inferior courts.**

**Wyo. Const. art. 5, § 2,**

- General appellate jurisdiction, Wyo. Const. art. 5, § 2; opinions to be in writing, Wyo. Stat. Ann. § 5-2-110.
- Original jurisdiction and power to issue writs. Wyo. Const. art. 5, §3.
- General superintending authority over all inferior courts, including administration of circuit courts, general support to district courts as requested, establishment of chancery court.
- Adopt code of judicial conduct, promulgate rules, and act on discipline on recommendation of the Commission on Judicial Conduct and Ethics, or on its own motion. Wyo. Const. art. 5, § 6.
- Adopt code of attorney ethics and procedure for disciplining, suspending, and disbarring attorneys. Wyo. Stat. Ann. § 5-2-118. Act upon the recommendation of the Board of Professional Conduct for attorney discipline, suspension, or disbarment.
- Adopt rules for the practice of law in Wyoming and for the courts. Wyo. Stat. Ann. §§ 5-2-113 - 117.
- Develop and oversee indigent legal services program. Wyo. Stat. Ann. §§ 5-2-121, 122.
- Install court information technology in all state court facilities. Wyo. Stat. Ann. § 5-2-120.
- Maintain Law Library. Wyo. Stat. Ann. § 5-2-501.
- Maintain Judicial Learning Center.

# District Court

**Courts of general jurisdiction in all cases unless vested exclusively in some other court, appellate jurisdiction in cases arising from inferior courts.**

**Wyo. Const. art. 5, § 10**

- Legislature enumerates districts, Wyo. Stat. Ann. § 5-3-101, and establishes number of judges for each district. Wyo. Stat. Ann. § 5-3-102(a).
- Judges to hold court for each other. Wyo. Const. art. 5, § 11; Wyo. Stat. Ann. 5-3-106.
- Each judge is supported by 1 court reporter, 1 judicial assistant, and one law clerk.
- Each judge is an agency for budget purposes. Wyo. Stat. Ann. § 5-3-113.
- Courts are housed in county buildings. Wyo. Stat. Ann. § 18-2-103.
- Clerks of district court are elected county officials. Wyo. Stat. Ann. § 5-3-201.
- District courts are “free of administrative and fiscal control by the supreme court,” the district court conference governs itself. Wyo. Stat. Ann. § 5-3-102(b).
- Supreme Court IT supports all district court technology, and all court automation systems for the district courts and clerks’ offices for integrated statewide system. Wyo. Stat. Ann. § 5-3-102(b).

**\*\*** *District court judges also serve as juvenile court judges. Wyo. Stat. Ann. § 5-8-101.*

# Chancery Court

**Established by statute in 2019**

**Wyo. Stat. Ann. § 5-13-101**

***Chancery Court will accept eFiling starting December 1, 2021.***

- Court of limited jurisdiction to resolve business disputes with amount in controversy over \$50,000 on an expedited schedule with no jury. Wyo. Stat. Ann. § 5-13-115.
- Concurrent jurisdiction with district courts. Wyo. Stat. Ann. § 5-13-103.
- Up to three Chancery Court judges, same selection, term, and pay as District Court judges. Wyo. Stat. Ann. §§ 5-13-103, 106, 112.
- Three district court judges will serve on an interim basis until March 1, 2023, when the office of Chancery Court judge will be filled. Wyo. Stat. Ann. § 5-13-109.
- Court staff beginning March 1, 2023 will consist of a law clerk, court reporter, judicial assistant for each judge; and a clerk of Chancery Court.
- The Chancery Court clerk is an employee of the Wyoming Supreme Court. Wyo. Stat. Ann. § 5-13-201.
- Will be housed in Casper state office building.
- The Wyoming Supreme Court is “vested with management and supervisory powers” over the Chancery Court. Wyo. Stat. Ann. § 5-13-104(a).

# Circuit Court

**Established by statute in 2000**

**Wyo. Stat. Ann. § 5-9-102**

- Same boundaries as for district courts.
- Legislature authorizes number of judges, Supreme Court may determine where judge resides based on caseload studies. Wyo. Stat. Ann. § 5-9-103.
- Judges hold court for each other. Wyo. Stat. Ann. 5-9-119.
- Housed in county “quarters.” Wyo. Stat. Ann. § 5-9-124.

Unlike district courts, circuit court have limited jurisdiction:

- Less than \$50,000 in civil cases. Wyo. Stat. Ann. § 5-9-128.
- Criminal misdemeanors. Wyo. Stat. Ann. § 5-9-129.
- Small claims, forcible entry and detainer, lien foreclosures (under \$50,000). Wyo. Stat. Ann. § 5-9-128(a).
- Preliminary hearings in felony cases. Wyo. Stat. Ann. § 5-9-132(b).
- Issue warrants. Wyo. Stat. Ann. § 5-9-133(a)(iv).
- Issue domestic violence protective orders. Wyo. Stat. Ann. §§ 35-21-102 et seq.
- Issue stalking and sexual assault orders of protection. Wyo. Stat. Ann. §§ 7-3-506,509.
- Circuit court clerks are employed by the judicial branch. Wyo. Stat. Ann. § 5-9-123.
- Circuit courts are supervised by the Wyoming Supreme Court. Wyo. Const. art. 5, § 2; Wyo. Stat. Ann. § 5-9-107.

# Weighted Workload Studies

- Weighted workload studies rely on an assessment methodology that accounts for the varying complexity in different types of court cases – each case type requires different amounts of judicial resources.
  - Felony cases take more time than Traffic cases.
- The Court contracted with a PhD statistician and court consultant to formulate weighted workload studies beginning in 1999 to more accurately assess the amount of judicial time required for various case types specific to Wyoming, using objective and standardized measures that are periodically updated.
- Applying case weights to current or projected case filing numbers results in an accurate measure of judicial workload across districts.



Case Category	Case Weight (Min.)	District Court Case Filings Statewide				
		FY2016	FY2017	FY2018	FY2019	FY2020*
General Civil	676	506	469	496	519	534
Other Civil	32	1,289	1,188	1,149	1,010	886
Adoption	76	410	428	388	420	364
Marriage Dissolution	70	2,857	2,875	2,720	2,578	2,689
Domestic Relations	24	2,638	2,593	2,398	2,421	2,248
Domestic Petitions to Modify	139	1,779	1,752	1,797	1,788	1,736
Criminal	276	2,658	2,964	2,776	3,038	2,824
Appeals	395	166	163	151	133	152
Juvenile Delinquency/CHINS	182	788	746	758	687	698
Abuse and/or Neglect	171	925	1,014	1,036	1,008	498
Termination of Parental Rights	153	111	168	141	137	93
Probate	41	1,891	1,793	1,804	1,980	1,801
Mental Health	21	1,705	1,701	1,466	1,594	1,406
Total Filings		17,723	17,854	17,080	17,313	15,929
WW in Minutes		2,156,135	2,221,151	2,166,543	2,226,220	2,069,740
Judicial Need		27.50	28.04	27.42	28.11	26.36
FTE		23.00	23.00	23.00	24.00	24.00

**\*FY2020 Filings Note: Any decrease in filings is directly related to the COVID-19 pandemic.**

Case Category	Case Weight (Min.)	Circuit Court Case Filings Statewide				
		FY2016	FY2017	FY2018	FY2019*	FY2020*
General Civil	188	375	390	254		
Collection	6	19,503	21,508	21,004		
FV/ST/SA Protection Orders	62	1,677	1,662	1,587		
Forcible Entry & Detainer	20	1,329	1,464	1,400		
Small Claims	16	4,271	4,286	3,954		
Driving Under the Influence	46	3,508	3,479	3,428		
Felony	43	5,468	5,997	6,024		
Misdemeanor (Non-Traffic)	33	18,182	19,099	18,653		
Traffic	1	94,035	88,466	82,981		
Game & Fish	8	2,433	2,286	2,220		
Petition to Revoke Probation	21	3,253	3,129	2,982		
Total Filings		154,034	151,766	144,487		
WW in Minutes		1,564,718	1,623,903	1,559,066		
Judicial Need		23.07	23.77	23.03		
FTE		26.20	26.20	26.20		

**\*FY2019 and FY2020 Filings Note: Data is not available due to the implementation of a new case management system beginning in 2018 and extending through 2020. A new statistical model was used in this implementation and a new workload study is now required to provide accurate data.**