

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE JOINT RESOLUTION NO.

Wyoming supreme court justices-senate confirmation.

Sponsored by: Joint Judiciary Interim Committee

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION proposing to amend the Wyoming  
2 constitution to provide that persons selected for the office  
3 of justice of the supreme court shall be confirmed by the  
4 senate.

5

6 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*  
7 *two-thirds of all the members of the two houses, voting*  
8 *separately, concurring therein:*

9

10 **Section 1.** The following proposal to amend Article 5,  
11 Section 4(b) of the Wyoming Constitution is proposed for  
12 submission to the electors of the State of Wyoming at the  
13 next general election for approval or rejection to become

1 valid as a part of the Constitution if ratified by a majority  
2 of the electors at the election:

3

4       **Article 5, Section 4. Supreme court generally; number;**  
5 **election of chief justice; quorum; vacancies in supreme court**  
6 **or district court; judicial nominating commission; terms;**  
7 **standing for retention in office; senate confirmation for**  
8 **supreme court justices.**

9

10       (b) A vacancy in the office of justice of the supreme  
11 court or judge of any district court or of such other courts  
12 that may be made subject to this provision by law, shall be  
13 filled by a qualified person appointed by the governor from  
14 a list of three nominees that shall be submitted by the  
15 judicial nominating commission. The commission shall submit  
16 such a list not later than 60 days after the death,  
17 retirement, tender of resignation, removal, failure of an  
18 incumbent to file a declaration of candidacy or certification  
19 of a negative majority vote on the question of retention in  
20 office under section [subsection] (g) hereof. If the governor  
21 shall fail to make any such appointment within 30 days from  
22 the day the list is submitted to him, such appointment shall  
23 be made by the chief justice from the list within 15 days. A

person appointed by the governor or the chief justice to the  
office of justice of the supreme court under this subsection  
shall be confirmed by the senate before assuming the office.

\*\*\*\*\*

\*\*\*\*\*

**STAFF COMMENT**

If adopted, W.S. 28-12-101 through 28-12-103 would likely apply to the confirmation of Wyoming Supreme Court justices. Those statutes are included as a separate attachment.

The Committee may wish to consider whether any changes to those statutes may be necessary if this proposed amendment is adopted.

\*\*\*\*\*

\*\*\*\*\*

**Section 2.** That the Secretary of State shall endorse the following statement on the proposed amendment:

The Wyoming Constitution provides a process by which Wyoming Supreme Court justices are selected through the Judicial Nominating Commission, which forwards three (3) nominees for the Governor to choose from. This amendment would require that, once one (1) of the three (3) nominees is selected by the governor, that person would be required to be confirmed by the Wyoming Senate before assuming office.

1

(END)