



TO: Joint Appropriations Committee – 61st Legislature
FROM: Chief Justice Marilyn S. Kite
RE: Wyoming Supreme Court 2011-2012 Biennium Supplemental Budget Recommendations

The Supreme Court is recommending a 2011-2012 Supplemental Budget of \$80,000.

ADMINISTRATION - 0100

Supplemental Budget Request

The Supreme Court is submitting a Supplemental Budget request for \$80,000. The request provides for an updated time study of the workload of circuit court clerks. The study is used to determine resource shortfalls and overages in order make informed decisions on reallocation of our personnel resources. The Supreme Court recommends approval of the Supplemental Budget as submitted.

ADMINISTRATION –0100 SUMMARY

	Total Funds	General Fund	Federal Fund
Requested	\$80,000	\$80,000	\$0
Recommended	\$80,000	\$80,000	\$0
Difference	\$0	\$0	\$0

AGENCY SUMMARY

	Total Funds	General Fund	Special Rev/Fed Funds
Requested	\$80,000	\$80,000	\$0
Recommended	\$80,000	\$80,000	\$0
Difference	\$ 0	\$0	\$0



STATE OF WYOMING

2011-2012 BIENNIUM

SUPPLEMENTAL BUDGET REQUEST

SUPREME COURT 101

Agency Name and Number

Submitted by:

Signature

Marilyn S. Kite

Name

Marilyn S. Kite

Title

Chief Justice

Person(s) responsible for the preparation of this budget:

Joann Odendahl, State Court Administrator

AGENCY NAME: WYOMING SUPREME COURT

AGENCY NUMBER: 101

WYOMING SUPREME COURT – AGENCY 101

The Supreme Court’s budget consists of seven programs: Supreme Court Administration, Judicial Nominating Commission, Law Library, Circuit Courts, Court Technology, Judicial Retirement, and Board of Judicial Policy and Administration.

INTRODUCTION: WHAT THE JUDICIAL DEPARTMENT DOES

Under the Wyoming constitution, the judicial power of the government of this state “shall be vested * * * in a supreme court, district courts, and such subordinate courts as the legislature may, by general law, establish and ordain from time to time.” Article 5, Section 1; Article 2, Section 1. The Supreme Court has general appellate jurisdiction statewide in both civil and criminal cases; it also has “general superintending control over all inferior courts, under such rules and regulations as may be prescribed by law.” Article 5, Section 2. The Supreme Court has original jurisdiction in quo warranto and mandamus as to all state officers and in habeas corpus. Article 5, Section 3. The Supreme Court also has power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari, and other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Article 5, Section 3. Five justices, one of who serves as the chief justice, sit on the Supreme Court. Each justice serves an eight-year term and may hold successive terms upon retention by the statewide electorate. Article 5, Section 4.

By statute, the Supreme Court manages and supervises the circuit court system created by the Legislature. Wyo. Stat. §5-5-108. All 23 of the state’s counties have elected to establish the circuit court system. Wyo. Stat. § 5-5-102 & 103. Twenty-four circuit judges and six full-time magistrates serve in these courts.

Statutes relating to the state’s courts are found in Wyo. Stat. § 5-1-101 through 5-7-107. Those statutes, which specifically relate to the Supreme Court, are found in Wyo. Stat. § 5-2-101-501. Of particular note, the Supreme Court has extensive rule-making authority, Wyo. Stat. § 5-2-113 -119, including rules relating to the practice of law and procedures relating to review of decisions in cases originating in a municipal court, or a circuit court. The Supreme Court “superintend(s) and direct(s) all expenditures of money for the law library.” Wyo. Stat. § 5-2-501.

As an independent, co-equal branch of state government, the judiciary, headed by the Supreme Court, exercises the state’s judicial power to ensure to all of the state’s citizens the protection of civil, political, and religious liberties secured by the state constitution. Preamble and Article 1, Wyoming Constitution. The mission of the Supreme Court is to ensure that all courts exercise their respective judicial powers within the bounds of the state constitution and the laws of the state not inconsistent therewith so that “(a)ll 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.” Article 1, Section 8, Wyoming Constitution.

In order to exercise its judicial powers, the Supreme Court must maintain a support staff of well qualified and adequately compensated employees to assist the five justices as they daily carry out their constitutional and statutory duties and responsibilities.

AGENCY NAME: WYOMING SUPREME COURT

AGENCY NUMBER: 101

The Supreme Court has a constitutional obligation to ensure that the state's courts at every jurisdictional level are sufficiently funded by the Legislature so as to ensure to the state's citizens uninterrupted access to the courts and expeditious and efficient delivery of justice. Operational expenses incurred in fulfilling the Supreme Court's constitutional obligation include, but are not limited to, salaries and benefits to employees, supplies, equipment including the court computer automation system, furnishings, communications, travel, legal research materials of both print and electronic variety, circuit court magistrates, jurors, continuing judicial education programs and judicial administration programs, including membership in the National Center for State Courts.

SUMMARY OF 2011-2012 SUPPLEMENTAL BUDGET REQUEST

The Supreme Court's 2011-2012 Standard Budget totaled \$48,715,736. The Court is submitting a supplemental budget request to increase the budget by \$80,000. The following is a summary of the supplemental budget request.

SUPREME COURT- ADMINISTRATION- DIVISION 0100 – \$80,000

\$80,000 – Funds are requested to conduct a clerical workload time-study for the Circuit Court Clerks. The information obtained from the study will provide a baseline to use in the next biennium when requesting additional resources. The last time-study for the circuit court clerks was conducted in 2007.