

Agency Name: SUPREME COURT  
 Division Org Name: CIRCUIT COURTS

Division Budget Summary

Agency Number: 101  
 Division Number: 0500

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Description	Code	Actual Expenditures 2011-2012	Base Budget	Adjustments to Base	Budget Reductions	Standard Budget Col. 3+4+5	Exception Request	Total Agency Request	Supreme Court Recommendation
COMMON JURY FUND	0501	117,362	165,209	0	0	165,209	0	165,209	165,209
SPECIAL COURT MAGISTRATES	0502	139	9,200	0	0	9,200	0	9,200	9,200
EQUIPMENT	0503	109,728	139,190	0	0	139,190	0	139,190	139,190
EXAMINATION OF COURTS	0504	370,875	405,572	0	-5,921	399,651	0	399,651	399,651
TEMPORARY SERVICES	0505	46,619	228,388	0	0	228,388	0	228,388	228,388
FIRST JUDICIAL DISTRICT	0511	2,716,049	3,016,638	0	-13,490	3,003,148	0	3,003,148	3,003,148
SECOND JUDICIAL DISTRICT	0521-0522	2,015,997	2,332,262	0	-10,014	2,322,248	0	2,322,248	2,322,248
THIRD JUDICIAL DISTRICT	0531-0534	3,871,116	4,335,771	0	-19,126	4,316,645	0	4,316,645	4,316,645
FOURTH JUDICIAL DISTRICT	0541-0542	1,414,398	1,554,487	0	-4,988	1,549,499	0	1,549,499	1,549,499
FIFTH JUDICIAL DISTRICT	0551-0554	2,380,098	2,662,241	0	-32,731	2,629,510	0	2,629,510	2,629,510
SIXTH JUDICIAL DISTRICT	0561+0563	2,954,678	3,312,843	0	-14,886	3,297,957	0	3,297,957	3,297,957
SEVENTH JUDICIAL DISTRICT	0571	2,691,307	2,887,239	0	-13,146	2,874,093	0	2,874,093	2,874,093
EIGHTH JUDICIAL DISTRICT	0581-0584	2,324,117	2,549,864	0	-17,090	2,532,774	0	2,532,774	2,532,774
NINTH JUDICIAL DISTRICT	0591-0594	3,533,515	3,796,893	0	-36,088	3,760,805	0	3,760,805	3,760,805
SUPPORTIVE SERVICES		24,545,999	27,395,797	0	-167,480	27,228,317	0	27,228,317	27,228,317
PERSONAL SERVICES	0100	22,969,903	25,342,005	0	0	25,342,005	0	25,342,005	25,342,005
SUPPORTIVE SERVICES	0200	1,295,408	1,484,946	0	-69,160	1,415,786	0	1,415,786	1,415,786
CENTRAL SERVICES	0400	80,166	86,887	0	0	86,887	0	86,887	86,887
GRANTS & AID PAYMENT	0600	0	0	0	0	0	0	0	0
CONTRACTUAL SERVICES	0900	200,522	481,959	0	-98,320	383,639	0	383,639	383,639
TOTAL BY OBJECT SERIES		24,545,999	27,395,797	0	-167,480	27,228,317	0	27,228,317	27,228,317
MEANS OF FUNDING									
GENERAL FUND	1001	24,545,999	27,395,797	0	-167,480	27,228,317	0	27,228,317	27,228,317
TOTAL BY FUNDING	G	24,545,999	27,395,797	0	-167,480	27,228,317	0	27,228,317	27,228,317
AUTHORIZED EMPLOYEES									
FULL TIME EMPLOYEE COUNT		0	154	0	0	154	0	154	154
PART TIME EMPLOYEE COUNT		0	7	0	0	7	0	7	7
AUTHORIZED EMPLOYEES		0	161	0	0	161	0	161	161
TOTAL AUTHORIZED EMPLOYEES		0	161	0	0	161	0	161	161

**2013-2014 Biennium Budget****DIVISION NARRATIVE**

Agency Name: Supreme Court  
Approp. Org. Name: Circuit Courts

Agency Number: 101  
Division Number: 0500  
Unit Number: 0511-0594

**CIRCUIT COURT PROGRAM**

The circuit court program encompasses appropriations and expenses for the operation of the state funded circuit courts pursuant to the Wyoming Constitution and Wyo. Stat. § 5-9-101, et seq., W.S. 1977. These 25 circuit courts have been consolidated into one program for purposes of consistency and flexibility. While the circuit court budgets are itemized by circuit, funds for each of the courts are kept in separate sub-budgets on the WOLFS system to provide individual circuit court accountability.

Twenty-three counties with 24 circuit court judges and six full-time magistrates are part of the fully state funded circuit court system.

**JURISDICTION:**

Circuit courts have jurisdiction in misdemeanor criminal cases and they conduct preliminary examinations of persons charged with a felony. Activities in the circuit courts include the issuance of arrest warrants or summonses, the issuance of search warrants and the conducting of initial appearances for persons arrested in addition to the preliminary examinations. Circuit courts have exclusive jurisdiction over civil cases when the recovery requested does not exceed \$50,000. In addition, circuit courts have jurisdiction over family violence and stalking actions. Circuit court judges also function as district court commissioners if appointed by district court judges.

**CONSEQUENCES OF INADEQUATE FUNDING**

The circuit courts have no control over the number of cases that come before them. Cases vary in complexity and the amount of time it may take to process a case also varies. Personnel costs account for 92 percent of the circuit court budget and 8 percent is for the supportive services, central services, and professional fees. If the circuit court program does not receive adequate funding, it cannot meet its statutory requirements. The quality and quantity of services provided would be severely affected and justice would not be served. Inadequate funding might also affect the hours the courts could be open to the public. Lack of appropriate funding could also result in delay of judicial services, causing a severe backlog of cases and possibly inadequate accounting or revenue and delay in forwarding funds to the state and county.

**STANDARD BUDGET REQUEST NARRATIVE**

100 Series – Personal Services: The 100 series funds are used to provide for judges and clerks in all 25 circuit courts, as well as two internal auditors and temporary help as needed.

200 Series – Supportive Services: The 200 series funds are used to cover the necessary operating costs for the circuit courts, jury fees, and equipment.

900 Series – Contractual Services: Funds in the 900 series are used to pay for the services of a hourly court magistrate. Magistrates are asked to sit for the judges when the judge is out of town on business, ill, on vacation or when a conflict of interest occurs. Funds are also used to pay language interpreters, if one is needed.

## 2013-2014 Biennium Budget

## DIVISION NARRATIVE

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### BUDGET REDUCTIONS

The Supreme Court, along with the Board of Judicial Policy and Administration is prepared to close the three (3) circuit court satellite offices located in Powell, Dubois, and Lovell, Wyoming as of July 1, 2013. While closing the three courts will not immediately provide a four percent savings to the Supreme Court's budget, additional savings will be realized over time. Closing the three courts as of July 1, 2013 will result in an approximate \$40,000 reduction for FY2014 and each year thereafter. In addition, we expect approximately \$65,000 of savings over the next 5-6 years in equipment and technology costs (i.e., replacing copiers, printers, recording equipment, computer servers, sonic walls, and software licenses). Total savings within the next 5-6 years should approach \$300,000.

- Powell: The distance between the Powell satellite court office and the main circuit court office in Cody is approximately 24 miles. Based on the 2012 Wyoming Circuit Court Clerical Weighted Workload Study and Model ("2012 Workload Study"), Powell's full-time clerk position will be more efficiently utilized in the Cody office. Currently, the circuit judge travels to the Powell office once a week to hold court. When the judge is not available, a part-time magistrates is paid to hold court. A clerk from Cody travels to Powell to work when the Powell clerk is on leave, and the Powell clerk works in the Cody office when the workload is slow in the Powell office. Funds currently spent on office supplies, equipment, travel, magistrate fees, and travel will be reduced.
- Lovell: The distance between the Lovell satellite court office and the main circuit court office in Basin is approximately 40 miles, which is comparable to the distance citizens in Pine Bluffs must travel to Cheyenne, Saratoga/Encampment citizens must travel to Rawlins, and citizens in Wright must travel to Gillette. The circuit judge travels to the Lovell office once a week for court and a full-time magistrate is used when necessary in either Basin or Lovell. A clerk from Basin travels to Lovell whenever the Lovell clerk is on leave. Based on the 2012 Workload Study, the Big Horn County Circuit Court is over-staffed by one full-time position; therefore when the Lovell office is closed one full-time position will be terminated. Funds currently spent on office supplies, equipment, travel, salaries, and benefits will be reduced over time.
- Dubois: The distance between the Dubois office and the main circuit court office in Lander is approximately 75 miles, which is comparable to the distance citizens must travel from Wamsutter to Rock Springs or from Kaycee to Buffalo. Of the 547 filings in FY2011, 516 were traffic and 15 were civil/small claims. In FY2012, there were 314 citations filed in Dubois, of which only one (1) required an appearance by the defendant. As citizens can now pay traffic citations on-line in addition to mail, it would be a more efficient use of State resources to close the Dubois office and transfer filings to the Lander circuit court office. There is a three-quarter time clerk position in the Dubois office, which will be terminated.

When the Supreme Court met with the Joint Judiciary committee in July of 2012 to discuss budget reductions, the committee agreed to defer any cuts in positions until after the results of the 2012 Wyoming Circuit Court Clerical Weighted Workload Study and Model was available in September of 2012. Please see refer to Appendix B for results of the study. The Workload Study is a critical tool used to assess clerical staff needs in each of the circuit court offices based on case filings. The results indicate several offices are overstaffed by one full-time position. On the other hand, several courts are understaffed by one or more full-time positions. Positions will be reallocated throughout the state according to the Circuit Court Reallocation Plan (See Appendix A).

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The Circuit Court Reallocation Plan results in a net loss of two full-time positions. However, we request that these two positions remain with the Supreme Court, unfilled for the current time. We feel this is necessary, as the positions are currently needed:

- Circuit court staffing needs can vary dramatically and unexpectedly from year to year, as has been indicated by the current and prior workload studies. Case filings in each court are affected by population, the economy, and other external factors. Additionally, evolving legislation can cause additional filings or increase complexity. It should also be noted that even after positions are reallocated as discussed above, the Natrona and Campbell County Circuit Courts will still be understaffed by approximately one full-time position each.
- In 2011, The Supreme Court of Wyoming Language Interpreters Policy was created by the Board of Judicial Policy and Administration pursuant to a mandate from the Department of Justice. The Supreme Court and each Circuit Court is responsible for providing competent interpretation for individuals of limited English proficiency in all criminal matters and certain other proceedings. The Supreme Court Interpreters Program, which trains and maintains rosters of qualified, registered, and certified interpreters, is still in its infancy. As part of the program, due to Wyoming's rural nature, it may be most efficient to have a full-time interpreter on staff at the Supreme Court who could appear via video teleconferencing to interpret throughout the state's courts.
- Over the last several years, the Court has been working towards development of a uniform statewide case management system (CMS) for all of the District Courts (previously, four different systems were used). The new CMS is currently being piloted in several courts. When the CMS is deployed and functioning in all of Wyoming's 23 District Courts, it will be necessary to have a full-time help desk support person for the new system.

Lastly, Circuit Court budgets will be reduced by changing the way the courts provide for magistrates. Currently, Wyo. Stat. Ann. § 5-9-206 requires a full-time magistrate in any county in which a circuit court judge does not reside. The Joint Judiciary Committee has agreed to introduce legislation to make this optional. No currently employed magistrates would be affected; however, as the six full-time magistrates retire or otherwise leave their employment, the Supreme Court would have the option to employ a part-time magistrate or not fill the position at all (in which case judges or magistrates from other counties would cover the court). This change will result in substantial cost savings over time.