

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 1996

IN THE SUPREME COURT
STATE OF WYOMING
FILED

In the matter of the amendment of)
the "Application of the Code of)
Judicial Conduct" section of the)
Code of Judicial Conduct)

APR - 2 1997


JUDY PACHECO, CLERK

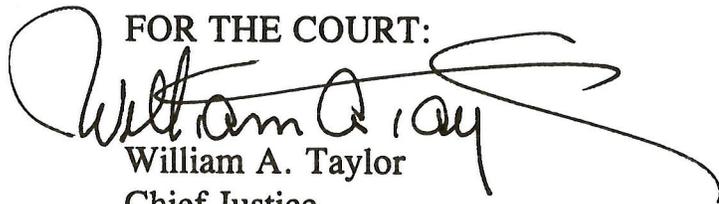
ORDER AMENDING THE "APPLICATION OF THE CODE OF JUDICIAL CONDUCT"
SECTION OF THE CODE OF JUDICIAL CONDUCT

This matter came before the Court on its own motion. The Court has determined that the "Application of the Code of Judicial Conduct" section of the Code of Judicial Conduct should be amended to clarify the application of the code to court commissioners, as shown in the attached copy of the amendment. It is therefore,

ORDERED that the attached amendment to the "Application of the Code of Judicial Conduct" section of the Code of Judicial Conduct be, and hereby is, adopted. The amendment shall be published in the advance sheets of the Pacific reporter and the Wyoming Reporter and shall become effective 60 days after publication in the advance sheets of the Pacific Reporter and, at that time, shall be spread at length upon the journal of this Court.

DATED this 2nd day of April 1997.

FOR THE COURT:


William A. Taylor
Chief Justice

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Wyoming Code of Judicial Conduct

Application of the Code of Judicial Conduct

A. Anyone, whether or not a lawyer, who is an officer of a judicial system and who performs judicial functions, including an officer such as a magistrate, court commissioner, special master or referee, is a judge within the meaning of this Code. All judges shall comply with this Code except as provided below.

B. *Retired Judge.* A retired judge is not required to comply
(1) except while serving as a judge, with Section 4F; and
(2) at any time with Section 4E.

C. *Continuing Part-time Judge.* A continuing part-time judge

(1) is not required to comply

(a) ~~expect~~ ~~except~~ while serving as a judge, with Section 3B(9);

(b) at any time with Sections 4C(2), 4D(3), 4E(1), 4F, 4G, 4H, 5A(1), 5B(2) and 5D.

(2) ~~except for a court commissioner,~~ shall not practice law in the court on which the judge serves or in any court subject to appellate jurisdiction of the court on which the judge serves ~~and~~

(3) shall not act as a lawyer in a proceeding in which the judge has served as judge or in any other proceeding related thereto.

D. *Periodic Part-time Judge.* A periodic part-time judge

(1) is not required to comply

(a) except while serving as a judge, with Section 3B(9);

(b) at any time, with Sections 4C(2), 4C(3)(a), 4D(1)(b), 4D(3), 4D(4), 4D(5), 4E, 4F, 4G, 4H, 5A(1), 5B(2) and 5D.

(2) ~~except for a court commissioner,~~ shall not practice law in the court on which the judge serves or in any court subject to the appellate jurisdiction of the court on which the judge serves, ~~and~~

(3) shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto.

E. *Pro Tempore Part-time Judge.*

(1) A pro tempore part-time judge is not required to comply

(a) except while serving as a judge, with Sections 2A, 2B, 3B(9) and 4C(1);

(b) at any time with Sections 2C, 4C(2), 4C(3)(a), 4C(3)(b), 4D(1)(b), 4D(3), 4D(4), 4D(5), 4E, 4F, 4G, 4H, 5A(1), 5A(2), 5B(2) and 5D.

(2) A person who has been a pro tempore part-time judge shall not act as a lawyer in any proceeding in which the judge has served as a judge or in any other proceeding related thereto except as otherwise permitted by Rule 1.12(a) of the Wyoming Rules for Professional Conduct.

F. *Time for Compliance.* A person to whom this Code becomes applicable shall comply immediately with all provisions of this code except Sections 4D(2), 4D(3) and 4E and shall comply with these Sections as soon as reasonably possible and shall do so in any event within the period of two (2) years.