

1978

## State of Wyoming Judicial Nominating Commission Rules

Wyoming State Bar

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### Recommended Citation

Wyoming State Bar (1978) "State of Wyoming Judicial Nominating Commission Rules," *Land & Water Law Review*. Vol. 13 : Iss. 2 , pp. 699 - 701.

Available at: [https://scholarship.law.uwyo.edu/land\\_water/vol13/iss2/17](https://scholarship.law.uwyo.edu/land_water/vol13/iss2/17)

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College of Law

# LAND AND WATER LAW REVIEW

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VOLUME XIII

1978

NUMBER 2

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## STATE OF WYOMING JUDICIAL NOMINATING COMMISSION RULES \*

### RULE 1. COMMISSION MEETINGS

The Judicial Nominating Commission shall act only at a meeting and may act only by the concurrence of a majority of its members.

### RULE 2. NOTICE OF COMMISSION MEETINGS

(a) Meetings of the commission may be called by the chairman or a majority of the members by written or telegraphic notice to the other members specifying the time and place of meeting; or by telephonic notice, to be confirmed in writing upon agreement by a majority. Such notice shall be mailed or sent at least five days before the time specified, except that a meeting may be held on shorter notice if the notice specifies that the meeting will be an emergency meeting. The place of meeting, unless otherwise specified, will be the courtroom of the supreme court in Cheyenne. Notice of meeting may be waived by any member or members either before or after the meeting takes place; and attendance at a meeting by any member shall constitute a waiver of notice by such member unless he shall, at or promptly after the beginning of such meeting, object to the holding of the meeting on the ground of lack of or insufficiency of notice.

(b) Meetings of the commission may be held without notice at any time or place whenever the meeting is one as to which notice is waived by all members or whenever the commission at a previous meeting shall have designated the time and place for such meeting.

### RULE 3. CHAIRMAN OF COMMISSION

The chairman shall preside at any meeting at which he is present, and shall be either the chief justice or a justice of the supreme court designated by the chief justice to act for him.

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\*Adopted by the Wyoming Supreme Court pursuant to Art. 5, § 4(e), Wyo. Const., March 5, 1973. On October 18, 1977, Rule 2(a) amended, adding reference to telephonic notice; Rule 3 amended to comply with Art. 5, § 4(c), Wyo. Const., as amended 1977; Rule 9 amended, deleting requirement that secretary sign certificate; and the portion of Rule 10 relating to declarations of approval deleted (see Art. 5, § 4(h), Wyo. Const., as amended 1977).

#### RULE 4. SECRETARY OF COMMISSION

The commission shall choose one of its members as secretary. It shall be the duty of the secretary to prepare and keep the minutes of all meetings. In the secretary's absence the commission shall choose a member to be acting secretary.

#### RULE 5. COMMISSION MINUTES

The minutes shall record the names of the members present, any objections to the holding of the meeting on the ground of lack of or insufficiency of notice, any and all actions taken by the commission, and any other matters that the commission may deem appropriate.

#### RULE 6. COMMISSION ACTION ON KNOWN FUTURE VACANCY

When it is known that a vacancy will occur at a definite date, within sixty days, but the vacancy has not yet occurred, the commission may make its nominations and submit to the governor the names of the persons nominated before the occurrence of the vacancy. It is the purpose of this rule to facilitate the administration of justice by preventing delay in filling court vacancies so that all courts may have all judges ready to dispose of their judicial business as nearly as may be possible.

#### RULE 7. COMMISSION CONSIDERATION OF NOMINEES

The commission should at all times take cognizance of the fact that the best qualified nominees may be those whom it would be most difficult to persuade to serve. Accordingly, the commission should not limit its consideration to persons who have been suggested by others or to persons who have indicated their willingness to serve. It shall be in order for the commission, if it sees fit to do so, to tender nomination to one or more qualified persons, prior to, and subject to, the formal action by the commission in making nominations, in order to ascertain whether such a person will agree to serve if nominated.

#### RULE 8. NOMINEE PUBLICITY

The commission may, in its discretion, publicize some, all, or none of the names of the possible nominees who have been suggested to it or whom it has under consideration. In exercising this discretion the commission should take account of the fact that there may be lawyers who merely desire the publicity, that there may be lawyers whom publicity would deter from agreeing in advance to serve, and that, on the other hand, the commission needs all pertinent information about the possible nominees whom it is seriously considering. In no circumstances should the commission describe possible nominees as "applicants" or by any other term suggesting that they are seeking to be nominated.

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**RULE 9. COMMISSION NOMINATIONS**

The action of the commission in making nominations with respect to any vacancy shall be taken only at a meeting and only by the execution of a certificate of nomination (which may be in the form of a communication to the governor), setting forth the nominations thereby made, signed on behalf of the commission by the chairman. The commission or its chairman shall forthwith cause the original of such certificate to be transmitted to the governor.

**RULE 10. DECLARATIONS OF INTENT**

A justice or judge desiring to retain his judicial office for a succeeding term shall file with the Secretary of State not more than six months nor less than three months before the general election to be held before the expiration of his existing term of office a declaration of intent to stand for election for a succeeding term.