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## Report of the Legislative Committee

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are in the process of adopting legislation to abolish the present minor judicial system and replace them with systems that are more capable of administering justice fairly and within the limits of the law as one old J.P. once said in Rawlins several years ago when a lawyer told him he couldn't do something because the law forbid him from doing it, he said, "Law, law, I don't want to hear anything about law. This is a Court of Justice." And so that is a typical situation that we must overcome in order to bring our administration of justice within the limits of the law because certainly, if there is one principal of our country that is well founded, it is the principal that we are a nation of law and not men and most certainly the system we presently have does not entirely live up to that system in the untrained layman administered minor judicial system.

I, therefore, after these brief remarks, would like to at this time move, Mr. President, that you appoint, with the consent of the Board of Bar Commissioners, a Committee dedicated to the proposition of investigating the situation of our minor judicial system in this State with instructions to report at the next annual meeting as to their findings and their proposals to rectify this present situation.

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#### REPORT OF THE LEGISLATIVE COMMITTEE

September 6, 1961

The Honorable John Ilsley,  
President, Wyoming State Bar,  
Gillette, Wyoming.

Dear Sir:

By this letter, I am making a report to you of the activities of the Legislative Committee of the Wyoming State Bar for the year 1960-1961.

Your Committee was composed of Dean Borthwick, Donald Sherard, Robert Murphy, Joe Wilmetti and John F. Sullivan.

Numerous bills were submitted to the Committee and at the Legislative meeting of the Bar held in Cheyenne in January, 1961, all that had been submitted, were discussed and recommendations were made. All that were favorably recommended were properly drafted and submitted to the Legislature through members of the Bar who were likewise Legislators. Particular credit should be given to the lawyer members of the Legislature, Robert Murphy, D. N. Sherard, W. F. Swanton, Ted Frome, Edward Herschler, Max Osborne and Richard Tobin. They all were very cooperative with the Bar Committee and for the most part our program was successful.

Special note should be made of the fine work done by the special Committees who handled the Uniform Corporation Code and the Com-

mercial Code. These two pieces of legislation were completely sold to the Legislature and it points up the fact that if the Bar is interested in special, vital legislation, special Committees should be appointed to handle the one particular problem rather than saddling the Legislative Committee with all varied problems.

Four post conviction bills were recommended, introduced and passed. Several County Attorneys' bills were recommended, introduced and passed. A bill relating to contracts for the publication of opinions of the Supreme Court was recommended and passed. Uniform acknowledgments for Service men was considered and passed. Several other bills that had been recommended by the State Bar were considered favorably.

The one disappointment of your Committee was the failure to have any action taken on a Judicial Succession Bill. A special Committee spent lots of time preparing a proper bill which was endorsed by the majority of the State Bar. However, minority views were strong and your Committee was unable to have the bill introduced by members of the legal profession who were in the Legislature. In all fairness to them, they thought it the better part of wisdom to refrain, in as much as they could not muster enough support. Finally, it seemed advisable to drop the matter rather than try to push it on the floor of the Legislature and take a shellacking. Your Committee feels that such a bill as was prepared for the 1961 Session of the Legislature, is a good one and that a special Committee should be appointed to work on such legislation for introduction at the 1963 meeting of the Legislature. Said Committee should continue the efforts of the former Committee and every member of the State Bar should be thoroughly cognizant of the provisions and intent of the bill.

As has happened in the past, your Committee found that some individual members of the Bar, with specific problems, sought Bar support for their legislation. All that was submitted to the Committee was given consideration, but in several instances, it was not submitted to your Committee in time for study and dissemination. Because of the lateness of date of submission, some proper legislation did not get the consideration it deserved. The only way that such problems can be coped with is by constant reminder to our members to draft their proposals, explain them and submit them to the committee in sufficient time for consideration.

Over all, your Committee feels that progress is being made. The Legislature, rather than rejecting all Bar proposals, is looking to the State Bar for help. They are willing to consider our proposals and it is incumbent upon us to carefully screen our proposals and not to give approval to any that we cannot, as a group, wholeheartedly support.

The cooperation received from the officers of the Wyoming State Bar was sincerely appreciated by your Committee.

Respectfully submitted, .  
John F. Sullivan  
Chairman—Legislative Com.