

December 2019

Report of Committee on Judicial Selection

James O. Wilson

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Recommended Citation

James O. Wilson, *Report of Committee on Judicial Selection*, 16 Wyo. L.J. 137 (1962)

Available at: <https://scholarship.law.uwyo.edu/wlj/vol16/iss2/13>

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REPORT OF COMMITTEE ON JUDICIAL SELECTION

Cheyenne, Wyo., Sept. 5, 1961

On October 18, 1960, your President appointed Jack Crofts, Gordon W. Davis, Howell C. McDaniel, Jr., Harry L. Harris, and the undersigned as a committee to study alternate plans for the selection of District and Supreme Court Justices in the State of Wyoming. This was done as the result of the mandate of the members of the Wyoming State Bar at the last meeting in Casper.

The committee met in Cheyenne on December 15, 1960, after some prior individual study, discussed the program fully and subsequently prepared a draft of a proposed Constitutional amendment. A limited circulation of the same was made, the comments studied and certain suggestions incorporated. The draft was then presented for discussion at the Legislative meeting of the Wyoming State Bar held in Cheyenne in January. After this meeting the amendment was finalized, prepared for introduction and introduced as H. J. R. No. 10 by Jack Van Mark. Certain of your committee members appeared before the House Judiciary Committee, and efforts were made to secure committee endorsement and report with a Do Pass from committee.

The House Judiciary Committee members were not certain that this was proper legislation, were of the belief that the Resolution could not secure legislative support, and believed that a general public educational program should have been undertaken before introduction. I am sure that these beliefs were shared by many members of this organization. The Resolution did not move from the committee.

I now believe that the Judiciary Committee was right in not reporting the Resolution out since concentrated opposition might seriously handicap future passage of this type of legislation. I am of the opinion that your committee now believes that a general educational program should be undertaken if passage of this or similar legislation is to be seriously considered by the Legislature. If this organization endorses any worthwhile or needed legislation, the Legislature will give it serious consideration as shown by our efforts in the past. Unless we wholeheartedly believe in changing our method of judicial selection by adopting the so-called Missouri plan or similar legislation, there is little that a committee can accomplish. We recommend the continuation of the work of this committee if the Wyoming State Bar desires to spend some of its funds and if the members are willing to assist in carrying forward a public educational program showing the needs and benefits of changing our laws for the selection of our judiciary.

As chairman of the committee, our special appreciation to Gordon Davis and Howell C. McDaniel for the great amount of work they did in drafting the legislation and its attempted passage.

Committee on Judicial Selection
By James O. Wilson, Chairman