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Report of the Committee on the Defense of Indigent Acused Persons

Wyoming State Bar

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REPORT OF THE COMMITTEE ON THE DEFENSE OF INDIGENT ACCUSED PERSONS

At the September, 1963 annual meeting of the Wyoming State Bar, a report was submitted on behalf of what was then called the "Wyoming Associate Subcommittee of the American Bar Association Committee on the Defense of Indigent Persons Accused of Crime." Following the 1963 annual meeting, President Housel appointed the undersigned as members of the Wyoming State Bar Committee on the Defense of Indigent Accused Persons—a continuation of the work of the Wyoming Associate Subcommittee above mentioned.

The principal activity of the Committee on the Defense of Indigent Accused Persons subsequent to the 1963 annual meeting has been the completion of the report to the American Bar Foundation on the survey of the defense of indigent persons accused of felonies in Wyoming state courts. This report was compiled by Professor John O. Rames, as Reporter for Wyoming, was submitted to the American Bar Foundation on January 6, 1965, and was thereafter accepted by the Foundation. The survey report was approved by Chief Justice Glenn Parker of the Supreme Court of Wyoming and by the District Judges and County Attorneys who were personally interviewed during the survey, as well as by the members of the Wyoming Associate Subcommittee. A copy is attached to this present report.

A portion of the survey report consisted of certain recommendations for the improvement of practices and procedures involved in the defense of indigents accused of felonies in Wyoming state courts. To date, no attempt has been made to give general circulation of these recommendations among the members of the Bar, and for this reason the committee does not press for these recommendations at this time. If the committee is to be continued, we recommend that the recommendations be widely circulated so that the reactions of members of the Bar toward them may be obtained—all with the ultimate view of presenting suggestions for the improvement of such practices and procedures by legislation or otherwise.

The Wyoming survey, and similar surveys in the other 50 states and the District of Columbia, will appear in a volume to be published by the American Bar Foundation before the year's end. The committee believes that suggestions for improvements in Wyoming should not be finalized until the results of the nationwide survey are available, and the Wyoming situation can be studied from a comparative viewpoint.

In the meantime, the Chairman of the Wyoming State Bar committee has been reappointed by the American Bar Foundation as its liaison representative in Wyoming.

By way of further activity, the committee is pleased to report assistance given to one Elmer H. Conlogue, an inmate of the Wyoming State Penitentiary, in his attempt to gain post-conviction relief from alleged denials of his con-

stitutional rights during his trial and conviction of the offense of statutory rape. We understand that the Conlogue petition for post-conviction relief has been filed and is now pending. Mr. Conlogue is an alleged indigent person. In this connection, the committee gratefully acknowledges the help of Justice John J. McIntyre of the Supreme Court of Wyoming, District Judge T. C. Daniels, President Jerry W. Housel of the Wyoming State Bar and Attorney Donald P. White of Riverton. Problems arising in connection with this proceeding have indicated a need to supplement the existing statutes relative to post-conviction proceedings—a matter which should be considered if the committee is to be continued.

In as much as the problem of the representation of indigent persons accused of crime is a continuing one, and one which is receiving a great deal of attention both locally and nationally, we recommend that the committee be continued.

Respectfully submitted.

COMMITTEE ON THE DEFENSE OF INDIGENT ACCUSED PERSONS,
JOHN RAPER, Chairman

REPORT OF THE COMMITTEE ON JUDICIAL SELECTION AND TENURE

Cody, Wyoming, September 11, 1965

Your committee has had only one meeting this year. Other meetings were not possible because of lack of available funds for this and other committee activities of the State Bar. In its report last year, this committee stated that it had considered the work of prior committees and of HJR 10 which was introduced in the Wyoming Legislature in 1961. That resolution called for the submission to the electorate of Wyoming of a Constitutional amendment to authorize a change in the manner of selection and election of judges. Your committee is of the opinion that most members of this bar are not familiar with the arguments either for or against the plan outlined in HJR 10. We know from experience that the adoption of a constitutional amendment is an arduous task. We feel that to bring about any change in the constitution of Wyoming, permitting the adoption of any new plan for the selection of Judges of our courts, should have the active and unanimous support of the lawyers of Wyoming and wide public support as well. We therefore recommend that the State Bar (through this committee) should endeavor to obtain all of the information it can with reference to the matter of selection and tenure of judges; that it should endeavor to arrange as many programs as it can during the year for a discussion of the subject before local bar associations, and that a speaker or speakers or a panel of speakers be obtained and the matter fully discussed at the next annual meeting of the Wyoming State Bar, looking to the adoption of an appropriate