



WYOMING LEGISLATIVE SERVICE OFFICE

# Memorandum

**DATE** April 7, 2021

**TO** Management Council

**FROM** Senator Tara Nethercott, Co-Chairman  
Representative Jared Olsen, Co-Chairman

**SUBJECT** Proposed 2021 Interim Topics for the Joint Judiciary Interim Committee

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This memorandum represents the letter of support from the Joint Judiciary Interim Committee (Committee). Following a March 31 meeting, the Committee has identified and prioritized the topics described below. The Committee intends to study these topics in three two-day meetings and can be grouped in the following categories: (1) Wyoming's Juvenile Justice System; (2) Title 25 Review; (3) Agency Reports and Wyoming Supreme Court Case Review; (4) Electronic Filing and Electronic Records for Courts; (5) Review of Non-Compete Clauses; (6) Unified Court System Study; and (7) Bias Crime Reporting Requirements.

The Committee has tentatively scheduled three meetings to accomplish this work: June 3-4, August 30-31, and October 28-29. This memo further describes each topic.

## 2021 INTERIM TOPICS

The Committee requests that Management Council approve the following topics for study and consideration during the 2021 interim. The topics are listed in order and prioritized by the Committee's Co-Chairmen.

**Priority # 1–Review of Wyoming’s Juvenile Justice System.**

*The Committee will review the current Juvenile Justice Act and consider legislative changes regarding state expenditures, confinement and removal of juveniles, jurisdiction, statewide data collection, and any other area that the Committee identifies.*

**Discussion:** Wyoming has one of the highest rates of youthful confinement in the nation. Youth confinement is one of the largest expenditures for Department of Family Services. The Committee plans to comprehensively review the current Juvenile Justice Act and explore revising jurisdiction criteria and requirements for the more consistent use of evidence-based criteria and standardizing juvenile data collection.

**Priority #2–Title 25 Review.**

*The Committee will review the provisions related to involuntary hospitalizations emergency detentions in Title 25 to explore possible efficiencies and necessary revisions to improve the detention and hospitalization process, including reducing expenditures for detentions and hospitalizations.*

**Discussion:** The Committee explored the question of Title 25 payments and reimbursements last year, sponsoring 2021 Senate File 31. The Committee wishes to continue its work and explore ways to improve the Title 25 process for patients, state and county agencies, and healthcare providers.

**Priority #3–Agency Reports and Review of Wyoming Supreme Court Opinions.**

*The Committee will receive reports required by legislation from state agencies and will consider and sponsor necessary legislation identified after reviewing the reports. The Committee will also study and consider recent opinions where the Wyoming Supreme Court noted the absence of legislative action or called for legislative action.*

The Committee receives various reports from agencies, including the Supreme Court, the Department of Corrections, and the Office of Attorney General. The Committee will review the reports and consider any necessary legislation in response to the received reports. As in prior years, the Committee will also review the Wyoming Supreme Court's recent opinions where the Court interpreted statutes or noted the absence of legislative action or the need for legislative action.

**Priority #4–Electronic Filing and Electronic Records in Courts.**

*The Committee will review and discuss electronic filing and electronic records in courts.*

**Discussion:** The Committee wishes to review and consider legislative changes related to access to court records and electronic filing by attorneys and the public. As part of this review, the Committee plans to review the work of the Court Records Division of the Permanent Rules Advisory Committee and consider any legislation necessary to prepare for electronic filing in all of Wyoming's courts.

**Priority #5–Review of Non-Compete Clauses.**

*The Committee will review and discuss common law contracts and non-compete clauses.*

**Discussion:** The Committee will review and consider legislative changes related to non-compete provisions for employment to ensure that non-compete clauses do not result in an unreasonable restraint of trade.

**Priority #6–Review of the Unified Court System Study.**

*The Committee will undertake a comprehensive review of the Unified Court System Study.*

**Discussion:** The ever-increasing workload of various state court systems has recently generated a widespread interest in the possible mechanisms for reforming the structure of Wyoming's courts. The Committee wishes to review and consider the concept of a unified court system.

**Priority #7–Biased Crime Reporting Requirements.**

*The Committee will review and discuss biased crime reporting requirements.*

**Discussion:** The Committee has received a request from stakeholders to consider bias-crime reporting requirements. The Committee intends on reviewing current statutes and consider potential solutions through legislation.

We look forward to discussing these proposed topics with Management Council.