

HOUSE JOINT RESOLUTION NO. HJ0001

District court commissioners-authority.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 A JOINT RESOLUTION proposing to amend the Wyoming
2 Constitution to eliminate restrictions on the authority of
3 district court commissioners.

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5 *BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING,*
6 *two-thirds of all the members of the two houses, voting*
7 *separately, concurring therein:*

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9 **Section 1.** The following proposal to amend Wyoming
10 Constitution, Article 5, Section 14 is proposed for
11 submission to the electors of the State of Wyoming at the
12 next general election for approval or rejection to become
13 valid as a part of the Constitution if ratified by a
14 majority of the electors at the election:

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1 **Article 5, Section 14. District courts generally;**
2 **commissioners.**

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4 The legislature shall provide by law for the appointment by
5 the several district courts of one or more district court
6 commissioners (who shall be persons learned in the law) in
7 each organized county in which a district court is holden,
8 such commissioners shall have authority to perform such
9 ~~chamber business in the absence of the district judge from~~
10 ~~the county or upon his written statement filed with the~~
11 ~~papers, that it is improper for him to act,~~ as may be
12 prescribed by law, to take depositions and perform such
13 other duties, and receive such compensation as shall be
14 prescribed by law.

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16 **Section 2.** That the Secretary of State shall endorse
17 the following statement on the proposed amendment:

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1 The adoption of this amendment would remove the
2 current restriction on the authority of district court
3 commissioners which limits the scope of the commissioners'
4 duties and the circumstances under which they may serve.
5 If the amendment is adopted, a district court commissioner
6 could perform duties assigned by a district court judge,
7 even if the judge is not absent from the jurisdiction of
8 the court, subject to any restrictions the legislature may
9 impose by law upon the authority of district court
10 commissioners.

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(END)