

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Assignment of retired circuit court judges.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to circuit court judges; providing that
2 retired circuit court judges may be assigned to hear cases
3 as specified; providing for compensation of retired circuit
4 court judges as specified; specifying that an assignment of
5 a retired circuit court judge shall not affect his
6 retirement benefits during the assignment; and providing
7 for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 5-9-119 by creating a new subsection
12 (d) is amended to read:

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1 **5-9-119. Judges may hold court for each other;**
2 **expenses of judge holding court in another circuit or**
3 **district; disqualification of judge; change of venue**
4 **prohibited; assignment of retired judges.**

5
6 (d) Any retired circuit court judge of this state who
7 is not practicing law may, with his consent and the consent
8 of the chief justice, at the request of a circuit court
9 judge be assigned to hear a case in a circuit court as
10 otherwise authorized by law. A retired circuit court judge
11 shall receive as compensation an amount equal to the
12 current compensation of a judge of the court to which he is
13 assigned. The compensation received by a retired circuit
14 court judge during any period of assignment shall not
15 affect the receipt of any retirement allowance of the
16 retired circuit court judge during the period of
17 assignment. Assignments of retired circuit court judges
18 under this section shall only be made in a manner that does
19 not jeopardize the qualified status of state retirement
20 plans established by the Wyoming legislature. When called
21 to serve, a retired circuit court judge shall receive the
22 same per diem and travel allowance as allowed active
23 circuit court judges. Per diem allowances and compensation

1 shall be paid from the contingent fund of the court to
 2 which the retired judge is assigned.

***** STAFF COMMENT *****

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 4 The Committee, at the September meeting, directed
 5 the deletion of language in the proposed bill
 6 presented by the judiciary that would authorize a
 7 retired circuit court judge to be assigned to
 8 district court cases. Please note that W.S. 5-3-
 9 112 authorizes an circuit court judge to be
 10 assigned to any district court proceeding or
 11 case, subject to specified restrictions.
 12

13 **Section 2.** This act is effective July 1, 2011.

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(END)