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Wyoming Pattern Jury Instructions

Wyoming State Bar

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were 28 legislators present, including 15 of the 18 newly elected members of the legislature.

As a part of the law school's summer research program, Professor Geraud prepared bills for the legislature on the hospitalization of mentally ill persons and on the appointment of guardians for incompetents. The first of these was adopted and represents a major change in our laws pertaining to mental health. Professor Bloomenthal served as Chairman of the Wyoming State Bar Committee on Administrative Law. Professor Rames continued to serve on the Wyoming Statute Revision Commission, and was named Chairman of the Sub-Committee on School Law. Dean Trelease continued as Chairman of the Wyoming Supreme Court's Rules Advisory Committee.

Respectfully Submitted,
Dean Frank J. Trelease

WYOMING PATTERN JURY INSTRUCTIONS INTRODUCTION

The Committee on Uniform Jury Instructions for the Wyoming State Bar was first appointed by President John P. Ilsley in 1961. Since that time it has been continued by President George P. Sawyer and President George J. Millett.

The Committee was largely activated and inspired by Roy Stoddard, Jr., who was then an associate professor of law at the University of Wyoming. Professor Stoddard was active on the Committee until his return to law practice in Iowa in 1962.

Free reference has been made to the California Jury Instructions, Iowa Uniform Jury Instructions and the Illinois Pattern Jury Instructions. The Committee was particularly impressed with the style, simplicity and theory of the Illinois Pattern Jury Instructions (IPI) and has attempted to model instructions for Wyoming in a similar manner.

We have attempted to compile and redraft instructions of more common use in jury trials. In doing so we hope we have provided an Instruction which is not slanted for either one side or the other, which is brief and understandable, and which will correctly state the law.

We believe that general acceptance of these instructions by the Bench and Bar will eliminate confusing instructions slanted first for one party then for the other, will make the law more understandable to the jury, and will thereby promote justice under the jury system. In addition, use of the Instructions should save many hours for the court and counsel which would otherwise be spent in drafting instructions and in determining from those submitted from each side which instructions should be given or refused or modified.

There is not an instruction for every occasion. In some instances the Committee felt that the law was not yet determined in Wyoming and as a result did not draft an instruction for that subject. In other instances, we, following the theory of the Illinois Committee, have recommended that no instruction be given—generally because the subject is more probably one for argument to the jury. The mere fact that it is not error to give an instruction does not necessarily mean that the instruction is either necessary or a good one. We do believe, however, that the ordinary negligence action is provided for.

We recommend that these instructions be adopted by the Wyoming State Bar and that the Bar recommend to the Bench and members of the Bar that the Wyoming Jury Instruction be used whenever applicable unless the court determines that it does not accurately state the law.

We hope that the Wyoming Supreme Court will eventually endorse the use of the instructions by a rule of that court.

Respectfully submitted,
Ross D. Copenhaver, Chairman

REPORT OF THE WYOMING ASSOCIATE SUBCOMMITTEE OF THE AMERICAN BAR ASSOCIATION COMMITTEE ON THE DEFENCE OF INDIGENT PERSONS ACCUSED OF CRIME.

At the August, 1962 meeting of the American Bar Association, a special Committee on the Defense of Indigent Persons Accused of Crime was appointed, in the belief that this is a problem area of considerable importance to the profession at the present time. The understanding was that the Presidents of State Bar organizations would thereafter appoint Associate Subcommittees in each State. Pursuant to this understanding, President George Millett of the Wyoming State Bar appointed the undersigned as members of the Wyoming Associate Subcommittee.

The American Bar Foundation then entered upon a State-by-State survey of the problems involved in the representation of indigent persons accused of felonies in State courts. It was agreed that in this endeavor the ABF would work in close cooperation with the above mentioned special ABA committee and with the Associate Subcommittees for each State. The American Bar Foundation survey is being financed by the Ford Foundation, the American Bar Association, the American Bar Foundation and State Bar Associations. The survey is being conducted under the direction of one or more Reporters for each State. These Reporters are usually practitioners active in the criminal law field, or members of law faculties whose teaching assignments cover this field. Reporters are appointed by the American Bar Foundation, with the approval of the Chairman of the State Associate Subcommittee. The Reporter for Wyoming is Professor John O.