

Special Town Council Meeting

January 24, 2022

2:00 PM

Via Zoom and Swagit

Chair: Mayor Hailey Morton Levinson

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING**

I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/89659448041?pwd=QVZ5OWgwWTRGdzZGM1IyVk1wWGMxQT09>

If the link does not work, join at [zoom.com](https://zoom.us) with Webinar ID: **896 5944 8041** Password: **83001**

or join by phone **+1(346)248 7799** with Webinar ID: **896 5944 8041** and Passcode: **83001**

II. CALL TO ORDER AND ROLL CALL

III. INTERVIEWS FOR MUNICIPAL JUDGE

- A. 2:00 PM Brian Hultman
- B. 2:45 PM Richard Stout
- C. 3:30 PM Christopher Leigh

IV. EXECUTIVE SESSION

- A. Recess to executive session to discuss personnel matters in accordance with Wyoming Statute 16-4-405(a)(ii).

V. APPOINTMENT OF MUNICIPAL JUDGE (TENTATIVE)

VI. ADJOURN

Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

STAFF REPORT



Meeting Date:	January 24, 2022	Meeting Title:	Town Council Special Mtg
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	Municipal Judge Interviews	Public Comment:	No

Purpose & Policy Considerations.

The Municipal Judge is appointed by the Mayor with the consent of Council pursuant to W.S. §5-6-103.

Requested Action.

There is no requested action. After interviews and deliberation are concluded, the Mayor may choose to make an appointment and the Council may choose to consent to the appointment. A possible motion is listed at the end of the staff report should the Mayor and Council be ready to move forward.

Recommendations.

Staff recommends the Mayor and Council conduct interviews and consider making an appointment.

Background.

Staff provided the following interview questions to each candidate on Thursday, January 20, 2022 so that they could prepare, in advance, for the interview. Once the questions are concluded, there may be a brief period remaining to ask any follow up questions by Town Council.

1. *Please tell us what diversity, equity and inclusion mean to you, why it is important for this position, and how it is applicable to your role as the Municipal Judge.*
2. *What should the relationship be between the Municipal Court and the Town Council? How would you deal with any potential conflicts between the branches of government?*
3. *The Municipal Court has long used a community service program for minor offenses and DUI offenses. Would you support or oppose such a program in the Municipal Court going forward? Do you support other types of alternative sentencing programs?*
4. *What approach do you think is appropriate for a first time DUI offender and, if at all, how does that approach differ for a repeat offender?*
5. *Our Municipal Court does not have law clerks for the Municipal Judge. How would you master unfamiliar areas of law in a relatively short period of time?*
6. *Describe a situation where you had to support a legal position that conflicted with your personal beliefs. Please tell us how you handled it.*
7. *How would you ensure high quality customer service in Municipal Court?*

Once a Municipal Judge is selected and appointed, they will also need to execute a contract with the Town of Jackson and be administered the Oath of Office prior to assuming duties as the Municipal Judge. The proposed motion encompasses all of those additional tasks that need to be accomplished, should the Council be ready to move forward. Once those tasks are completed, staff will prepare and conduct orientation and onboarding activities for the newly appointed Municipal Judge.

The Municipal Judge contract, as written and attached, automatically renews each January unless the Town provides notice of termination on or before November 1 or if the judge provides notice of their intent to terminate the contract a minimum of 90 days prior to termination. The advertisement for the position indicated an annual salary of \$55,000 - \$65,000. The position is exempt and considered full time at 10-20 hours/wk. Staff recommends a salary of \$58,000 for this position with annual wage increases as provided to all other full-time staff at the Town of Jackson.

Analysis.

Possible Alternatives.

Should the Town Council not select someone from this group of finalists, the position can be readvertised, or other current applicants can be selected as finalists.

Comprehensive Plan & Priority Alignment.

N/A

Fiscal Impact.

The fiscal impact of executing this contract is already covered in the FY22 budget as this person replaces the current Municipal Judge. The fiscal impact would be \$58,000 per year plus the value of the benefit package, including retirement.

Staff Impact.

The staff impact of the process to date has been approximately 20 hours of work conducted by Administration and Personnel, the Legal Department, and the Town Clerk's office. This interview process will add an additional 6 hours of staff time and the subsequent actions of executing a contract, administering the oath, and onboarding a new Municipal Judge will be an additional 4 hours of staff time, not including training time spent by the current Municipal Court Clerk. However, staff notes that a Municipal Judge is needed and the time investment is necessary.

Attachments or Links.

Application materials for Brian Hultman, Richard Stout, and Christopher Leigh, and the draft contract for Municipal Judge.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

Mayor: I hereby appoint _____ as Municipal Judge for the Town of Jackson.

Council: I move to consent to the appointment of _____ as Municipal Judge for the Town of Jackson, at the salary of \$58,000 per year, and move to authorize the Mayor to execute the draft contract attached to this staff report and to administer the oath of office upon execution of the contract.

Dear Mayor Hailey Morton Levinson,

Please accept this letter as my expression of interest for the position of Municipal Court Judge. It would be an honor to be able to serve in that capacity.

I believe that both my professional and personal life experiences have given me a unique perspective to weigh decisions affecting the lives of people in our community. Public service has always been an important aspect of who I am and what I do, and this position is a natural continuation of that role.

I have been with the Teton County Attorney's office for 25 years. This has given me a conscientious understanding of my place in our legal system and of the duty to protect the sanctity of our institutions first and foremost. Justice and the Judicial Branch of our democracy is the most trusted in America. The seriousness of that responsibility is not lost on me. I love that I became a lawyer. I love that I have a responsibility to justice. Every morning I get up knowing that I can make a difference.

Over the past 25 years, I have seen the perception of justice evolve to being one where people want to feel that they have been heard. Prosecutors, defense attorneys, defendants, victims, victim advocates, law enforcement and witnesses all want the same thing—to be heard. I want to give everybody the right to state his or her case and to be treated fairly and equitably.

Aside from my professional experience, there are two personal experiences that define who I am and would contribute towards my ability to become a distinguished Municipal Court Judge. First, my eldest child, a sophomore at Denison University, was diagnosed with a brain tumor when she was 8 weeks old. She survived through two surgeries and 20 months of chemotherapy. The second experience was my stroke in 2013 during LOTOJA, a 206-mile bike race. The stroke affected the right side of my body and altered my speech. Both of these experiences were hard, exacting a toll in my family's life. But they have also served as a mainspring for my outlook on life. Life is fragile, unpredictable, and nothing is truly set in stone.

I understand resiliency because of these experiences. I understand that everyone is fighting their own battles, be it addiction, illness, or misfortune, and I have firsthand knowledge of how hard it can be to cope through a crisis. But I also have an awareness of the possibility of renewal. This heightened mindfulness of life's vulnerability gives me a perspective that not many others are able to bring to the decisions that I would make as a judge. I will hold that responsibility sacred.

Sincerely,

Brian Holtman



Town of Jackson
Municipal Judge Application
January 2022

Name: Brian E. Hultman

Mailing Address: [REDACTED], Jackson, Wyoming 83002

Physical Address: 272 S. H. [REDACTED], Jackson, Wyoming 83001

Are you legally authorized to work in the United States? Yes

Are you fluent in a language other than English? No

If yes, what language?

Years of residency in Teton County, Wyoming 28 Years

Are you a qualified elector of Teton County? Yes

Are you currently a member in good standing of the Wyoming State Bar? Yes

Are you currently a member in good standing of any other state bar? No

If yes, which state(s) and for how many years have you been a member of each?

How many years have you been an active member of the Wyoming State Bar? 28 Years

Have you been free from any discipline by any State Bar or State Supreme Court for the most recent five-year period? Yes

Provide the name, phone, and email for your current employer along with 2 previous employers. If you are currently self-employed, please provide 3 previous employers

Employer 1: Erin E. Weisman, Teton County Attorney's Office, [REDACTED], eweisman@tetoncountywy.gov

Employer 2: Richard J. Mulligan, Law Office of Richard J. Mulligan, [REDACTED], dick@mulliganlawoffice.com

Employer 3: Whitney Roof, Jackson Hole Mountain Resort, [REDACTED], whitney.roof@jacksonhole.com

Describe the nature of your present law practice, listing the major types of law you practice and the percentage each constitutes of your total practice.

For the past 6 years, I have practiced exclusively in Teton County Circuit Court. I have done 100% criminal prosecutions.

List any other areas of law in which you have practiced regularly.

Throughout my career, I have practiced in criminal law, civil litigation, domestic relations, juvenile law and Title 25.

Have you practiced before the Municipal Court within the past five years? If so, please state the number of occasions.
No.

List the approximate number of cases you have tried to conclusion during your time as an attorney. ("tried to conclusion" means conducting a trial or administrative hearing which resulted in a judgement or administrative decision). Please indicate if you were sole, associate, or chief counsel.
35-50 Jury Trials, 200-225 Bench Trials, 100-125 Administrative Hearings. I was sole counsel on all cases.

What percentage of your litigation in the last five years was spent in each area of Civil, Criminal, Prosecution, Defense or Other.

Civil: 0%

Criminal: 100% Prosecution: 100% Defense: 0%

Other: 0%

Have you tried a case in front of a jury? Yes

If yes, please describe: I continue to say that it is the pinnacle of our profession.

Have you ever been found in contempt of court? No

If yes, please describe:

Have you ever been a party or the subject of any legal proceedings, civil or criminal, including deferred prosecutions? Yes

List three attorneys familiar with your professional qualifications from whom the Town Council may ask for a written candid appraisal of your potential as a Municipal Judge.

1. Melvin C. Orchard, III, The Spence Law Firm, LLC, orchard@spencelawyers.com, [REDACTED]
2. Honorable Melissa M. Owens, Municipal Judge for the Town of Jackson and Owens Law Office, PC, melissa@tetonlawyer.com, [REDACTED]
3. Erin E. Weisman, Teton County and Prosecuting Attorney, eweisman@tetoncountyywy.gov, [REDACTED]

List three judges before whom you have practiced:

1. Honorable Judge James L. Radda, Circuit Court of Teton County
2. Honorable Judge Timothy C. Day, District Court Judge of the Ninth Judicial District
3. Honorable Judge Nancy J. Guthrie, District Court Judge of the Ninth Judicial District

In no more than 500 words, please attach a letter of interest describing your desire to serve as the Town of Jackson Municipal Judge.

Please include a Letter of Good Standing from the Wyoming State Bar (and any other State Bar in which you are currently licensed) which indicates your current standing along with details of any disciplinary history, as well as a Certificate of Good Standing from the Wyoming Supreme Court.

Note: A separate criminal history check document will be provided for completion that includes your social security number and date of birth.

BRIAN E. HULTMAN

brianhultman@yahoo.com

WSB#6-2755

Education

- | | |
|-------------|--|
| 1990 – 1993 | University of Pittsburgh School of Law, Pittsburgh, Pennsylvania
Juris Doctor |
| 1986 – 1990 | Denison University, Granville, Ohio
Bachelor of the Arts |

Employment

- | | |
|----------------|---|
| 1996 – 2021 | Teton County Attorney's Office, Jackson, Wyoming
Extensive courtroom litigation with criminal and civil jury trials,
bench trials, evidentiary hearings and Title 25 hearings |
| 2015 – Present | Criminal Deputy |
| 2012 – 2013 | Civil Deputy |
| 2001 – 2012 | Chief Criminal Deputy |
| 1996 – 2001 | Criminal Deputy |
| 1995 – 1996 | Law Offices of Brian E. Hultman, Jackson, Wyoming
Criminal Defense and Domestic Relations general practice |
| 1993 – 1995 | Law Offices of Richard J. Mulligan, Jackson, Wyoming
Criminal Defense and Domestic Relations general practice |

Service

- | | |
|-------------|-------------------|
| 2005 – 2011 | Wyoming State Bar |
| 2010 – 2011 | President |
| 2009 – 2010 | President – Elect |
| 2008 – 2009 | Vice President |
| 2005 – 2008 | Commissioner |

Awards

- 2019 President's Award, Wyoming State Bar
"In recognition of your leadership, service to the Bar, perseverance through adversity and professional mentorship. I would not be the President of the Bar without your encouragement. Thank you for your friendship and inspiration." – Weston T. Graham, President
- 2015 TEDx Jackson Hole – Resilience, "One Stroke at a Time"
- 2011 Community Service Award, Wyoming State Bar
"In recognition of your tireless efforts and commitment to coordinating the 2011 Liberty Day Project. Your effective leadership resulted in 207 Wyoming lawyers volunteering to teach over 6,000 of Wyoming's fifth-grade students about the U.S. Constitution and Amendments. Thank you for serving as an example of what Wyoming Lawyers are able to accomplish in their communities." – Wyoming State Bar

Publications

- 2011, Aug. Wyoming Lawyer, From the Top – The Three Questions
- 2011, June Wyoming Lawyer, From the Top – The Spirit of Volunteerism
- 2011, April Wyoming Lawyer, From the Top – Happy Hashkima Day, Emmaline!
- 2011, Feb. Wyoming Lawyer, From the Top – Congratulations to Judge Radda
- 2010, Dec. Wyoming Lawyer, From the Top – Countdown from Ten to One
- 2010, Oct. Wyoming Lawyer, From the Top – "Proud to be a Wyoming Lawyer"

Activities/Volunteerism

Liberty Day (2011 – 2013, 2015 – 2018, and 2021)

Lectured 5th grade students in Teton County Elementary Schools about the U.S. Constitution and Amendments

LOTOJA (2004 – 2015)

206-mile bicycle race from Logan, Utah to Jackson, Wyoming

Cowboy Cup (1996 – 2021)

12 on 12 annual golf tournament modeled after the Ryder Cup

Jackson Hole Lacrosse Club, Board of Directors (2011 – 2013 and 2015 – 2021)

Babe Ruth Baseball, Coach (1994 – 2001 and 2018 – 2021)

Jackson Hole Mountain Resort, Facilitator for Kid's Ranch (2006 – 2021)

Children's Learning Center, Board of Directors (2005 – 2007)

Personal References

Honorable Melissa M. Owens, Owens Law Office, PC

[REDACTED]

Telephone: [REDACTED]

Email: melissa@tetonlawyer.com

Melvin C. Orchard, III, The Spence Law Firm, LLC

[REDACTED]

Telephone: [REDACTED]

Email: orchard@spencelawyers.com

Erin E. Weisman, Teton County Attorney's Office

[REDACTED]

Telephone: [REDACTED]

Email: eweisman@tetoncountyywy.gov

Honorable James L. Radda, Ninth Judicial District Circuit Court

[REDACTED]

Telephone: [REDACTED]

Email: jlr@courts.state.wy.us



Mailing Address: 
P.O. Box 109
Cheyenne, WY 82003

Physical Address: 
4124 Laramie Street
Cheyenne, WY 82001

307.632.9061 
wyomingbar.org

December 29, 2021

Attorney: Mr. Brian E. Hultman

Mr. Brian E. Hultman was admitted to practice by Exam in Wyoming on April 25, 1994, and is enrolled as attorney number 6-2755.

Status: Active

"Active" means that the attorney is eligible to appear as an attorney in all Wyoming state courts. "Honorable" means that the attorney serves as a judge. "Inactive" means that the attorney has voluntarily chosen inactive status, and is not currently eligible to appear as an attorney in any Wyoming court. "Retired" or "Honorable Retired" mean that the attorney or judge has voluntarily elected permanent inactive status, and is no longer eligible to appear as an attorney in any Wyoming court.

Standing: Good Standing

"Good Standing" means that the attorney's license fees are current, mandatory continuing legal education, if required, is current, and the attorney's right to practice is not currently suspended or revoked for cause.

Discipline: None

By Wyoming Supreme Court rule, the types of public discipline attorneys may receive include public censure, suspension and disbarment. "None" means that the attorney has never been disbarred, suspended or publicly censured since becoming a member of the Wyoming State Bar. If the attorney has received some form of public discipline, a copy of the order of public discipline will be provided.

I hereby certify that the preceding information is correct.

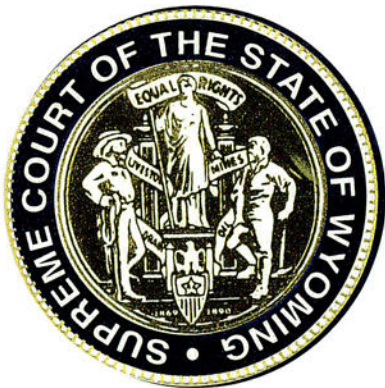

Sharon Wilkinson
Executive Director

**CERTIFICATE OF THE CLERK OF THE
SUPREME COURT
OF THE
STATE OF WYOMING**

I, Shawna Goetz, Clerk of the Supreme Court of the State of Wyoming, hereby certify that, according to the records of my office:

Brian E. Hultman

was on the 25th day of April, 1994, duly admitted to practice as an Attorney and Counsellor at Law in all the courts of Wyoming; that the above admittee has never been disbarred or suspended; that no disciplinary proceedings are pending against this admittee; and that this admittee's name now appears on the Roll of Attorneys in this office as a member of the bar in good standing.



Given under my hand and the seal of said
Court this 3rd day of January, 2022.

Shawna Goetz, Clerk

Laura Mickey

by deputy

Dear Vice Mayor Arne Jorgensen,

Please accept this letter as my expression of interest for the position of Municipal Court Judge. It would be an honor to be able to serve in that capacity.

I believe that both my professional and personal life experiences have given me a unique perspective to weigh decisions affecting the lives of people in our community. Public service has always been an important aspect of who I am and what I do, and this position is a natural continuation of that role.

I have been with the Teton County Attorney's office for 25 years. This has given me a conscientious understanding of my place in our legal system and of the duty to protect the sanctity of our institutions first and foremost. Justice and the Judicial Branch of our democracy is the most trusted in America. The seriousness of that responsibility is not lost on me. I love that I became a lawyer. I love that I have a responsibility to justice. Every morning I get up knowing that I can make a difference.

Over the past 25 years, I have seen the perception of justice evolve to being one where people want to feel that they have been heard. Prosecutors, defense attorneys, defendants, victims, victim advocates, law enforcement and witnesses all want the same thing—to be heard. I want to give everybody the right to state his or her case and to be treated fairly and equitably.

Aside from my professional experience, there are two personal experiences that define who I am and would contribute towards my ability to become a distinguished Municipal Court Judge. First, my eldest child, a sophomore at Denison University, was diagnosed with a brain tumor when she was 8 weeks old. She survived through two surgeries and 20 months of chemotherapy. The second experience was my stroke in 2013 during LOTOJA, a 206-mile bike race. The stroke affected the right side of my body and altered my speech. Both of these experiences were hard, exacting a toll in my family's life. But they have also served as a mainspring for my outlook on life. Life is fragile, unpredictable, and nothing is truly set in stone.

I understand resiliency because of these experiences. I understand that everyone is fighting their own battles, be it addiction, illness, or misfortune, and I have firsthand knowledge of how hard it can be to cope through a crisis. But I also have an awareness of the possibility of renewal. This heightened mindfulness of life's vulnerability gives me a perspective that not many others are able to bring to the decisions that I would make as a judge. I will hold that responsibility sacred.

Sincerely,

Brian Hultman

Dear Council Member Jonathan Schechter,

Please accept this letter as my expression of interest for the position of Municipal Court Judge. It would be an honor to be able to serve in that capacity.

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Sincerely,

Brian Hultman

Dear Council Member Jim Rooks,

Please accept this letter as my expression of interest for the position of Municipal Court Judge. It would be an honor to be able to serve in that capacity.

I believe that both my professional and personal life experiences have given me a unique perspective to weigh decisions affecting the lives of people in our community. Public service has always been an important aspect of who I am and what I do, and this position is a natural continuation of that role.

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Sincerely,

Brian Hultman

Dear Council Member Jessica Chambers,

Please accept this letter as my expression of interest for the position of Municipal Court Judge. It would be an honor to be able to serve in that capacity.

I believe that both my professional and personal life experiences have given me a unique perspective to weigh decisions affecting the lives of people in our community. Public service has always been an important aspect of who I am and what I do, and this position is a natural continuation of that role.

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Sincerely,

Brian Hultman

December 30th, 2021

HAND DELIVERED

Town of Jackson

Re: Town of Jackson Municipal Court Judge

Dear Madam Mayor and Town Council:

Please consider my application for the Town of Jackson Municipal Court Judge. I am a strong candidate for this position due to my experience, demeanor and commitment to public service in this community.

I have been practicing law in Teton County, Wyoming since 2008. Nearly all of my practice has been in the area of criminal law. The majority of those cases are substance abuse related charges, such as DWUI and possession of controlled substances. I believe that motivating and advising clients to make lifestyle changes related to drugs and alcohol leads to better outcomes and makes our community safer. This philosophy will translate well to the position of Municipal Court Judge.

I have served as a team member of the Teton County Court Supervised Treatment Program (CSTP) since 2009. In 2020, the Hon. Timothy C. Day asked me to take his place as the CSTP Judge. This program supervises substance abuse related repeat offenders with the goal to help them reach long-term recovery, which is something that I am very passionate about. This part time position would not interfere with the Municipal Court Judgeship.

When the Town Council voted to expand the Municipal Court in 2014, the Town Administrator, Bob McLaurin, approached me for assistance. I helped develop many of the now standard practices and forms that are used in the Municipal Court. I also encouraged him to hire the Hon. Melissa M. Owens as Judge. Since then, I have appeared before Judge Owens countless times. I am very familiar with her practices on the bench, and I have the intention to continue them. The nature of my practice has given me a strong knowledge of the issues that commonly come before the Municipal Court, making me well suited to fill this position.

I have a strong record of serving this community. Over the years I have volunteered in various roles with the Boy Scouts of America, and the Jackson Hole Chamber of Commerce. I currently serve on the Board of Directors for the Chamber. I served as the President of the Board of Directors of the Teton County Housing Authority from 2012 to 2015. During that time, I oversaw the construction of approximately sixty affordable housing units.

It would be an honor to serve this community as the Municipal Court Judge. My intention would be to hold offenders accountable for their actions, but do so in a compassionate manner with a goal of rehabilitation. Thank you for your consideration.

Sincerely,



Richard D. Stout



Town of Jackson
Municipal Judge Application
January 2022

Name: Richard Stout

Mailing Address: [REDACTED] Jackson, WY 83001

Physical Address: [REDACTED] Jackson, WY 83001

Are you legally authorized to work in the United States? Yes

Are you fluent in a language other than English? No ☐

If yes, what language?

Years of residency in Teton County, Wyoming 14

Are you a qualified elector of Teton County? Yes

Are you currently a member in good standing of the Wyoming State Bar? Yes

Are you currently a member in good standing of any other state bar? Yes

If yes, which state(s) and for how many years have you been a member of each?

Kentucky. Since 2009 but my status is inactive and I have never practiced there.

How many years have you been an active member of the Wyoming State Bar? 13

Have you been free from any discipline by any State Bar or State Supreme Court for the most recent five-year period? Yes

Provide the name, phone, and email for your current employer along with 2 previous employers. If you are currently self-employed, please provide 3 previous employers

Employer 1: DeFazio Law Office- [REDACTED], sabrina@defaziolaw.com

Employer 2: Kentucky Cabinet of Health and Family Services- [REDACTED], CHFS.Listens@ky.gov

Employer 3: Jackson Hole Whitewater- [REDACTED], info@jhww.com

Describe the nature of your present law practice, listing the major types of law you practice and the percentage each constitutes of your total practice.

I practice almost exclusively in criminal law and associated administrative actions.

List any other areas of law in which you have practiced regularly.

Have you practiced before the Municipal Court within the past five years? If so, please state the number of occasions.

Yes. At least 100 times.

List the approximate number of cases you have tried to conclusion during your time as an attorney. ("tried to conclusion" means conducting a trial or administrative hearing which resulted in a judgement or administrative decision). Please indicate if you were sole, associate, or chief counsel.

At least 100 times, mostly as sole counsel.

What percentage of your litigation in the last five years was spent in each area of Civil, Criminal, Prosecution, Defense or Other.

Civil:

Criminal: 100

Prosecution:

Defense:

Other:

Have you tried a case in front of a jury? Yes

If yes, please describe: Multiple criminal trials.

Have you ever been found in contempt of court? No

If yes, please describe:

Have you ever been a party or the subject of any legal proceedings, civil or criminal, including deferred prosecutions? Yes ☒

List three attorneys familiar with your professional qualifications from whom the Town Council may ask for a written candid appraisal of your potential as a Municipal Judge.

1. Elisabeth Trefonas- [REDACTED] emwt@trefonaslaw.com
2. Isaiah Gross- [REDACTED] isaiah@s-g.law
3. Garren Stauffer- [REDACTED] gstauffer@lcwy.org

List three judges before whom you have practiced:

1. Hon. Timothy C. Day
2. Hon. James L. Radda
3. Hon. Melissa M. Owens

In no more than 500 words, please attach a letter of interest describing your desire to serve as the Town of Jackson Municipal Judge.

Please include a Letter of Good Standing from the Wyoming State Bar (and any other State Bar in which you are currently licensed) which indicates your current standing along with details of any disciplinary history, as well as a Certificate of Good Standing from the Wyoming Supreme Court.

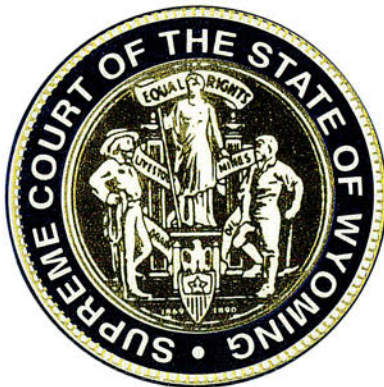
Note: A separate criminal history check document will be provided for completion that includes your social security number and date of birth.

**CERTIFICATE OF THE CLERK OF THE
SUPREME COURT
OF THE
STATE OF WYOMING**

I, Shawna Goetz, Clerk of the Supreme Court of the State of Wyoming, hereby certify that, according to the records of my office:

Richard David Stout

was on the 2nd day of June, 2008, duly admitted to practice as an Attorney and Counsellor at Law in all the courts of Wyoming; that the above admittee has never been disbarred or suspended; that no disciplinary proceedings are pending against this admittee; and that this admittee's name now appears on the Roll of Attorneys in this office as a member of the bar in good standing.



Given under my hand and the seal of said
Court this 10th day of January, 2022.

Shawna Goetz, Clerk

Laura Mickey
by deputy



Mailing Address: 
P.O. Box 109
Cheyenne, WY 82003

Physical Address: 
4124 Laramie Street
Cheyenne, WY 82001

307.632.9061 
wyomingbar.org

January 7, 2022

Attorney: Mr. Richard David Stout

Mr. Richard David Stout was admitted to practice by Exam in Wyoming on June 2, 2008, and is enrolled as attorney number 6-4370.

Status: Active

"Active" means that the attorney is eligible to appear as an attorney in all Wyoming state courts. "Honorable" means that the attorney serves as a judge. "Inactive" means that the attorney has voluntarily chosen inactive status, and is not currently eligible to appear as an attorney in any Wyoming court. "Retired" or "Honorable Retired" mean that the attorney or judge has voluntarily elected permanent inactive status, and is no longer eligible to appear as an attorney in any Wyoming court.

Standing: Good Standing

"Good Standing" means that the attorney's license fees are current, mandatory continuing legal education, if required, is current, and the attorney's right to practice is not currently suspended or revoked for cause.

Discipline: None

By Wyoming Supreme Court rule, the types of public discipline attorneys may receive include public censure, suspension and disbarment. "None" means that the attorney has never been disbarred, suspended or publicly censured since becoming a member of the Wyoming State Bar. If the attorney has received some form of public discipline, a copy of the order of public discipline will be provided.

I hereby certify that the preceding information is correct.


Sharon Wilkinson
Executive Director

CHRISTOPHER S. LEIGH

Attorney at Law

[REDACTED]

[REDACTED]

Jackson, Wyoming 83001

Phone [REDACTED]

Fax [REDACTED]

chrisleigh@wyoming.com

WSB # 5-2586

December 30, 2021

RE: Municipal Judge, Town of Jackson
Letter of Interest

Mayor of Jackson & Town Council:

I am writing to express my interest in the appointment to the position of Municipal Judge for the Town of Jackson. I have attached to this letter of interest, my resume, the approved application, two letters of recommendation, a Certificate of Good Standing from the State Bar and a Certificate of Good Standing from the Wyoming Supreme Court.

I am humbled to have the opportunity to apply and am fully prepared to accept the responsibilities and requirements of the position. I look forward to carrying on the professionalism that Judge Owens has instilled in the Municipal Court. I have thoughtfully considered the professional sacrifice it will require by reducing my private practice and focusing on the requirements of being the gatekeeper for individuals' rights under the law, the positions of the defendant, the prosecutor, victims' rights, and advocating for and representing the neutral position that is required of the Municipal Judgeship.

I have the knowledge, experience, and personality to make good solid decisions. For the past six years I have been mentored by three incredibly talented, highly experienced, and professional judges. As a current municipal judge, alternate municipal judge and Circuit Court magistrate judge I strive never to be demeaning or condescending to any defendant that is before me. Whether the defendant has a significant criminal history, is facing serious felony charges requiring restrictive bail terms or a citizen who is facing a first misdemeanor offense or simple traffic ticket, I treat all equally and with fairness. When a defendant leaves a court proceeding, I make sure they felt heard and understands why the court is taking the position it has taken. If appointed I will continue with these parameters.

A successful candidate for this position must possess a unique combination of honed legal skills, a successful career, the gravitas for the position, judicial experience, judicial maturity, balanced temperament, and self-autonomy. My personal and professional experience supports my ability and desire to be appointed to the municipal judgeship as I possess these attributes.

Letter of Interest
Page 2
December 30, 2021

I have an excellent "pulse" of the community and will use the opportunity of the Municipal Judge to further the community goals. I strongly believe in fair and consistent punishment along with deterrence in sentencing. I am a very strong advocate for substance abuse treatment, education classes such as Victim Impact Panels, DUI awareness classes, traffic school and community service in lieu of incarceration and hefty fines, where appropriate. If appointed I will strive to be on par with the local judges of similar jurisdictions with a focus on consistent decisions and rulings.

For many years I have been a strong advocate of giving back to the community both professionally and personally and believe that the position of the Municipal Judge includes the opportunity to do so on both levels and would have that as a goal.

I am committed to the position as I thoroughly enjoy the responsibilities while being on the bench and working with the Court staff. The municipal judgeship position would be a pinnacle of my career and I look forward to continuing to serve the Jackson community.

Sincerely,

A handwritten signature in blue ink, appearing to read "CHRIS", with a stylized, cursive-like font.

Christopher S. Leigh

Town of Jackson
Municipal Judge Application
January 2022

1. Name: Christopher S. Leigh.

2. Mailing Address: [REDACTED]

3. Physical Address: [REDACTED]
[REDACTED] (office)

4. Are you legally authorized to work in the United States: Yes.

5. Are you fluent in a language other than English: No.

6. Years of residency in Teton County, Wyoming: 41.

7. Are you a qualified elector of Teton County: Yes.

8. Are you currently a member in good standing of the Wyoming State Bar:

Yes. WSB # 5-2586. I am current on all CLE and have enough CLE to carry over to satisfy the WSB 2022 CLE requirements.

9. Are you currently a member in good standing of any other state bar? No.

10. If yes, which state(s) and for how many years have you been a member of each?
N/A.

11. How many years have you been an active member of the Wyoming State Bar?

Thirty-three (33) since September 1988.

12. Have you been free from any discipline by any State Bar or State Supreme Court for the most recent five-year period? Yes.

13. Provide the name, phone, and email for your current employer along with 2 previous employers. If you are currently self-employed, please provide 3 previous employers.

I am self-employed, having been engaged in private practice since September 1988. I routinely perform independent contract services for the State of Wyoming, (Circuit Court Magistrate, Wyoming Workers' Compensation) and the United States DOJ, (Federal Public Defender cases). Also employed by the Town of Alpine Wy. and Town of Jackson, Wy.

- a. Employer 1: Town of Alpine, Wyoming. Municipal Judge.
- b. Employer 2: State of Wyoming. Circuit Court Magistrate Judge.
- c. Employer 3: Town of Jackson, Wyoming. Alternate Municipal Judge.

14. Describe the nature of your present law practice, listing the major types of law you practice and the percentage each constitutes of your total practice.

I currently focus heavily on criminal defense work. (85%). When I had a more general practice, (first 20-25 years), I practiced in the areas of criminal defense (50%); domestic law (25%); contracts (15%) workers' compensation (10%). All these areas of practice involved criminal and civil litigation practice (pleadings, motions, discovery, depositions, negotiations, motion hearings, change of plea and sentencing hearings). Along with weekly court appearances in Municipal Court, Circuit Court, District Court, Federal Magistrate Court, Federal District Court, Administrative contested case hearings, Wyoming Supreme Court, and the 10th Circuit Court of Appeals.

In my practice, I have handled over two thousand (2,000) cases, each an individual client or clients.

As a member of the Federal CJA panel (private attorneys assigned Federal public defender cases), I have been assigned multiple misdemeanor cases arising out of GNTP, YNP or other local Federal jurisdictions. Also, I have been assigned cases for criminal defendants in Federal District Court designated "complex" multi-defendant, multi-count felony cases.

15. List any other areas of law in which you have practiced regularly.

I have represented clients in six plus significant personal injury cases and one medical malpractice case, always with one other co-counsel (The Spence Law Firm; Jeffrey Tennyson P.C.; Robert W. Horn P.C.; James Lubing P.C.).

I have also handled dozens of landlord-tenant disputes representing both tenants and landlords. I incorporated dozens of small bussiness through the Wyoming Secretary of State's office.

My general practice has also included the preparation of general probate documents, i.e.; Last Wills, DPA's and Living Wills.

16. Have you practiced before the Municipal Court within the past five years? If so, please state the number of occasions.

I would estimate that I have had on average 6-8 criminal (DUI) or traffic cases per year in Municipal Court. In addition, I have handled multiple cases, traffic court, bail hearings, release orders, change of pleas, motion hearings and DUI search warrant applications as the Alternate Municipal Judge.

17. List the approximate number of cases you have tried to conclusion during your time as an attorney. The phrase "tried to conclusion" means conducting a trial or administrative hearing which resulted in a judgment or administrative decision. Also indicate if you were sole, associate, or chief counsel.

I have tried approximately 150 or more cases. The majority I was sole counsel. Of those the majority were contested cases or bench trials. Criminal cases include DUI and traffic citations. Also included are civil domestic law (divorce and child custody); contract matters; workers' compensation; drivers' license hearings.

I have also been the Circuit Court Magistrate Judge for civil trials in both Teton and Sublette counties.

The overwhelming majority of my criminal cases were negotiated to lesser charges (or dismissed) as the result of general negotiations or suppression hearings based on probable cause or search and seizure issues. This avoided the necessity of a trial and is common practice.

Civil domestic, contract and workers' compensation cases were resolved through settlement agreements.

18. What do you estimate to be the percentage of your litigation in the last five years in each area of Civil, Criminal, Prosecution, Defense or Other.

Civil:	7%. (limited definition of "litigation" in the sense of actual trial work). Overall general litigation ie; discovery, pleadings 15%.
Criminal:	30% (of my current 85% practice) (limited "litigation" in the sense of actual trial/motions work but routine Court appearances).
Prosecution:	0% (I have done conflict cases for Teton Cty. Atty.)
Defense:	Included in civil (defendant) and criminal (defendant).
Other:	0%

19. Have you tried a case in front of a jury, please describe.

Yes I have tried both criminal and civil cases to juries. I have tried misdemeanor DUI and other misdemeanor associated charges in Circuit Court. I have been co-counsel on a felony homicide jury trial in District Court (5 days). I have also tried solo a civil construction case to a District Court jury (5 days).

20. Have you ever been in contempt of court? If so, please give details. No.

21. Have you ever been a party to, the subject of, or otherwise involved in any other legal proceedings, civil or criminal, including deferred prosecutions? No.

22. List three attorneys familiar with your professional qualifications from whom the

Town Council may ask for a written candid appraisal of your potential as a Municipal Judge.

Richard Stout:	733-5965 (work).	██████████ (cell).
Leonard R. Carlman:	733-1191 (work).	██████████ (cell).
Brian Hultman:	733-4011 (work).	(ext. 7, 1)

23. List three judges before whom you have practiced.

Honorable Timothy C. Day, Ninth Judicial District Court Judge.
733-1461 (work).

Honorable Mark L. Carman, United States Federal Magistrate, District of Wyoming,
Mammoth YNP. (307) 344-2569 (work).

Honorable James L. Radda. Ninth Judicial Circuit Court Judge.
733-7713 (work).

Honorable Curt Haws Ninth Judicial Circuit Court Judge.
(307) 367-2556. (work).

Honorable, Melissa Owens, Municipal Judge, Town of Jackson.
733-3932. (work). 733-4930 (office).

24. In no more than 500 words, attach a letter of interest describing your desire to serve as the Town of Jackson Municipal Judge.

See attached letter of interest.

CHRISTOPHER S. LEIGH

Attorney at Law

[REDACTED]
Jackson, Wyoming 83001

Phone [REDACTED]

Fax [REDACTED]

chrisleigh@wyoming.com

WSB # 5-2586

RESUME

Personal:

Resident of Teton County forty-one (41) years. Married twenty-seven years to Mari Auman, who is a retired Teton County Middle School educator (language arts) and Middle School Counselor (34 years). We reside in Teton County with our furry pets. We are avid cyclists and enjoy skiing and hiking.

Education:

University of Wyoming, Doctor of Juris, May 1988: Class rank 22/72.

University of New Haven, Bachelor of Science, Law Enforcement Administration, Cum Laude, May 1980.

Northwestern Connecticut Community College, Associate of Science, Criminal Justice, May 1978. Dean's list various semesters.

Admitted to practice 1988: All Courts in the State of Wyoming; Federal District Court for the District of Wyoming; U.S. Court of Appeals 10th Circuit (2000).

Professional Experience:

Currently in sole private practice since 1988 in Wyoming State, Federal Courts (District and Magistrate), and Municipal Courts. Currently focused practice in the area of criminal defense of misdemeanors and felony cases. With prior general practice in domestic relations, custody, support, property distribution and litigation, Wyoming Workers' Compensation, contracts, corporations, and civil disputes, landlord-tenant, real estate, and basic probate.

Trial experience (bench and jury) in State District Court; State Circuit Court; Federal Magistrate Courts. Also contested case and administrative hearings (workers' compensation and driver's license hearings) and Title 25 hearings. Multiple motions and general court hearings on a weekly basis.

Appellate practice Wyoming Supreme Court; 10th Circuit Court of Appeals. Member of CJA panel for Federal Public Defender assignment cases. CJA member since 1988. State Public Defender for conflict cases.

Multiple cases as a Municipal Judge for the Town of Alpine, Wy.; Circuit Court Magistrate Judge for Teton and Sublette Counties; and Town of Jackson Alternate Municipal Court Judge.

Judicial duties include bench trials; trial rulings, (both oral and written); initial appearances; bail hearings; revocation hearings; motions hearing; status conferences; change of plea and sentencing; issuance of DUI search warrants for chemical testing; issuance of general search warrants and arrest warrants; and traffic court proceedings.

Representative Appellate Cases:

Britt v. State, 752 P.2d 426 (Wyo. 1988). Criminal appellate case regarding ambiguous statute; Wyoming Supreme Court upheld criminal conviction.

Smith V State of Wyoming 2013 WY 185 11 P.3d 931. Case Number: 00-71 Teton County criminal appellate case. Seminal Wyoming case regarding issuance DUI search warrants for blood evidence. Wyoming Supreme Court upheld the use of oral testimony in lieu of written affidavits to secure search warrants.

U.S. v. Guthrie, 05-8113, D.C. No.04-CR-215-D, Feb. 2006. Ethical conflicts of part-time Federal Magistrate Judge issuing a search warrant to private client's family member. Court upheld the District Court decision finding a valid warrant.

Cheek v. Jackson Wax Museum, 2009 WY 151. Civil appellate case involving contract language interpretation; Wyoming Supreme Court reversed District Court decision, resulting in favorable significant financial Judgment for client.

Judicial Positions:

Municipal Judge for the Town of Alpine, Wyoming 2021- current.

Alternate Municipal Court Judge Town of Jackson May 2016 - current.

Teton County Circuit Court Magistrate Judge 2017- current.

Sublette County Circuit Court Magistrate Judge 2017 - current

Teton County District Court Commissioner on select cases.

Activities:

Graduate of Western Trial Advocacy Institute 1989.

Graduate of National Institute of Trial Advocacy, Depositions.

American Bar Association; Client Counseling.

Competition, 1986, 1987, 1988.

American Trial Lawyers Association; Moot Court.

Competition, 1986, 1987.

Graduate of C.R.A.D.L.E. Institute.

Honorary Speaker: Aspen Middle School, Aspen, Colorado, 1989. Lecture on trial practice and Court systems.

Honorary Speaker: Jackson Hole Junior High, Jackson, Wyoming, 1989, 1990, 1991. Lecture on Trial Practice and Court systems.

Honorary Speaker: Jackson Hole Middle School and High School, Jackson, Wyoming, 1992-2005. Lecture on Juvenile law & Court systems, career day.

Mentor for moot court and appellate court.

Volunteer for Law Day and Teton County law nights since 1988.

Volunteer for We the People Constitutional law program @ Jackson Hole High School 2018-2021.

Vice President, Teton County Bar 1990-1991.

President, Teton County Bar 2004-2005.

Vice President, Snake River Cycling Club 1992.

Treasure, Snake River Cycling Club 1993, 1994.

Ski Host, Jackson Hole Ski Resort 1982-1988.

Teton County Joint Bikeways & Pathways Task Force 1992.

Board member Curran-Seeley Foundation 2006-2010.

Board member/President Bar B Bar HOA 2004-2008.

Wyoming State Bar Fee Dispute Resolution Committee, member and Chairperson (2 years).

Instructor and proctor for Jackson Hole Outdoor Leadership Institute 2019- present.

Teton County Search and Rescue (TCSAR) 2010-present.

TCSAR Board member/ Membership Advisor for 4 1/2 years.

Chairperson for the United States Federal Magistrate Selection Committee for the appointment of the Magistrate Judge District of Wyoming YNP 2021.

Chairperson of the Merit Selection Committee for the Reappointment of Magistrate Judge Mark L. Carman, YNP 2021.

Memberships:

Wyoming State Bar. # 5-2586.

Teton County Bar Association.

Teton County Search and Rescue, TCSAR.

Mountain Rescue Association, MRA.

NREMT

Medical:

NREMT Certificate, Wilderness Emergency Medical Technician (WEMT).

National Registry Emergency Medical Technician # E3252832.

Wyoming EMT # 108877.

WFR (Wilderness First Responder).

Teton County Search and Rescue since 2010:

(Approximately 400 volunteer hours per year).

Team member (SR82).

Short Haul Team member.
Short Haul Spotter.
USFS Helicopter flight crew member (S-271 card).
Wilderness Emergency Medical Technician (WEMT).
Wilderness First Responder (WFR).
CPR
Avalanche Rescue I & II.
Swift Water Rescue I & II.
Rigging For Rescue I.
Various ICS certificates.

References:

Honorable Mark L. Carman Federal Magistrate Judge
Honorable Timothy C. Day, Ninth Judicial District Court Judge.
Honorable James L. Radda, Teton County Circuit Court Judge.
Honorable Curt Haws, Sublette County Circuit Court Judge
Honorable Melissa Owens, Ninth Judicial Dist. Ct. Judge (pending)

Leonard R. Carlman, Attorney at Law
Richard D. Stout, Attorney at Law
Brian Hultman, Dep. Cty. Atty.

Mike Estes TCSAR Administrator
Cody Lockhart TCSAR Chief Advisor

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (ext. 1, 7)

[REDACTED]

[REDACTED]



Mailing Address: 
P.O. Box 109
Cheyenne, WY 82003

Physical Address: 
4124 Laramie Street
Cheyenne, WY 82001

307.632.9061 
wyomingbar.org

December 29, 2021

Attorney: Mr. Christopher S. Leigh

Mr. Christopher S. Leigh was admitted to practice by Exam in Wyoming on September 26, 1988, and is enrolled as attorney number 5-2586.

Status: Active

"Active" means that the attorney is eligible to appear as an attorney in all Wyoming state courts. "Honorable" means that the attorney serves as a judge. "Inactive" means that the attorney has voluntarily chosen inactive status, and is not currently eligible to appear as an attorney in any Wyoming court. "Retired" or "Honorable Retired" mean that the attorney or judge has voluntarily elected permanent inactive status, and is no longer eligible to appear as an attorney in any Wyoming court.

Standing: Good Standing

"Good Standing" means that the attorney's license fees are current, mandatory continuing legal education, if required, is current, and the attorney's right to practice is not currently suspended or revoked for cause.

Discipline: None

By Wyoming Supreme Court rule, the types of public discipline attorneys may receive include public censure, suspension and disbarment. "None" means that the attorney has never been disbarred, suspended or publicly censured since becoming a member of the Wyoming State Bar. If the attorney has received some form of public discipline, a copy of the order of public discipline will be provided.

I hereby certify that the preceding information is correct.

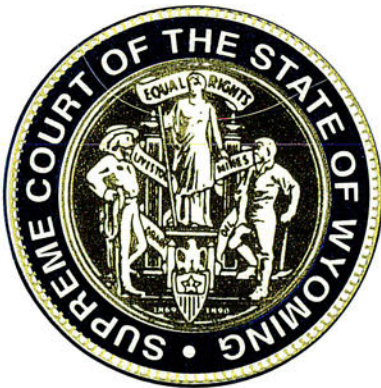

Sharon Wilkinson
Executive Director

**CERTIFICATE OF THE CLERK OF THE
SUPREME COURT
OF THE
STATE OF WYOMING**

I, Shawna Goetz, Clerk of the Supreme Court of the State of Wyoming, hereby certify that, according to the records of my office:

Christopher S. Leigh

was on the 26th day of September, 1988, duly admitted to practice as an Attorney and Counsellor at Law in all the courts of Wyoming; that the above admittee has never been disbarred or suspended; that no disciplinary proceedings are pending against this admittee; and that this admittee's name now appears on the Roll of Attorneys in this office as a member of the bar in good standing.



Given under my hand and the seal of said
Court this 28th day of December, 2021.

Shawna Goetz, Clerk

Paula Mickey
by deputy

MUNICIPAL JUDGE CONTRACT

This Municipal Judge Contract ("**Agreement**") made and entered into this ____ day of _____, 2022 ("**Effective Date**") by and between the Town of Jackson, a municipal corporation of the state of Wyoming, located at 150 East Pearl Avenue / P.O. Box 1687, Jackson, Wyoming 83001 ("**Employer**"), and _____, an individual, located at _____/ P.O. Box _____ Jackson, WY 83001 ("**Employee**").

WITNESSETH:

WHEREAS, Employer desires to employ the services of _____ as Municipal Judge of the Town of Jackson as provided by Chapter 1.16 of the Municipal Code of the Town of Jackson; and

WHEREAS, it is the desire of the Town Council to provide certain benefits, establish certain conditions of employment, and to set working conditions of said Employee; and

WHEREAS, it is the desire of the Town Council to secure and retain the services of Employee and to provide inducement for Employee to remain in such employment, and to set forth the means for terminating Employee's services; and

WHEREAS, Employee desires to accept employment as Municipal Judge.

NOW THEREFORE, in consideration of the mutual covenants herein contained and recitals stated above, the parties agree as follows:

1. DUTIES. Employer hereby agrees to employ Employee as Municipal Judge to perform the functions and duties specified in Chapter 1.16 of the Municipal Code of the Town of Jackson. The position is classified as exempt per the Fair Labor Standards Act and part time at approximately 10 - 20 hours/week, providing that the Municipal Judge is present for Municipal Court once each week on a pre-determined and regularly occurring day and time except for occasional occurrences where the Municipal Judge is on vacation and the regular alternate Municipal Judge is not available.
2. TERM.
 - A. The term of this Agreement begins on the Effective Date and terminates on December 31, 2022. Thereafter, the term of this Agreement shall be for one year, beginning on January 1 of each year and expiring each December 31.
 - B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from their position with Employer, subject only to the provisions set forth in Section 4 of this Agreement.
 - C. Employee agrees to remain in the employ of Employer on a yearly basis from the effective date of this contract expiring each December 31.

- D. Unless written notice of a desire to terminate this Agreement is given by the Employer on or before November 1st or by the Employee at least ninety (90) days prior to their desired termination date, this Agreement shall be extended on the same terms and conditions herein provided, for an additional period of one (1) year effective January 1 of each year.
3. SUSPENSION. Employer may suspend the Employee with full pay and benefits at any time during the term of this Agreement.
4. TERMINATION AND SEVERANCE PAY.
- A. Employer may terminate Employee as set forth in Wyoming State Statute. In the event Employee is terminated by the Mayor prior to the 1st meeting in November of any given calendar year, and during such time that Employee is willing and able to perform their duties under this Agreement, Employer agrees to pay Employee their regular salary for three (3) months, provided that at such time as Employee shall take other employment, these payments shall terminate.
- B. In the event Employee is terminated for just cause, incompetency, or neglect of duty then Employer shall have no obligation to pay any severance sum designated in this Agreement.
- C. In the event Employee voluntarily resigns their position with Employer before expiration of the term of this Agreement, then Employee shall give Employer ninety (90) days notice in advance, unless the parties otherwise agree.
5. DISABILITY. If Employee is permanently disabled or is otherwise unable to perform their duties because of sickness, accident, injury, mental incapacity, or ill health for a period of ninety (90) successive days, Employer shall have the option to terminate this Agreement, subject to the severance pay requirements of Section 4.
6. SALARY. Employer agrees to pay Employee for services rendered at the rate of \$_____monthly. Said salary shall be payable in installments at the same time as other employees of Employer are paid. In addition, Employer agrees to increase said base salary and/or other benefits of Employee in such amounts and to such extent as the Town Council may determine that it is desirable to do so on the basis of economic conditions.
7. PERFORMANCE EVALUATION. The Council may, in its discretion, review and evaluate the performance of the Employee at least once annually, said review and evaluation to be in accordance with specific criteria developed by the Council, and shall be conducted by the Mayor. The Mayor shall provide opportunity for the Employee to discuss their evaluation with the Mayor and Council.
8. HOURS OF WORK. The position is part-time consisting of 10 - 20 hours/week and exempt from the Fair Labor Standards Act. It is understood that there may be times where less than 10

hours per week is necessary and times where more than 20 hours per week is necessary. Any change in hours of work requires the approval of the Mayor and Council.

9. DISABILITY, HEALTH AND LIFE INSURANCE. Employer agrees to put into force and to make all required premium payments for Employee for insurance policies for life, disability, dental, vision and medical insurance covering Employee and their qualified family members, equal to that which is provided for elected officials of Employer.
10. RETIREMENT. Employee may participate in any Employer sponsored program as provided for elected officials of Employer.
11. PTO. There are no Paid Time Off (PTO) benefits associated with this position.
12. TRAINING AND TRAVEL. Employer hereby agrees to budget for and pay the travel and expenses of Employee for professional and official meetings and training related to the Municipal Court, and to pursue the necessary organizational functions for the Employer.
13. JOB-AFFILIATED EXPENSES. Employer recognizes that certain expenses of a non-personal and job-affiliated nature are incurred by Employee and agrees to reimburse or pay for such expenses upon submittal of duly executed Town of Jackson reimbursement forms accompanied by appropriate substantiating documentation.
14. INDEMNIFICATION. Employer shall defend, save harmless and indemnify Employee against any unintentional tort, professional liability claim or demand or other legal action whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employer's duties as Municipal Judge with the exception of any such action brought by the Town. Employer will compromise or settle any such claim or suit and will be responsible for the payment of any settlement or judgment rendered. If Employer proposes to settle any claim which would call for the Employee to admit guilt or wrongdoing, then such settlement shall not be consummated without the written approval of Employee. In the event Employee refuses to consent to such settlement, then Employer's liability for payment shall be limited to the amount for which it offered to settle the matter.
15. OTHER TERMS AND CONDITIONS OF EMPLOYMENT.
 - A. The Mayor and Council, in consultation with the Municipal Judge, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this agreement, the Municipal Code of the Town of Jackson or any other law.
 - B. All other provisions of the Municipal Code of the Town of Jackson, and regulations and rules not otherwise modified by this Agreement shall apply to Employee the same as they do to all employees of the Employer.

16. NO REDUCTION OF BENEFITS. Employer shall not at any time during the term of this Agreement reduce the salary, compensation or other financial benefits of the Employee, except to the degree of such a reduction across-the-board for all employees of the Employer.

17. NOTICES. Notices pursuant to this Agreement shall be in writing and given by personal delivery or through certified mail of the United States Postal Service, postage prepaid and addressed as follows:

Employer
Town of Jackson
P.O. Box 1687
Jackson, Wyoming 83001

Employee

P.O. Box _____
Jackson, WY 8300____

All notices under this Agreement shall be in writing and shall be deemed to have been duly given (i) if delivered by hand and receipted for by the party to whom said notice shall have been directed, or (ii) mailed by certified or registered mail with postage prepaid, on the third (3rd) business day after the date on which it is so mailed.

18. GENERAL PROVISIONS.

- A. This text shall constitute the entire Agreement between the parties and may not be modified or amended except in a writing executed by both parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs and executors of the Employee.
- C. If any provision, or any portion thereof contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, and shall be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, The Town of Jackson has caused this Agreement to be signed and executed on its behalf by its Mayor, and duly attested by its Town Clerk, and the Employee has signed and executed this Agreement as indicated below.

TOWN OF JACKSON, WYOMING

EMPLOYEE

Hailey Morton Levinson, Mayor

ATTEST:

Riley Taylor, Town Clerk