

SUPREME COURT OF WYOMING

City of Rawlins v. Stephanie Schofield

2022 WY 103 (Wyo. 2022) · No. S-21-0278 · Decided August 24, 2022

SUMMARY

The Wyoming Supreme Court reviewed the termination of Stephanie Schofield from the City of Rawlins Fire Department. It held that the contested case hearing provided due process and that the Rawlins Fire Department Civil Service Commission’s termination decision was supported by substantial evidence and in accordance with law. The court reversed the district court and affirmed the Commission’s decision.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Gray, Justice; Fox, C.J.; Kautz, J.; Boomgaarden, J.; Gray, J.; Fenn, J.
JURISDICTION	Wyoming
DECIDED	August 24, 2022
DOCKET	S-21-0278
DISPOSITION	reversed
PROCEDURAL POSTURE	The City of Rawlins appealed the Carbon County District Court's reversal of the Rawlins Fire Department Civil Service Commission's order terminating Stephanie Schofield's employment.
STANDARD OF REVIEW	The Supreme Court reviews the case as if it came directly from the agency, defers to agency fact findings supported by substantial evidence, reviews legal conclusions de novo, and applies the arbitrary-and-capricious standard as a safety net under the Wyoming Administrative Procedure Act. Constitutional due-process questions are reviewed de novo.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	City of Rawlins v. Stephanie Schofield

TOPICS

- wrongful termination
- administrative law
- judicial review of agency action
- due process
- municipal law

PRACTICE AREAS

employment law

administrative law

constitutional law

municipal law

appellate procedure

QUESTIONS PRESENTED

1. Whether Schofield was afforded due process before the Civil Service Commission discharged her.
2. Whether the Commission's decision was supported by substantial evidence and was not arbitrary, capricious, or otherwise unlawful.

HOLDINGS

1. Schofield was afforded due process because the City's initial unauthorized termination was rescinded, she was reinstated with back pay, the City provided notice of the grounds for its renewed request for termination, and the contested case hearing gave her a full and fair opportunity to respond before the Commission made the final discharge decision.
2. The Commission's decision was supported by substantial evidence and was not arbitrary, capricious, or otherwise contrary to law.

KEY QUOTATIONS

“The statutory scheme demonstrates that the commission is not an independent agency that reviews the city’s final employment decision; instead, it plays an integral role in making employment decisions. The commission is, in all respects, the final decision maker for the city on department employment matters.” (¶ 27)

“Ms. Schofield received notice and a meaningful opportunity to be heard before her discharge.” (¶ 38)

“The City’s rescission of its original termination letter and reinstatement of Ms. Schofield with back pay rendered the initial due process violations moot.” (¶ 58)

FACTUAL BACKGROUND

Stephanie Schofield was a shift captain in the Rawlins Fire Department. During two May 2020 calls involving a disabled citizen requesting assistance, Schofield used profanity and, during the second call, said she was going to kick the citizen's ass; she later admonished the citizen at her residence. The City initially terminated Schofield without Commission approval, then rescinded the termination, reinstated her with back pay, and pursued termination through a Commission investigation and contested case hearing. The Commission found that Schofield's conduct violated department rules, undermined public confidence and service efficiency, and warranted termination despite her substantial accomplishments and prior employment record.

PROCEDURAL HISTORY

The City initially terminated Schofield on May 27, 2020, without the Commission's authorization, but rescinded that termination and reinstated her with back pay on June 8, 2020. The City then requested that the Civil Service Commission investigate and determine whether Schofield should be terminated. After a contested case hearing, the Commission ordered termination. The district court reversed on due-process grounds without reaching

substantial-evidence or arbitrary-and-capricious issues. The Wyoming Supreme Court reversed the district court and affirmed the Commission's order.

DISPOSITION

reversed

CASES CITED

- Reynolds v. West Park Hospital District, 2010 WY 69, 231 P.3d 1275
- Guier v. Teton County Hospital District, 2011 WY 31, 248 P.3d 623
- State ex rel. Wyoming Workers' Compensation Division v. Brewbaker, 972 P.2d 962 (Wyo. 1999)
- Dale v. S & S Builders, LLC, 2008 WY 84, 188 P.3d 554
- Department of Revenue & Taxation of State of Wyoming v. Casper Legion Baseball Club, Inc., 767 P.2d 608 (Wyo. 1989)
- Lietz v. State ex rel. Department of Family Services, 2018 WY 127, 430 P.3d 310
- State, Department of Revenue v. Board of County Commissioners of Johnson County, 2019 WY 7, 432 P.3d 920
- Matter of NRAE, 2020 WY 121, 472 P.3d 374
- Flauding v. State ex rel. Wyoming Department of Transportation, 2021 WY 131, 499 P.3d 272
- Union Telephone Co. v. Wyoming Public Service Commission, 2022 WY 55, 508 P.3d 1078
- Reichenberg v. State ex rel. Department of Workforce Services, Workers' Compensation Division, 2022 WY 36, 506 P.3d 732
- Matter of Worker's Compensation Claim of Vinson, 2020 WY 126, 473 P.3d 299
- McIntosh v. State ex rel. Wyoming Workers' Safety & Compensation Division, 2013 WY 135, 311 P.3d 608
- Hanft v. City of Laramie, 2021 WY 52, 485 P.3d 369
- Brush v. Davis, 2013 WY 161, 315 P.3d 648
- Cotran v. Rollins Hudig Hall International, Inc., 948 P.2d 412 (Cal. 1998)
- Board of Trustees of Laramie County v. Board of County Commissioners of Laramie County, 2020 WY 41, 460 P.3d 251
- Henning v. City of Casper, 50 Wyo. 1, 57 P.2d 1264 (1936)
- Vance v. City of Laramie, 2016 WY 106, 382 P.3d 1104
- Life Care Centers of America, Inc. v. Dexter, 2003 WY 38, 65 P.3d 385
- Town of Evansville Police Department v. Porter, 2011 WY 86, 256 P.3d 476
- Cotnoir v. University of Maine System, 35 F.3d 6 (1st Cir. 1994)
- Mondt v. Cheyenne Police Department, 924 P.2d 70 (Wyo. 1996)
- Sweetwater County School District No. One v. Goetz, 2017 WY 91, 399 P.3d 1231
- Davis v. City of Cheyenne, 2004 WY 43, 88 P.3d 481
- Cleveland Board of Education v. Loudermill, 470 U.S. 532 (1985)

- Rolfe v. State ex rel. Burt, 464 P.2d 531 (Wyo. 1970)
- Exaro Energy III, LLC v. Wyoming Oil & Gas Conservation Commission, 2020 WY 8, 455 P.3d 1243
- Board of Trustees of Lincoln County School District No. Two v. Earling, 2022 WY 23, 503 P.3d 629
- Mirich v. State ex rel. Board of Trustees of Laramie County School District Two, 2021 WY 32, 481 P.3d 627
- Dunn v. GOJO Industries, 2017-Ohio-7230, 96 N.E.3d 870
- Green v. New Mexico, 420 F.3d 1189 (10th Cir. 2005)

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