

IN THE SUPREME COURT, STATE OF WYOMING

April Term, A.D. 2019

In the Matter of Amendments to)
Rule 46.1 of the Wyoming)
Rules of Criminal Procedure)

**ORDER AMENDING RULE 46.1 OF THE WYOMING
RULES OF CRIMINAL PROCEDURE**

The Board of Judicial Policy and Administration has recommended that the Court amend Rule 46.1 of the Wyoming Rules of Criminal Procedure. This Court finds the proposed amendments should be adopted. It is, therefore,

ORDERED that the amendments to Rule 46.1 of the Wyoming Rules of Criminal Procedure, attached hereto, be and hereby are adopted by the Court to be effective July 1, 2019; and it is further

ORDERED that this order and the attached amendments shall be published in the advance sheets of the Pacific Reporter; the attached amendments shall be published in the Wyoming Court Rules Volume; and that this order and the attached amendments shall be published online at the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>. The amendments shall also be recorded in the journal of this Court.

DATED this 2nd day of April, 2019.

BY THE COURT:

/s/

MICHAEL K. DAVIS
Chief Justice

Wyoming Rules of Criminal Procedure

Rule 46.1. Pretrial release.

(a) *Applicability of rule.* — All persons shall be bailable by sufficient sureties, except for capital cases when the proof is evident or the presumption great. Excessive bail shall not be required. When a person charged with the commission of a crime is brought before a court or has made a written application to be admitted to bail, a judicial officer shall order that such person be released or detained pending judicial proceedings, under this rule.

(1) Request for Release. — Within four hours after a person is confined to jail, the custodial officer shall advise the person of the right to file a written request with the court to be granted pretrial release. The custodial officer shall provide the necessary writing materials.

(A) A No-particular form of request for pretrial release may shall be required by a judicial officer to assist in setting bail and bond conditions based on the factors set forth in 46.1(d). ~~and the~~ The request may be hand-written.
