

## WYOMING JUDICIAL COUNCIL

### TEAMS Meeting

June 10, 2024

8:00 am – 12:00 pm

### MINUTES

**Members:** Chief Justice Kate Fox (Chair), Justice Lynne Boomgaarden, Justice Kari Gray, Judge Catherine Rogers, Judge Joseph Bluemel, Judge Dawnessa Snyder, Judge Nathaniel Hibben, Judge John Prokos, Judge Wendy Bartlett

**Others Present:** Justice John Fenn, Judge Curt Haws, Judge Sean Chambers, Judge S. Joseph Darrah, and Elisa Butler

### WJC BUSINESS

#### Welcome

Chief Justice Fox welcomed the members of the Wyoming Judicial Council and thanked them for attending the meeting.

#### WJC Rule Amendment – Open Meetings

Attachment A – Draft amendment to Rule 9 of the Rules and Procedures Governing the Wyoming Judicial Council

The Wyoming Judicial Council declined to make the meetings of the Council public.

The Wyoming Judicial Council approved having the Council agenda posted in advance on the Judicial Branch website.

The Council discussed opening meetings to the public, which would require an amendment to the Rules and Procedures Governing the Wyoming Judicial Council. Members acknowledged the potential benefits of transparency while recognizing the sensitive nature of some discussions. Judge Bluemel moved to decline making Council meetings public, with Judge Prokos seconding. The motion was approved by voice vote.

Additionally, Judge Rogers proposed that the Administrative Office of the Courts (AOC) should send a branch-wide email notifying the Judicial Branch that the agenda will be posted on the website, inviting those interested to request participation from the AOC. It was clarified that only the agenda should be posted, and not the materials. This motion was also approved by voice vote.

#### Judicial Pay

Attachment B – NCSC Survey of Judicial Salaries

Chief Justice Fox highlighted that the updated National Center for State Courts (NCSC) survey shows Wyoming's judicial pay ranks below the median, with the Supreme Court at 38th and district courts at 35th after the most recent salary increase. The survey does not include circuit courts. Historically, the Branch does not ask for judicial pay raises until those salaries are significantly less than salaries throughout the states. This is not the best mechanism to approach pay raises for judicial officers.

Judge Hibben noted the importance of staying competitive with other states. The Council discussed the need for statutory changes to ensure regular salary reviews for judicial officers. Judge Bartlett emphasized the importance of maintaining competitive pay and suggested that the Judicial Branch may want to explore asking for legislative action that would require the Legislature to review judicial salaries regularly. Judge Prokos agreed that a mechanism for the Legislature to review judicial salaries regularly would be the best approach, as talking to individual legislators about increases to judicial pay is often awkward and hard.

	<p>Judge Bluemel indicated that this topic should be included in the strategic planning process. The Council needs to figure out how to strategically plan for increases to ensure the vibrancy of the Judicial Branch, with highly selected judicial officers who are compensated well.</p> <p>Justice Gray further indicated this issue is similar to that of the Executive Branch elected officials' pay. Those elected officials make significantly less than many Executive Branch agency heads. One way to approach the issue would be a strategy to include the judges in any across-the-board percentage pay increases. That would not require a statutory change, and when there are cost of living allowances or pay increases, it would automatically apply to the Judicial Branch as a whole.</p> <p>Chief Justice Fox relayed that planning may include the study of other surrounding states and how judicial pay is managed in those locations. If there is a desire to pursue judicial pay raises this upcoming session, the Branch can work through the Legislative Relations Committee. This situation and issue requires the Judicial Branch to be nimble, in addition to creating a long-term plan.</p> <p>Chief Justice Fox suggested to the Council no decisions be made today, and the topic be tabled. The Council needs time to assess all of the different factors that impact judicial pay, along with an overview of where the Wyoming Judicial Branch lands among its sister states.</p> <p>After discussion, the Committee members agreed this topic should be tabled.</p>
<p><b>Lehman Award</b></p> <p>The Wyoming Judicial Council approved Chief Justice Fox as being this year's recipient of the Lehman Award.</p>	<p>Justice Boomgaarden would like to nominate Chief Justice Fox as the recipient of the Lehman Award at this year's Bar Conference in September. She knew Justice Lehman, and this award was created to honor his memory by recognizing someone who has worked tirelessly to improve the operations of the Judicial Branch.</p> <p>Chief Justice Fox was a constant presence in the building throughout the COVID-19 pandemic, implementing necessary measures to keep the Branch operating smoothly. This recognition alone merits consideration. Additionally, in her three-year tenure as Chief Justice, she has made significant contributions, such as bringing JBI together, securing financial resources to evaluate Branch operations, uniting the WJC, and working on the Strategic Plan to foster collaboration within the Branch. Her efforts with external stakeholders, including the other two branches of government and county officials, are yielding significant benefits now and will continue to do so in the future.</p> <p>For these reasons, and to avoid waiting until after her retirement and giving the wrong impression, Justice Boomgaarden would like to nominate Chief Justice Fox as the recipient of the Lehman Award in September. Judge Snyder seconded the motion. There was no discussion or additional nominations. The Council approved the motion by voice vote.</p>
<b>WJC AND PRAC COMMITTEES</b>	
<p><b>HR Committee</b></p> <p>Attachment C – Employee</p>	<p><u>Employee Compensation Allocation</u></p> <p>Judge Chambers thanked the HR Committee, noting that their work was truly</p>

<p>compensation allocation</p> <p>Attachment D – Corrected Proposed Amended Classification Structure</p> <p>Attachment E – Proposed Amendments Use of Retired Judges Policy</p> <p>The Wyoming Judicial Council approved the recommendation of the HR Committee to adopt the proposed employee compensation allocation.</p> <p>The Wyoming Judicial Council approved the proposed amendments to the classification structure as recommended by the HR Committee.</p> <p>The Wyoming Judicial Council approved the proposed amendments to the Use of Retired Judges Policy as recommended by the HR Committee.</p>	<p>a team effort. The Committee was provided with comprehensive information for thorough consideration and reached a unanimous recommendation for the employee compensation allocation.</p> <p>A significant portion of this year’s project builds on last year’s work, where the classification structure was established and rated. This year’s pay raises for Judicial Branch employees reflect the results of that effort, demonstrating that our employees are overworked and underpaid. Last year’s pay raise created compression, resulting in everyone within the classification categories receiving the same amount. There is a tension between maintaining uniform salaries according to classification and market-based pay while recognizing the value of long-standing employees. A 20-year employee is valuable and important to retain. The Committee aimed to balance these interests.</p> <p>After multiple meetings, the Committee considered about 12 different variations of the allocations. These variations ranged from straight market-based raises to maximizing the allocation to increase the percentage for the lowest-paid employees, while heavily favoring longevity. The funds received for raises this year exceeded last year’s amount, allowing for more variability.</p> <p>The Committee unanimously recommends that all employees receive no less than 92.1% of the market for their class, on average, across the Judicial Branch. There will be a longevity increase at 5, 10, and 15 years of consecutive service, with a minimum raise of \$2,500.</p> <p>Judge Bluemel asked about employees earning above market. Judge Chambers noted that some employees are above market, and no one will face a pay decrease. These employees will be grandfathered in with their higher salaries and will still receive longevity pay and base dollar increases. The Committee’s goal is to retain long-term employees, focusing on their tenure rather than the unit category they fall into.</p> <p>Justice Gray inquired about long-term employees making 102% of the market and their eligibility for future longevity pay increases. Judge Chambers confirmed that future raises are uncertain and that the current recommendation is to use available funds to increase pay across the board rather than holding back funds for future raises.</p> <p>Judge Snyder inquired about court reporters. Judge Chambers responded that court reporters would receive pay that is 92.1% of the market, and real-time certified court reporters would receive a 10% increase as per the Supreme Court order. Judge Snyder also asked if supervisors would have discretion over raises. Chief Justice Fox and Judge Chambers cautioned against deviating from the recommendation to maintain pay parity and avoid disparities.</p> <p>Justice Gray noted that the Hay Study began in the Executive Branch to provide a basis for market-based pay raises, focusing on the position rather than merit. Future merit-based raises could be considered once employees reach market pay, but not before then.</p> <p>Judge Snyder asked about the frequency of updating the Hay Study classification. Elisa Butler responded that the 2022 pay tables are currently in use, and updates depend on the Executive Branch’s analysis on when to move to a different version of the pay tables. Discussions with the HR Committee</p>
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will address how to implement updates.

Judge Bluemel raised concerns about budget limitations for staff recruitment. Chief Justice Fox clarified that budgets are now based on positions, not individuals, allowing for more flexibility.

Judge Hibben asked for clarification in three areas. First, if this is the only recommendation from the HR Committee. Judge Chambers acknowledged that was correct. Second, if the longevity increase is prospective. Judge Chambers responded that it benefits current employees only, with July 1 as the cutoff date. Third, how do entry-level clerks' raises compare to senior clerks. It was noted there are substantial cumulative raises for entry-level clerks, senior clerks, and chief clerks.

Judge Hibben moved to adopt the HR Committee's recommendation on employee compensation. Judge Prokos seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

#### Proposed Amendment to Classification Structure

Judge Chambers presented the HR Committee's recommended changes regarding the Classification Structure. There are three main components to the proposed changes:

- On page 3, a sentence clarifies that the displayed pay range includes the minimum at the bottom and the market value at the top.
- On page 5, a footnote and a star symbol indicate that real-time certified court reporters receive a 10% differential as premium or add-on pay, as described in The Guide to Judicial Branch Employment.
- Pages 5, 6, and 7 encompass the final wrap-up of the classification process initiated last year. This process included setting out job descriptions and the structure, obtaining feedback, and adopting the classifications, which were published to the Judicial Branch's website in February of this year. Employees had the opportunity to review and comment on their classifications, and a review period occurred in February and March. During this time, the Judiciary advocated for pay increases and additional positions during the Legislative Session.

Judge Chambers noted that positions within the Administrative Office of the Courts are unique and evolve based on the Council's direction and the addition of new responsibilities such as treatment courts, education, training, and staffing committees. When the Administrative Office of the Courts loses a position, it may hire a less experienced individual and adapt other roles to absorb those tasks. Thus, Administrative Office of the Court positions are not static.

The recommendation is to modify the classification structure to fully develop the Administrative Office of the Courts structure. This is a move to ensure that the Administrative Office of the Courts can appropriately fill positions as needed, using the full spectrum of the classification structure. It does not allow for free movement, promotions, advancements, or pay raises outside the

	<p>established process.</p> <p>Judge Hibben moved that the Council adopt and approve the HR Committee’s recommendation to adopt the proposed changes to the classification structure. Judge Prokos seconded the motion. With no further discussion, the motion was approved unanimously by voice vote.</p> <p><u>Proposed Amendments Use of Retired Judges Policy</u></p> <p>Judge Chambers noted that this Council asked the HR Committee to review the Use of Retired Judges Policy. The amended language, including the phrase “any extraordinary case,” is intended to expand the use of the policy. The amended language also outlines responsibilities for IT and personnel support.</p> <p>Chief Justice Fox mentioned speaking with retired judges to gather suggestions for improvement. Judge Prokos asked about the necessity of involving the Chief for requests shorter than two weeks. Chief Justice Fox clarified that such requests always go to the Executive Committee. The practice of asking sitting colleagues to assist should continue, with retired judges stepping in when necessary. The system has worked well, though it can be challenging to determine if a request is necessary. However, professional judgment is trusted in these cases.</p> <p>Justice Boomgaarden moved to approve the amended proposed language regarding the Use of Retired Judges Policy. Judge Snyder seconded the motion. With no further discussion, the motion passed unanimously by voice vote.</p>
<p><b>Legislative Relations Committee</b></p> <p>Attachment F – Management Council approved interim topics</p> <p>Attachment G – Treatment Court proposed statutory changes</p> <p>Attachment H – Treatment Court bill draft</p> <p>Attachment I – Protection order issues and proposed statutory changes</p> <p>Attachment J – Proposed focus for 2025 interim and 2026 legislative session</p> <p>The Wyoming Judicial Council ratified the decisions of the Legislative Relations Committee regarding the interim topics proposed and approved by the Legislative Management Council.</p> <p>The Wyoming Judicial Council approved the document outlining protection order issues and proposed statutory changes as amended by the Council.</p>	<p>Chief Justice Fox noted that outlook for the session will be clearer after the elections.</p> <p><u>Management Council Approved Interim Topics</u></p> <p>Elisa mentioned that the most relevant items are with the Joint Judiciary Committee and might affect what we do. The Legislative Relations Committee, along with administrative staff will monitor these items and inform the Council if there are any points of interest. Additionally, administrative staff reviews all legislative committee agendas as those are released for any additional topics that may be of interest to the Judicial Branch.</p> <p>Judge Rogers asked about the Joint Judiciary Committee topic on foster care and adoption and whether there was any information on that. Elisa Butler responded that the topic was introduced by the Department of Family Services, and it is uncertain if it will result in a bill draft. It is anticipated to be more of an educational topic. Another aspect, mentioned by Chairman Washut, was the interesting conversation about parents’ rights versus those of foster or prospective adoptive parents.</p> <p>Judge Prokos moved to ratify the submission to Management Council for interim consideration and work. The motion was seconded, and the motion passed unanimously on voice vote.</p> <p><u>Treatment Court Proposed Statutory Changes</u></p> <p>Chief Justice Fox reported that the Mental Health and Vulnerable Adult (MHVA) Task Force is progressing well. Starting July 1, the Judicial Branch</p>

The Wyoming Judicial Council approved the proposed focus for 2025 interim and 2026 legislative session as amended by the Council.

officially takes over treatment courts, thanks largely to Ben Burningham's efforts, which have positioned the Branch to make this transition. Recommended statutory changes will be facilitated, as outlined in Attachments E and F. For example, there is a proposed amendment to allow public defenders to represent participants post-adjudication, as their current statute only covers representation up to that point. Although the impact on public defenders and their funding is uncertain, this change would make such representation possible. The proposed amendments also include provisions for regional treatment courts or courts serving participants from multiple counties, addressing eligibility loopholes.

Additionally, there are discussions about amending the scope of treatment courts to include diversion work, similar to what is being done in the Diversion Pilot in Gillette. Currently, treatment courts are restricted to post-adjudication work, but expanding their role to include diversion would align well with that structure.

Judge Prokos supported the change allowing treatment court participants to access services from any treatment court in the state, which is beneficial as participants may relocate to different counties. Judge Bluemle emphasized the importance of flexibility in treatment court assignments for effective service delivery. Elisa Butler related that the MHVA Task Force will meet again this week, and the bill will likely be discussed further then. It is anticipated that bill draft will proceed through the Joint Judiciary Committee.

#### Protection Order Issues and Proposed Statutory Changes

Chief Justice Fox addressed the next issue that pertains to protection order issues and proposed statutory changes. This initiative is primarily being handled by Judge Christensen, a member of the Legislative Relations Committee. Judge Prokos expressed general agreement with the proposals but highlighted the difficulties associated with the point about eliminating the appointment of an attorney.

Judge Bartlett moved to approve the proposed statutory changes, except paragraph 1, suggesting the removal of the sentence "Leave 3 days for all local county respondents." Judge Prokos seconded the motion. With no further discussion, the motion passed unanimously on a voice vote.

#### Proposed focus for 2025 interim and 2026 legislative session

Chief Justice Fox indicated there are other topics we could pursue, and include another ask for more positions within the Administrative Office of the Courts. Positions were requested during the last session, and included 10 positions within the Administrative Office of the Courts, and 9 circuit court clerk positions. Through the legislative process, the Judicial Branch received two administrative positions, and four circuit court clerk positions. The Council will need to decide if we try again during the upcoming Supplemental Budget Session.

Judge Hibben suggested we should just ask for more. Judge Rogers shared that conventional wisdom from her years as a judge indicates that with judicial salaries, it is important to keep reminding the legislators and not let them forget.



	<p>Chief Justice Fox expressed uncertainty about inflating our request.</p> <p>Elisa Butler advised that we are in a supplemental session, not a budget session. Historically, in supplemental sessions, we ask for things that are either urgently needed or about to expire. She proposed, with the Council’s approval, to address the three time-limited positions in the Administrative Office of the Courts that will expire next June. Of those three positions, we are currently utilizing only one-and-a-half positions, and those positions are not part of the standard budget. Those positions have improved support for the courts and Wyoming’s people. The Administrative Office of the Courts would request to make these positions part of the standard budget but would not ask for more until the budget session. Elisa Butler further mentioned a suggested approach from a Joint Appropriations Committee member is to speak early and often with those Committee members about the request and its justification.</p> <p>Justice Boomgaarden emphasized the importance of preserving our credibility as it is our form of currency. Judge Hibben noted that a year ago when we asked for 9 circuit court clerks due to workload increases in certain locations, the actual need might have been different. Chief Justice Fox agreed these positions are worth discussing and possibly pushing for in the next budget session. Judge Hibben added that highlighting our creative and innovative cost-saving measures strengthens our argument for positions.</p> <p>The Council agreed to proceed with Elisa Butler’s suggestion to request the one-and-a-half time-limited positions for the Administrative Office of the Courts within the supplemental budget and not ask for circuit court clerk positions at this time.</p> <p>Chief Justice Fox introduced another discussion item: exploring the possibility of adjusting the Equal Justice Wyoming statute to remove limitations for people who qualify as “indigent.” Justice Boomgaarden suggested that given the ongoing evolution of bringing Equal Justice Wyoming under the Administrative Office of the Courts, it might be premature to address this now. It was advised to hold back for a year, to a year and a half to have a better understanding. Chief Justice Fox concurred, noting current constraints and the evolving nature of the Equal Justice Wyoming program.</p> <p>Chief Justice Fox then asked if there were any additional topics the Council wished to add, while recognizing there could be emerging issues.</p> <p>Justice Boomgaarden moved to approve the proposed focus for the 2025 interim and 2026 legislative session, with the deletion of the Equal Justice Wyoming item and circuit court clerk positions, understanding that the temporary positions within the Administrative Office of the Courts will become permanent positions if approved. There was no further discussion, and the motion passed unanimously on a voice vote.</p>
<p><b>Forms Committee</b></p> <p>Attachment K – Proposed Protection Order Forms</p> <p>The Wyoming Judicial Council approved the recommendation of the Forms</p>	<p>Judge Darrah stated that the purpose of the Forms Committee is twofold: to provide forms for the Court Navigator Program and pro se litigants. The Committee worked to modify the protection order forms, as presented to the Council. The proposed forms include a revision date for tracking and instructional forms that are understandable, user-friendly, and easy for judges</p>

Committee to adopt the proposed protection order forms as amended by the Council.

to use. Once approved, the forms will be transformed into pdf format.

The Committee also plans to track statutory changes that would impact the forms, with an annual maintenance meeting. The forms have been vetted and presented to various stakeholders. While these forms will evolve, they represent a good starting point. Judge Darrah urged the adoption of the forms.

Chief Justice Fox thanked Judge Darrah and the Forms Committee for their extensive work. Judge Bartlett raised a concern about the language in the orders related to the UCCJEA, questioning whether circuit courts need to inform other courts of existing orders when petitioners may not always provide that information. How would this procedure work and would the process involve sending information to the district court, which might create complications as the district court clerks would not have any guidance on what to do with that information. Judge Prokos shared these concerns, noting that district courts often coordinate with other jurisdictions over the phone, a process that is not as clear for circuit courts.

Judge Darrah acknowledged the Forms Committee's struggle with this issue and suggested that the word "may" instead of "shall" might offer needed flexibility. Judge Prokos suggested modifying the language to "this order may impact custody issues other than UCCJEA." Chief Justice Fox asked if advising another court would be burdensome, and Judge Bartlett noted that circuit courts could do it but would need clear procedures. Judge Bluemel mentioned that different district court clerks might handle this differently and that the UCCJEA process is complex.

Chief Justice Fox proposed that the term "shall make reasonable efforts" might cover this, giving flexibility if the information is not known. Judge Darrah was comfortable with this change, wanting to give circuit court judges some flexibility. Judge Snyder suggested that petitioners, who are more likely to know if there is a custody case in another state, should be responsible for filing relevant information.

Judge Bartlett noted that the UCCJEA statute gives the court discretionary power and suggested using similar language. Chief Justice Fox proposed changing petitioner documents to "must" and the judge's "shall" to "may." Judge Darrah highlighted that the Forms Committee does not see this as a jurisdictional requirement but rather a procedural issue, aiming not to create impediments for petitioners.

Chief Justice Fox wondered how often this kind of instruction would bar someone from proceeding without complying. Judge Bluemel suggested modifying the wording to "shall include the petition or identify which court the divorce or custody matter was handled in." After discussion, the consensus was to change "shall" to "may." There was uncertainty about requiring documents from other proceedings. Justice Boomgaarden suggested that as court navigators become trained, they should include this in their training.

Judge Prokos moved that the judge's "shall" be converted to a "may," with no other language changes. Elisa Butler additionally mentioned that the National Center for State Courts recommended including a space on the forms to indicate if a court navigator helped the litigant, allowing for data tracking. That



	<p>information could also be integrated into the case management system to help track the progress of the court navigator program.</p> <p>Judge Darrah asked the Council to adopt an effective date for the forms. Chief Justice Fox suggested July 1, 2024. The Council’s decisions were summarized. On the proposed protection order forms: changing “shall” to “may,” adding a checkbox to indicate navigator assistance, and approving the packet with these changes effective July 1, 2024. Judge Rogers moved to accept the summary, seconded by Judge Prokos. With no further discussion, the motion passed unanimously on a voice vote.</p>
<p><b>WRCP</b></p> <p>Attachment L – Proposed Remote Proceedings Rule</p> <p>Attachment M – Proposed Remote Depositions Rule</p> <p>The Wyoming Judicial Council declined to recommend the adoption of the proposed Remote Proceedings Rule to the Wyoming Supreme Court.</p> <p>The Wyoming Judicial Council approved recommending the adoption of the proposed Remote Depositions Rule to the Wyoming Supreme Court.</p>	<p>Justice Fenn explained that this proposal is coming from the Civil Rules Committee and includes two proposed rules, both relating to remote participation. One rule concerns discovery and depositions (Rule 30.1), and the other concerns participation in actual hearings, which might best fit into Rule 43.1 or 78.1. These proposals emerged largely as a result of the pandemic, during which remote participation became common. The Civil Rules Committee allowed time to see how things settled post-pandemic before proposing these changes.</p> <p>The proposals offer a detailed approach for remote participation in depositions and court proceedings. The Civil Rules Committee also solicited comments from judges and the Bar. The feedback fell into three categories: technical changes (which were made), agreement with the proposals, and opposition, noting that these changes were a solution in search of a problem. Both proposals give judges considerable discretion in their application. Although the Committee was not unanimous, the majority recommended adopting these changes. The primary issue for the Council to decide is whether these changes are needed.</p> <p><u>Proposed Remote Proceedings Rule</u></p> <p>Judge Snyder reported that she received the most feedback on this issue from her conference, and it was largely unfavorable. Many district court judges were not in support of the changes. While some judges found valuable suggestions within the proposals and planned to incorporate them into their benchbooks, most already had policies addressing these issues. District judges expressed concerns that the new rules could be burdensome and complicate efforts to comply with existing rules while getting work done efficiently.</p> <p>Justice Fenn noted that initially, several judges on the Committee liked the idea, but the trend turned more negative after wider feedback was solicited.</p> <p>Justice Boomgaarden asked if there was significant opposition to allowing remote appearances based on the comments received. Judge Bluemel said that from the District Judges Conference perspective, there was no objection to remote proceedings in appropriate instances. However, sometimes requests for remote proceedings were impractical. The proposed rules would give district judges the discretion to allow or deny such requests. The primary issue for the District Court Judges Conference was the detailed language of the proposed rules, not the concept of remote proceedings itself.</p> <p>Judge Bartlett noted that the feedback she received was mostly negative, with</p>

	<p>circuit court clerks finding the proposals too detailed.</p> <p>Chief Justice Fox suggested breaking the discussion into separate motions for each rule. Judge Bluemel moved to deny the proposed Remote Proceeding Rule. Judge Prokos seconded the motion. With no further discussion, the motion passed on a voice vote.</p> <p><u>Proposed Remote Depositions Rule</u></p> <p>Chief Justice Fox introduced the next topic for decision, which concerns remote depositions. Judge Rogers inquired whether this rule aligns with the preferences of practicing attorneys. Justice Fenn mentioned that there had been considerable feedback from the Bar, similar to the feedback on the previous rule. Some attorneys found good ideas in the proposal, while others who had already adapted to remote depositions viewed it as unnecessary. This rule provides a framework for attorneys, allowing them to proceed differently if both parties agree. More positive feedback from the Bar was received for this rule compared to the previous one. It offers guidance for courts when parties cannot agree on remote deposition procedures and still allows flexibility if the parties do agree.</p> <p>Judge Bluemel questioned the necessity of this rule, expressing doubt about its value in resolving disputes over remote depositions. Chief Justice Fox noted that, as with all discovery rules, this rule is not needed for attorneys who act in good faith but is intended to address issues with those who do not.</p> <p>Judge Rogers moved to recommend approval of the proposed remote deposition rule. Judge Snyder seconded the motion. With no further discussion, the motion passed unanimously on a voice vote.</p>
<p><b>Circuit Court Audit Committee</b></p> <p>Attachment N – Proposed Rules for the Uniform System of Accounting and Case Files for Circuit Courts</p> <p>Attachment O – Current Accounting Rules 2014</p> <p>The Wyoming Judicial Council approved recommending the adoption of the proposed Rules for the Uniform System of Accounting and Case Files for Circuit Courts to the Wyoming Supreme Court.</p>	<p>Judge Haws presented the proposed rules for the uniform system of accounting and case files for circuit courts to the Council. It was emphasized that this represents a significant revision of the rules that have been in place since 2014. The Circuit Court Audit Committee has reviewed and updated these rules, ensuring they standardize how judicial decisions are recorded without dictating how judges should perform their duties. The goal is to maintain accurate and orderly case files that reflect courtroom proceedings. These rules also enable auditors to conduct in-depth audits on specific issues across the state, facilitating spot checks for trends or training issues. Each court is to undergo a comprehensive audit every two years, and currently, the process is ahead of schedule and proving effective. The Circuit Court Audit Committee requested the Council’s recommendation for adopting the proposed rules.</p> <p>Judge Rogers questioned whether the Wyoming Supreme Court should adopt these rules, as mentioned in Section 2. Elisa Butler clarified that the previous rules were indeed adopted by the Wyoming Supreme Court, which is why this approach was taken. Judge Rogers noted this seemed more like a policy issue and raised concerns about whether the Judicial Council or the Wyoming Supreme Court should make the final decision. Chief Justice Fox acknowledged this point, suggesting the Judicial Council should make such decisions but recognizing the statutory framework for the circuit courts that involves supervision by the Wyoming Supreme Court. Elisa added that, similar to previous discussions, the Civil Rules Committee intended for these rules to be</p>

	<p>recommended by the Judicial Council to the Wyoming Supreme Court for adoption.</p> <p>Chief Justice Fox proposed amendments in Sections 3 and 5, suggesting changing references from “Wyoming Supreme Court” to “Administrative Office of the Courts” to clarify the distinction. The motion was framed to recommend the Council propose these rules to the Wyoming Supreme Court with the suggested changes.</p> <p>Judge Prokos moved to recommend the proposed Rules for the Uniform System of Accounting and Case Files for Circuit Courts, with the amendments changing references from “Wyoming Supreme Court” to “Administrative Office of the Courts.” Judge Blumel supported this motion, emphasizing the autonomy of circuit courts in adopting these policies. However, he noted that the district court conference might not need or want involvement in circuit court-specific policies. Chief Justice Fox agreed that each conference should defer to the other on specific matters but maintained that it is ultimately a Judicial Council action.</p> <p>Chief Justice Fox called for a vote, and the motion passed unanimously on a voice vote.</p>
<p><b>EJW Working Group</b> Justice Boomgaarden, Judge Bartlett, Judge Bluemel</p> <p>Attachment P – EJW Committee Purpose and Structure</p> <p>Attachment Q – Proposed Rules and Regulations for Equal Justice Wyoming</p> <p>The Wyoming Judicial Council approved the Equal Justice Wyoming Committee Purpose and Structure as amended by the Council.</p> <p>The Wyoming Judicial Council approved recommending the adoption of the proposed Rules and Regulations for Equal Justice Wyoming to the Wyoming Supreme Court.</p>	<p><u>EJW Committee Purpose and Structure</u></p> <p>Justice Boomgaarden acknowledged that Judge Bluemel and Judge Bartlett participated in the working group. This was a follow-up after this Council decided to move Equal Justice Wyoming under the organizational umbrella of the Administrative Office of the Courts. That left the question of what to do with the volunteers committed to access to justice, the legal service providers, and others around the state who functioned as the board of directors governing and overseeing day-to-day operations and the grant-making function of Equal Justice Wyoming.</p> <p>To acknowledge that they have a valuable perspective to be given to the Judicial Council and Branch from a user and practitioner viewpoint, the working group has proposed that these volunteers form an advisory committee to this Council. The general reason for this transition is in Rule 1, while Rule 2 lists membership. These members will be appointed by and serve at the pleasure of this Council. The rules provide trial court membership shall be at least one but not more than two district judges and circuit judges. If there are two from each conference, the appointments of those judges should be cognizant of having one represent a highly populated area and the other a more rural area. This was deliberate due to concerns that different representation needs in rural areas are not commonly represented.</p> <p>The role of the Advisory Committee is to make recommendations to this Council, approve grants, evaluate grantee performance, and develop projects.</p> <p>The working group recommended that this Council approve the proposed Equal Justice Wyoming Committee Purpose and Structure statement. Judge Bluemel moved to adopt the Equal Justice Wyoming Committee Purpose and Structure document. Judge Hibben seconded the motion. Judge Hibben asked for clarification, ensuring he understood that there would be a new advisory</p>

	<p>panel making recommendations to this Council, and the Director of Equal Justice Wyoming would serve at the pleasure of the Chief Justice and the Supreme Court. Justice Boomgaarden clarified that bringing the Equal Justice Wyoming director and staff under the Administrative Office of the Courts allows Equal Justice Wyoming to have governance and accountability through the Administrative Office of the Courts, and not through the Chief Justice, but through this Council.</p> <p>There were further discussions on who hires and terminates the State Court Administrator position. Chief Justice Fox noted that historically it has been the Supreme Court, with the Chief taking the lead. Given that this position answers to the Judicial Council, it may be worth having future discussions on what that process looks like. Elisa Butler noted that the Administrative Office of the Courts was created by court order. We will find that order and share it with the Council for future discussions.</p> <p>Chief Justice Fox suggested revising the title of these documents from “Rules and Procedures” to “Purpose and Structure.” The proposal includes amending the motion to include this change for all Wyoming Judicial Council subcommittee documents. Judge Bluemel accepted the proposal as a friendly amendment. The motion passed unanimously on a voice vote.</p> <p><u>Proposed Rules and Regulations for Equal Justice Wyoming</u></p> <p>Justice Boomgaarden presented the proposed Rules and Regulations for Equal Justice Wyoming. These are statutory rules as Equal Justice Wyoming was created as a result of the Civil Access to Justice Act. The previous rules were lengthy and specific, detailing the creation and operation of the board that has since become the Advisory Committee, which is no longer appropriate. These new rules reflect the language of the statute and outline the purpose and function of Equal Justice Wyoming in a general sense.</p> <p>The working group recommended that the Judicial Council recommend these rules for adoption by the Wyoming Supreme Court. Judge Bluemel moved to adopt the recommendation. Judge Bartlett seconded the motion. With no further discussion, the motion passed unanimously on a voice vote.</p>
<p><b>Education Committee</b></p> <p>Attachment R – Education Committee Purpose and Structure</p> <p>The Wyoming Judicial Council approved the Education Committee Purpose and Structure as amended by the Council.</p>	<p>Chief Justice Fox noted her excitement about the Education Committee, mentioning many new members have dug in. The Education Committee has been focused on the upcoming Judicial Conference in September but has other items it wants to work on as well, such as orientation, beefing up the brown bag sessions, and overall being more responsive to the judges’ needs.</p> <p>The first suggestion is to change the title of the document to the “Purpose and Structure of the Education Committee.” Judge Prokos moved to adopt the proposed Education Committee Purpose and Structure document, including changing the title of the document to match. The motion was seconded and passed unanimously on a voice vote.</p>
<p><b>Technology Committee</b></p> <p>Attachment S – Proposed Cybersecurity Awareness Training Policy</p>	<p><u>Proposed Cybersecurity Awareness Training Policy</u></p> <p>Justice Boomgaarden reported that the Administrative Office of the Courts is working to formalize all IT policies. That work is being completed by the</p>

Attachment T – Proposed Patch Management Policy	Technology Committee. That Committee addressed two straightforward items. The first is the proposed Cybersecurity Awareness Training Policy, which aims to formalize the existing practice of monthly security videos.
Attachment U – Proposed Courtroom Technology Policy	The Technology Committee discussed compliance and determined that the IT Division of the Administrative Office of the Courts would track participation in the training. If individuals do not complete the training, the IT Division of the Administrative Office of the Courts has successfully reached out to remind them. The Technology Committee decided that a more formal compliance section was unnecessary. Chronic issues could be escalated to the Technology Committee for troubleshooting.
Attachment V – Technology Division evaluation of Annotation Devices	The Technology Committee recommended adopting the Cybersecurity Awareness Training Policy. A motion was made and seconded to adopt the policy with an immediate effective date. The motion passed unanimously on a voice vote.
Attachment W – Judge Eames evaluation of Annotation Devices	<u>Proposed Patch Management Policy</u>
Attachment X – Pros and cons of purchasing equipment individually	Justice Boomgaarden introduced the proposed Patch Management Policy, which formalizes the IT Division of the Administrative Office of the Courts’ current practices for managing software patches, including prioritization, scheduling, and implementation. The policy does not change any operations but is meant to document existing procedures.
The Wyoming Judicial Council approved the proposed Cybersecurity Awareness Training Policy.	Judge Snyder suggested that simple items, like the Patch Management Policy, might not require full discussion and proposed considering a consent agenda for such items. Chief Justice Fox agreed that a consent agenda could streamline the approval process for straightforward items but emphasized that the Council must maintain oversight and not merely approve administrative details. Judge Bluemel expressed concerns that using a consent agenda might lead to a passive approval process. He questioned whether it aligns with the Council’s role and strategic oversight. Justice Boomgaarden argued that having an advisory approach, such as a consent agenda, allows the Council to address policies that are necessary but not contentious, while still maintaining the ability to discuss any item that needs further attention.
The Wyoming Judicial Council approved the proposed Patch Management Policy.	Judge Snyder supported adopting a consent agenda to handle routine items efficiently, with Judge Bluemel agreeing to try this approach. Chief Justice Fox suggested experimenting with this process, allowing any Council member to request discussion on specific items.
The Wyoming Judicial Council approved the proposed Courtroom Technology Policy as amended by the Council.	Judge Rogers questioned whether approving detailed policies, like the Patch Management Policy, involves micromanagement. It was emphasized the importance of having high-level standards rather than detailed operational procedures. Justice Boomgaarden clarified that these policies are part of a broader cybersecurity framework and ensure compliance with audit standards.
	Judge Snyder moved to adopt the proposed Patch Management Policy with immediate effect, and Judge Bluemel seconded the motion. The motion passed unanimously on a voice vote.
	<u>Proposed Courtroom Technology Policy</u>



	<p>Justice Boomgaarden introduced the proposed Courtroom Technology Policy, which applies specifically to trial courts. The policy allows for flexibility based on courtroom size, layout, and age, and acknowledges that existing variations may be grandfathered. The key issue for discussion is the inclusion of annotation devices in the witness box. The Technology Committee has debated whether to include these devices as a standard feature or leave them out.</p> <p>The Technology Committee presented three options:</p> <ol style="list-style-type: none"> <li>1. Include annotation devices in all courtrooms.</li> <li>2. Include annotation devices only in district court courtrooms.</li> <li>3. Exclude annotation devices from the policy entirely.</li> </ol> <p>Elisa Butler highlighted that including annotation devices in all courtrooms would cost over a million dollars while including them only in district courtrooms would cost about half that amount. These costs would be covered by the JSA budget, which could be strained over time.</p> <p>Judge Bartlett asked about the size of the devices, and Judge Prokos explained that they resemble standard monitors. Judge Bluemel suggested a thorough discussion is needed, and it may be better to pass the Courtroom Technology Policy without the annotation devices and revisit the issue later. Chief Justice Fox supported this approach, noting that the timing is critical as courtroom technology refreshes are scheduled to start in the fall.</p> <p>Judge Bluemel moved to approve the Courtroom Technology Policy excluding the annotation devices, to address the annotation device issue at a future meeting. Judge Bartlett seconded the motion.</p> <p>There were additional questions about the provision of Apple TVs for seamless connection with Apple devices and the liberty recording connection for district courts. Elisa Butler will check the Software Policy regarding these issues.</p> <p>Judge Snyder suggested adding a monitor for law clerks in district courts to improve their ability to view video content. This suggestion was noted as potentially requiring an exception request, with existing policies already addressing hardware and software issues.</p> <p>Judge Bluemel acknowledged the discussion about exception requests and noted that while the Technology Committee handles many requests, significant or contentious issues could be brought to the Council.</p> <p>The motion to adopt the Courtroom Technology Policy, excluding annotation devices, passed unanimously on a voice vote.</p>
<p><b>For the Good of the Order</b></p> <p>The Wyoming Judicial Council approved having the September Council meeting in person, in Cheyenne, to include an earlier start time and a working lunch.</p> <p>The Wyoming Judicial Council approved the proposed June 9<sup>th</sup>, 2025 meeting date.</p>	<p>Chief Justice Fox discussed future meeting arrangements, including a full-day retreat in March of 2025. She asked whether half-day meetings are adequate or if longer meetings, such as those in September, might be more effective. Judge Hibben expressed concern that discussions might be rushed. Judge Bluemel agreed, noting this feeling was more pronounced in the last topic. Justice Gray added that while this concern was notable, it was only significant for the last topic.</p>



	<p>Judge Snyder noted that while the idea of meeting in different locations, like outside Cheyenne, and having bi-monthly meetings was discussed, the extensive preparation required makes that impractical. However, the work was completed in 4 hours in the current format. There is a concern that a full-day meeting might lead to filling the entire day with discussions.</p> <p>Judge Rogers proposed two considerations: whether to prioritize in-person meetings, potentially in Casper, and whether to include a working lunch to allow an early departure. Elisa Butler mentioned that past practices with the Judicial Branch Innovations Task Force involved meeting in Casper with a start time of around 10:00 a.m., working through lunch, and finishing by 3:00 p.m. or 4:00 p.m. This approach allowed members to make a day trip.</p> <p>Judge Bluemel supported the idea of a working lunch or having lunch and wrapping up early. Judge Prokos suggested keeping the December meeting virtual. Judge Rogers proposed holding the September meeting in Casper, starting at 10:00 a.m., having lunch catered, and concluding by 3:00 p.m. After discussion, the Council agreed to hold the September meeting in Cheyenne. The meeting will begin at 8:00 a.m., and the Council will plan to work through lunch. There may be an opportunity to break around 1:00 p.m. or 2:00 p.m., depending on the agenda.</p> <p>Elisa Bulter reminded the Council that 4 positions need to be allocated in the circuit courts. The new workload study numbers will not be available until the end of the fiscal year in June, with results ready by early July. These numbers will go to the HR Committee for a recommendation to the Council for position allocation. The Council might need to vote via email or hold an additional hour-long meeting to finalize this before the September meeting.</p> <p>Elisa Butler further asked if the Council was comfortable with the proposed June 2025 date for a meeting, specifically June 9<sup>th</sup>. The proposed June 9<sup>th</sup>, 2025 date was approved by the Council.</p>
<b>Adjourn</b>	Chief Justice Fox adjourned the business meeting.

<b>FUTURE WJB MEETING DATES:</b>	
	Monday, September 16, 2024 @ 8:00 a.m. to Noon
	Monday, December 16, 2024 @ 8:00 to Noon

	Monday, March 17, 2024 – Full day retreat
<b>DECISION POINT:</b>	Monday, June 9, 2025 @ 8:00 to Noon

Post Meeting Action Items	
<u>Owner</u>	<u>Item Description</u>
Elisa Butler	Post WJC agendas in advance on the Judiciary’s website.
Elisa Butler	Share the order creating the Administrative Office of the Courts with the Council.
Elisa Butler	Amend the title of the Wyoming Judicial Council subcommittees’ purpose and structure documents from “Rules and Procedures” to “Purpose and Structure.”
Elisa Butler	Create a consent agenda for Council consideration for future meetings.
Elisa Butler	Confirm within the Hardware and Software Policy if district court chambers will receive a license for Liberty Recording.

**Committee decisions are designated in green text.**

## Attachment A

### Rule 9. Meetings.

The Wyoming Judicial Council shall act only at a meeting, unless agreed upon unanimously by the Wyoming Judicial Council, in which case action may be taken or a vote by email or other means may be taken. The Wyoming Judicial Council shall meet at least quarterly as determined by the presiding officer. Standing or advisory committee meetings may be called at the discretion of the committee chairperson. The Wyoming Public Meetings Act, W.S. 16-4-401, et seq., by its terms, does not apply to the judiciary. Meetings of the Wyoming Judicial Council are ~~open to all sitting Circuit and District Court Judges and Supreme Court Justices but are not public unless, in its discretion, the Judicial Council determines a particular meeting or agenda item should be~~ open to the public.



# SURVEY OF Judicial Salaries

ncsc.org/salarytracker

Attachment B

Published January 2024. Vol. 49, No. 1, v2.0  
Data and Rankings as of January 1, 2024

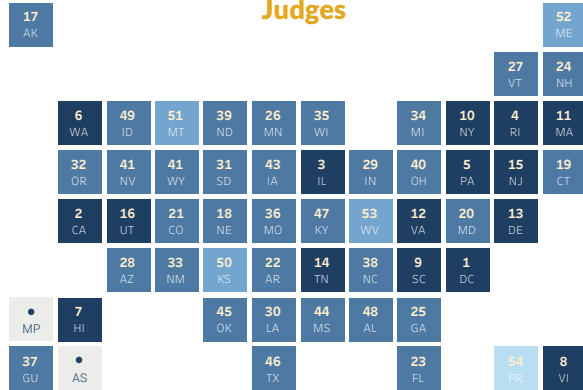
Updated 2/15/2024. These numbers have been  
adjusted to reflect Louisiana's late submission.

These graphics depict the rankings of judicial  
salaries, with the highest salary for each  
position having a rank of "1."

Data is reported by each jurisdiction to NCSC.

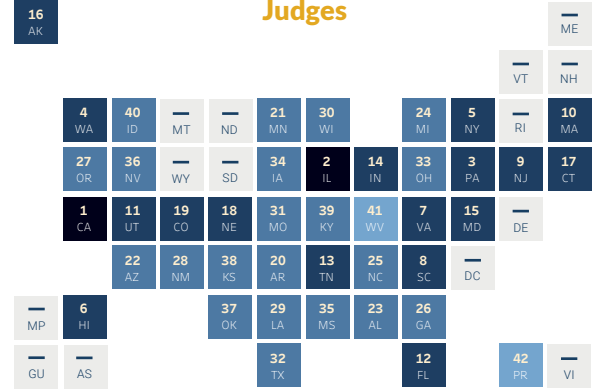
Less than \$100,000 \$100,000 to \$149,999 \$150,000 to \$199,999 \$200,000 to \$249,999 More than \$250,000

## General Jurisdiction Judges



• No Response

## Intermediate Appellate Court Judges



— States without an intermediate appellate court

• No Response

## General Jurisdiction Judges Adjusted for Cost of Living



X C2ER does not provide cost of living index for U.S. Territories (except for San Juan, Puerto Rico)

• No Response

## Court of Last Resort Associate Justices



• No Response

## Judicial Salaries at a Glance

	Mean	Median	Range
Chief, Highest Court	\$210,531	\$208,983	\$125,000 to \$305,259
Associate Justice, Court of Last Resort	\$203,051	\$197,432	\$120,000 to \$291,094
Judge, Intermediate Appellate Court	\$194,046	\$192,369	\$105,000 to \$272,902
Judge, General Jurisdiction Trial Court	\$182,529	\$181,250	\$89,600 to \$243,300



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## Salaries and Rankings - Listed Alphabetically by Jurisdiction Name

The table below lists the salaries and rankings for associate justices of the courts of last resort, associate judges of intermediate appellate courts and judges of general jurisdiction trial courts. Salaries are ranked from highest to lowest, with the highest salary for each position having a rank of "1." The lowest salary has a rank of 54, except for the intermediate appellate courts, which only exist in 42 jurisdictions. The adjustment factor for general jurisdiction courts is available for 52 of the jurisdictions. Salaries are as of January 1, 2024.

	Court of Last Resort		Intermediate Appellate Court		General Jurisdiction Court		General Jurisdiction Court <i>Adjusted for Cost-of-Living Index</i>		
	Salary	Rank	Salary	Rank	Salary	Rank	Factor	Salary	Rank
Alabama	\$189,353	34	\$188,271	23	\$151,482	48	93.1	\$162,755	32
Alaska	\$215,436	20	\$203,522	16	\$199,193	17	131.9	\$151,003	44
American Samoa	No Response		No Response		No Response		Not Available		
Arizona	\$205,000	25	\$190,000	22	\$180,000	28	102.5	\$175,659	21
Arkansas	\$203,625	26	\$197,596	20	\$192,919	22	90.6	\$212,966	5
California	\$291,094	1	\$272,902	1	\$238,479	2	134.9	\$176,771	20
Colorado	\$209,616	23	\$201,312	19	\$193,008	21	111.1	\$173,761	25
Connecticut	\$216,063	19	\$202,957	17	\$195,167	19	126.5	\$154,233	36
Delaware	\$218,684	17	Not Applicable		\$205,600	13	109.9	\$187,090	15
District of Columbia	\$254,900	3	Not Applicable		\$243,300	1	159.5	\$152,522	39
Florida	\$251,414	5	\$212,562	12	\$191,163	23	101.3	\$188,661	12
Georgia	\$186,112	39	\$184,990	26	\$184,111	25	93.4	\$197,221	7
Guam	\$177,000	43	Not Applicable		\$165,114	37	Not Available		
Hawaii	\$237,684	8	\$220,800	6	\$215,100	7	149.6	\$143,793	48
Idaho	\$165,212	49	\$157,212	40	\$151,212	49	99.8	\$151,585	43
Illinois	\$271,379	2	\$255,419	2	\$234,380	3	99.8	\$234,766	1
Indiana	\$214,586	21	\$208,594	14	\$178,168	29	95.5	\$186,505	16
Iowa	\$187,326	37	\$169,765	34	\$158,056	43	97.7	\$161,716	33
Kansas	\$168,598	48	\$163,156	38	\$148,912	50	98.2	\$151,648	42
Kentucky	\$165,097	50	\$158,536	39	\$152,004	47	92.4	\$164,449	31
Louisiana	\$194,427	29	\$182,007	29	\$174,988	30	97.3	\$179,869	17
Maine	\$155,397	52	Not Applicable		\$145,642	52	116.9	\$124,564	51
Maryland	\$216,433	18	\$203,633	15	\$194,433	20	126.6	\$153,529	37
Massachusetts	\$226,187	13	\$213,924	10	\$207,855	11	132.4	\$157,006	35
Michigan	\$181,483	41	\$186,310	24	\$172,135	34	91.2	\$188,836	11
Minnesota	\$206,668	24	\$194,738	21	\$182,805	26	102.4	\$178,464	19
Mississippi	\$173,800	45	\$168,467	35	\$158,000	44	88.5	\$178,576	18
Missouri	\$196,926	28	\$180,018	31	\$169,789	36	90.6	\$187,432	14
Montana	\$162,503	51	Not Applicable		\$148,872	51	103.9	\$143,266	49
Nebraska	\$212,316	22	\$201,701	18	\$196,393	18	100.9	\$194,596	9
Nevada	\$170,000	47	\$165,000	36	\$160,000	41	112.2	\$142,640	50
New Hampshire	\$197,937	27	Not Applicable		\$185,638	24	121.3	\$153,027	38
New Jersey	\$226,292	12	\$215,546	9	\$204,167	15	121.3	\$168,268	29
New Mexico	\$191,683	33	\$182,099	28	\$172,994	33	100.3	\$172,439	27
New York	\$233,400	10	\$222,200	5	\$210,900	10	112.3	\$187,863	13
North Carolina	\$192,978	30	\$184,996	25	\$165,000	38	95.2	\$173,276	26
North Dakota	\$179,312	42	Not Applicable		\$164,532	39	108.0	\$152,348	40
Northern Mariana Islands	No Response		No Response		No Response		Not Available		
Ohio	\$187,805	36	\$175,045	33	\$160,975	40	92.4	\$174,201	23
Oklahoma	\$173,469	46	\$164,339	37	\$156,732	45	93.2	\$168,097	30
Oregon	\$188,208	35	\$184,584	27	\$174,108	32	118.9	\$146,458	46
Pennsylvania	\$253,361	4	\$239,059	3	\$219,933	5	102.1	\$215,397	3
Puerto Rico	\$120,000	54	\$105,000	42	\$89,600	54	100.0	\$89,600	52
Rhode Island	\$230,343	11	Not Applicable		\$223,031	4	128.1	\$174,078	24
South Carolina	\$223,987	15	\$218,387	8	\$212,787	9	98.9	\$215,202	4
South Dakota	\$186,770	38	Not Applicable		\$174,448	31	99.7	\$174,930	22
Tennessee	\$219,144	16	\$211,860	13	\$204,552	14	92.3	\$221,720	2
Texas	\$184,800	40	\$178,400	32	\$154,000	46	96.5	\$159,507	34
Utah	\$224,050	14	\$213,900	11	\$203,700	16	103.4	\$197,001	8
Vermont	\$191,963	32	Not Applicable		\$182,499	27	121.2	\$150,593	45
Virgin Islands	\$241,091	6	Not Applicable		\$213,992	8	Not Available		
Virginia	\$237,133	9	\$218,951	7	\$207,611	12	102.5	\$202,631	6
Washington	\$239,868	7	\$228,338	4	\$217,391	6	114.9	\$189,265	10
West Virginia	\$149,600	53	\$142,500	41	\$138,600	53	95.5	\$145,167	47
Wisconsin	\$192,226	31	\$181,345	30	\$171,080	35	100.2	\$170,741	28
Wyoming	\$175,000	44	Not Applicable		\$160,000	41	105.3	\$152,006	41
<b>Mean</b>	<b>\$203,051</b>		<b>\$194,046</b>		<b>\$182,529</b>				
<b>Median</b>	<b>\$197,432</b>		<b>\$192,369</b>		<b>\$181,250</b>				
<b>Range</b>	<b>\$120,000 to \$291,094</b>		<b>\$105,000 to \$272,902</b>		<b>\$89,600 to \$243,300</b>				

\*The figures presented use the C2ER Cost-of-Living Index. The Council for Community and Economic Research-C2ER is the most widely accepted U.S. source for cost-of-living indices. C2ER does not provide cost of living index for U.S. Territories (except for San Juan, Puerto Rico). Due to the rounding of C2ER factors to the nearest hundredth for publication purposes, user calculations of our adjusted salary figures may not equate to the published totals. More detailed information can be found at [www.c2er.org](http://www.c2er.org).

**WYOMING**  
**JUDICIAL BRANCH**  

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**CLASSIFICATION**  
**STRUCTURE**



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# INTRODUCTION

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Job evaluation is a basic building block of the Wyoming Judicial Branch (Branch) classification structure because it provides a systematic tool for analyzing the content of a job and grouping it into a classification with other jobs of similar job content. It is also a means by which to establish the relativity of one classification to another. Job evaluation begins with a description of the duties and responsibilities of a given position to measure its relative value. To ensure objectivity, the focus of job evaluation is the nature and requirements of the job itself, not the person performing the job. The evaluation is based on the job's requirements assuming that job standards are fully met.

To evaluate our jobs, we use the *Hay Method of Job Evaluation*, which is the most widely used job evaluation system in the world. This evaluation method measures each job's requirements against the three key job content factors found in every job -- Know-How, Problem Solving, and Accountability.

- Know-How: The sum of every kind of skill, however acquired, required for fully competent job performance.
- Problem Solving: The original, self-starting thinking required by the job to identify, define, and resolve problems.
- Accountability: The measured effect of the job on end results.

Job duties are measured using the factors above and points are assigned based on various components within each of these factors. The total of all points then determines the appropriate pay grade (e.g., L, M, N, O, R, S) for the position.

The Branch assigns positions to a classification based on the job evaluation.

- Class families are jobs that consist of similar work.
- Grade is the range of points for a specific level of responsibility and job content. A class family will have multiple grades for varying levels of responsibility.
- Pay ranges for each grade are assigned based on the market pay ranges used by the State of Wyoming Executive Branch. **The pay range displayed in this document denotes the minimum to market pay range. The maximum pay for each pay range is 20% above market.**
- **Annual salaries are designated for full-time employees. Part-time employees are paid a percentage of this rate based on the percentage of full-time employment (i.e. a 20-hour per week employee works 50% of full-time making the pay rate 50% of the annual rate).**

There may be some positions for which the market is paying a premium over others in the same job grade or with additional temporary duties which may receive additional compensation. These positions are denoted with an asterisk (\*).

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\*Denotes a premium or add-on pay position

# 1. CLASS FAMILIES:

## JUDICIAL SERVICES AND OPERATIONS

This family of positions provides a variety of services to promote access to justice through timely, fair, and impartial resolution of legal disputes. Housed in the Supreme, District, Chancery and Circuit Courts, these positions perform legal research; prepare and process court documents; create court records; and manage documents in the court case management systems.

### Attorneys

- Positions in this group support a Supreme Court justice, a District Court judge, or a Chancery Court judge. These positions prepare memoranda, opinions, jury instructions, and/or orders. They also support decision-making processes by ensuring information and facts are presented for various legal questions. Work is performed under general to limited supervision. These positions exercise considerable legal judgment and reasoning. A Juris Doctor (JD) is required for this position group as well as admission to the Wyoming Bar.

Job Title	Pay Grade	Pay Range	Market
		Minimum	
Supreme Court Senior Staff Attorney	S	\$103,626	\$129,521
Supreme Court Staff Attorney III	R	\$94,640	\$118,290
District Court Staff Attorney III	R	\$94,640	\$118,290
Supreme Court Staff Attorney II	Q	\$86,424	\$108,035
District Court Staff Attorney II	Q	\$86,424	\$108,035
Supreme Court Staff Attorney I	P	\$78,915	\$98,654
District Court Staff Attorney I	P	\$78,915	\$98,654
Supreme Court Law Clerk	O	\$72,093	\$90,106
District Court Law Clerk	O	\$72,093	\$90,106
Chancery Court Law Clerk	O	\$72,093	\$90,106

### Court Operations

- Positions in this group perform judicial procedures as well as assist with the accounting and financial records of the court. Positions in this group may require secondary education in legal studies or work experience as a paralegal, legal assistant, or executive

\*Denotes a premium or add-on pay position

assistant. Work is performed under limited to direct supervision of a justice/judge or court clerk.

Job Title	Pay Grade	Pay Range	
		Minimum	Market
Supreme Court Clerk of Court	O	\$72,093	\$90,106
Circuit Court Chief Clerk II	O	\$72,093	\$90,106
Chief's Judicial Assistant	N*	\$65,832	\$82,285
Chancery Clerk of Court	N	\$65,832	\$82,285
Supreme Court Judicial Assistant	N	\$65,832	\$82,285
District Court Judicial Assistant	N	\$65,832	\$82,285
Circuit Court Chief Clerk I	N	\$65,832	\$82,285
Supreme Court Deputy Clerk of Court	M	\$60,112	\$75,150
Official Court Reporter <sup>1</sup>	M*	\$60,112	\$75,150
Circuit Court Deputy Clerk	M	\$60,112	\$75,150
Circuit Court Senior Clerk	L	\$54,912	\$68,640
District Court Legal Assistant	K	\$50,149	\$62,691
Circuit Court Clerk	K	\$50,149	\$62,691

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<sup>1</sup> CRR Certified Court Reporters receive a 10% differential added to the pay range

\*Denotes a premium or add-on pay position

## 2. CLASS FAMILIES:

### ADMINISTRATIVE OFFICE OF THE COURTS

This family of positions performs a variety of professional activities and oversees specific Branch programs. Housed in the Administrative Office of the Courts (AOC), these positions are responsible for the coordination, planning, implementation, and completion of program initiatives. Positions in this family require secondary education or work experience in the specific area of expertise. Work is performed under limited to general supervision.

#### Business Operations

- Positions in this group perform a variety of functions to support business operations of the Branch to include fiscal/accounting, human resources (HR), education, project management, and administrative assistance. Positions in this group require secondary education or work experience in the specific area of expertise.

Job Title	Pay Grade	Pay Range Minimum	Market
Business Operations Manager	R	\$94,640	\$118,290
Business Operations Supervisor	Q	\$86,424	\$108,035
Business Operations Team Lead II	P	\$78,915	\$98,654
Business Operations Team Lead I	O	\$72,093	\$90,106
Business Operations Analyst	N	\$65,832	\$82,285
Business Operations Specialist	M	\$60,112	\$75,150
Senior Business Operations Coordinator	L	\$54,912	\$68,640
Business Operations Coordinator	K	\$50,149	\$62,691
Business Operations Assistant	J	\$45,802	\$57,262

#### Computer Information Services

- Positions in this group perform a variety of functions to support computer technology and information needs of the Branch. These positions support the infrastructure, network, security, software, and digital information of the Branch to include configuration, communication, process analysis, and training of various applications. Positions in this family require secondary education or work experience in the specific area of expertise or applicable IT certification. These positions are responsible for a busy help desk.

\*Denotes a premium or add-on pay position

<b>Job Title</b>	<b>Pay Grade</b>	<b>Pay Range Minimum</b>	<b>Market</b>
Computer Information Manager	R	\$94,640	\$118,290
Computer Information Supervisor	Q	\$86,424	\$108,035
Computer Information Team Lead II	P	\$78,915	\$98,654
Computer Information Team Lead I	O	\$72,093	\$90,106
Computer Information Analyst	N	\$65,832	\$82,285
Computer Information Specialist	M	\$60,112	\$75,150
Senior Computer Information Coordinator	L	\$54,912	\$68,640
Computer Information Coordinator	K	\$50,149	\$62,691
Computer Information Assistant	J	\$45,802	\$57,262

## Court Services

- Positions in this group direct or support programs focused on access to justice throughout the State of Wyoming in accordance with the directives of state statute or the Wyoming Judicial Council. Positions in this family require secondary education or work experience in the specific area of expertise.

<b>Job Title</b>	<b>Pay Grade</b>	<b>Pay Range Minimum</b>	<b>Market</b>
Court Services Manager	R	\$94,640	\$118,290
Court Services Supervisor	Q	\$86,424	\$108,035
Court Services Team Lead II	P	\$78,915	\$98,654
Court Services Team Lead I	O	\$72,093	\$90,106
Court Services Analyst	N	\$65,832	\$82,285
Court Services Specialist	M	\$60,112	\$75,150
Senior Court Services Coordinator	L	\$54,912	\$68,640
Court Services Coordinator	K	\$50,149	\$62,691
Court Services Assistant	J	\$45,802	\$57,262

## Executive Leadership

- Positions in this group provide leadership for all aspects of Branch operations with an emphasis on long-term goals and implementing practices and/or programs to carry out the strategic initiatives of the Branch. Positions in this group require secondary education

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\*Denotes a premium or add-on pay position



or work experience in a related field and require skill and ability in leading and managing large programs or projects. Professional licensing or certification is preferred.

Job Title	Pay Grade	Pay Range	
Executive Manager VI	EX17	\$131,227.20	\$164,028.80
Executive Manager V	EX16	\$123,843.20	\$154,793.60
Executive Manager IV	EX15	\$ 116,854.40	\$146,057.60
Executive Manager III	EX14	\$110,281.60	\$137,841.60
Executive Manager II	EX13	\$104,041.60	\$130,062.40
Executive Manager I	EX12	\$98,196.80	\$122,740.80

## Legal Services

- Housed in the Administrative Office of the Courts (AOC), positions in this group provide legal and policy assistance to the members of the Branch and further the initiatives of the Supreme Court, the AOC, and the District, Chancery, and Circuit Courts throughout the state.

Job Title	Pay Grade	Pay Range	
Legal Services Counsel III	R	\$94,640	\$118,290
Legal Services Counsel II	Q	\$86,424	\$108,035
Legal Services Counsel I	P	\$78,915	\$98,654
Legal Services Law Clerk	O	\$72,093	\$90,106
Law Librarian	N	\$65,832	\$82,285
Senior Paralegal	M	\$60,112	\$75,150
Paralegal II	L	\$54,912	\$68,640
Paralegal I	K	\$50,149	\$62,691
Legal Assistant	J	\$45,802	\$57,262

\*Denotes a premium or add-on pay position

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# Wyoming Judicial Branch

## ~~Administrative Office of the Courts~~

### Use of Retired Judges Policy (V2v4)

<b>Policy Approver(s)</b>	Wyoming Judicial Branch
<b>Storage Location</b>	WSC (\\courts.state.wy.us\dfsroot\Shares) (F:)\Court Administration Policies and Protocol\Wyoming Judicial Council
<b><u>Policy Effective Date</u></b>	June 12, 2023
<b><u>Version Effective Date</u></b>	<u>June 12, 2024</u>
<b>Review Period</b>	Annually

#### I. PURPOSE

This policy establishes the procedure for requesting the temporary assignment of retired State of Wyoming judges.

#### II. APPLICATION

This policy applies to all judicial officers of the Wyoming Judicial Branch.

#### III. REQUIREMENTS

A. Requests shall be made pursuant to Wyo. Stat. Ann. §§5-1-106(f) and 5-9-119(d):

1. A retired judge may be assigned to address a(n):

- a. Temporary absence of the sitting judge for illness, family emergency;
- b. Reasonable personal leave; and

—Overburdened docket of a court, an extraordinary case, or an extended trial that will disrupt the docket of the court.

c.

B. The requesting judge shall ensure that the retired judge has all necessary support, including JA, staff attorney, court reporter, courtroom and workspace (with access), lodging, etc.

- C. IT will provide necessary access to electronic data.

#### IV. PROCEDURE

- A. The judge requesting assistance, or the person requesting assistance on the judge's behalf, shall submit the request to the Executive Committee of the Wyoming Judicial Council, stating:
1. The reason for the request;
  2. The case or time period requested; and
  3. Other unique factors.
- B. The Executive Committee, or the Chief Justice in the case of an emergency, will review the request using several factors, including but not limited to:
1. The reason for the request;
  2. The court's available resources; and
  3. The availability of retired judges and funds to compensate them.

Approved By:

Kate M. Fox, Chairperson  
Wyoming Judicial Council

Date

## Attachment F

### Judiciary

Standard Budget: \$52,000.00

Priority #: 1 Protection Order Issues.

The Committee will study and review issues concerning protection orders.

Priority #: 2 Law Enforcement Issues.

The Committee will study and review issues identified by law enforcement, the Attorney General and/or stakeholders as needing review.

Priority #: 3 Repealing Gun Free Zones.

The Committee will study and review the issue of gun free zones.

Priority #: 4 Adoption and Foster Care Issues.

The Committee will study and review issues related to adoption and foster care.

Priority #: 5 Corrections and Parole Issues.

The Committee will study and review issues that the Department of Corrections has identified concerning the restoration of civil rights and issues that the Board of Parole has identified concerning parole ineligibility.

Priority #: 6 Statutory Monetary Amounts for the Wyoming Governmental Claims Act and Settlement Agreements for Minors.

The Committee will study and review the fixed monetary amounts that are included in the Wyoming Governmental Claims Act and the statutes governing settlement agreements for minors.

Priority #: 7 Agency Updates and Review of Recent Court Opinions.

The Committee will receive reports from various agencies and consider legislation in response to those reports. The Committee will also study and consider recent opinions where courts interpreted Wyoming statutes, noted the absence of legislative action, or called for legislative action.

### Appropriations

Standard Budget: \$60,000.00

Priority #: 1 Comprehensive Review of Gaming in Wyoming.

In the 2024 General Appropriations bill, the Legislature requires the Wyoming Gaming Commission to conduct a "statewide study of gaming in Wyoming including the structure of the Gaming Commission as an entity within state government, all pari-mutuel wagering activities, live horse racing, historic horse race wagering, skill-based amusement games, and online sports wagering" in consultation with the Committee. The study will also "consider the number and growth of wagering locations and activity, the Commission's oversight capacity, the transparency and efficiency of the Commission monitoring and reporting on licensees and horse track safety" and identify possible gaps in Wyoming law that affect or may affect consumers regarding the security, integrity, or fairness of gaming activities, state and local

licensing and permitting processes, and procedures to address non-compliance. The Committee may consider pari-mutuel, skilled gaming, and sports wagering, and may consider providing a uniform regulatory structure for all permitted activities. The Committee will also consider whether to authorize or prohibit interactive gaming, an appropriate regulatory structure, and potential tax revenue. This topic may result in legislation introduced in the 2025 General Session.

Priority #: 2 Department of Enterprise Technology Services.

The Committee will consider the State's budgeting and processes for the recurring replacement of hardware and software systems. The Committee may consider enterprise purchasing and leasing or consolidated authorization for purchasing and leasing, software as a service, and other strategies that may improve state management processes, optimize performance, extend the useful life of equipment and systems, and reduce expenditures. The Committee will also explore the potential use of consolidated budgeting and options to fund technology replacement. The Committee will also receive updates from the Department of Enterprise Technology Services on security and staffing levels authorized in the 2024 General Appropriations bill. This topic may result in legislation introduced or modifications to existing appropriations in the 2025 General Session.

Priority #: 3 University of Wyoming's (UW's) Research and Development Processes.

The Committee will review UW's processes for research and development agreements and potential comparisons. The Committee will conduct a review of the School of Energy Resources budget and the Center for Innovation for Flow Through Porous Media budget within the University of Wyoming. This work may include a review of internal research processes, prior direct appropriations, staffing, budgeting for equipment and research matching opportunities, commercialization of intellectual property, existing return on investments, and strategic positioning for future programs. The Committee will also tour the High Bay Research Facility with the Joint Minerals, Business, and Economic Development Interim Committee and will receive an update on facility operations. This topic may result in legislation introduced or modifications to existing appropriations in the 2025 General Session.

Priority #: 4 State Construction.

The Committee will receive information on the process utilized by the State to assess the State's needs for offices and other facilities and consider long-term planning for the budgeting, acquisition of real property, capital construction, routine and major maintenance funding, and security needs for state facilities. The Committee will take a long-term perspective and consider methods of prioritization, forecasting needs, and identifying revenue streams. This topic may result in legislation introduced or modifications to existing appropriations in the 2025 General Session.

Priority #: 5 Foreign Ownership of Land in Wyoming.

The Committee will address foreign adversaries' ownership of land in Wyoming by examining the potential risks to national security. The Committee will consider regulatory measures to ensure transparency, fairness, and protection of domestic interests without hindering foreign investments from non-adversarial countries that benefit the State of Wyoming.

Priority #: 6 Statutory Responsibilities and Reports.



The Committee will receive dozens of reports required by law from state agencies. In particular, the Committee will receive information at a joint meeting with the Joint Education Interim Committee and provide a recommendation on the K-12 external cost adjustment (ECA) per W.S. 21-13-309(o), tentatively scheduled as a remote, half-day meeting on September 26.

## Revenue

Standard Budget: \$50,000.00

Priority #: 1 Property Tax Issues.

The Committee will continue its work related to property tax issues. This topic will include: reviewing the property tax relief bills that were passed by the legislature in the 2023 and 2024 sessions and considering options for additional revisions to the property tax system in Wyoming; reviewing property taxes on tangible personal property, including a consideration of implementation of a basic equipment list as provided in other states to determine the amount of property that will be subject to the tax; reviewing truth-in-taxation laws enacted in other states and how those could be applied to the property tax system in Wyoming; and reviewing how properties qualify as agricultural land for purposes of the property tax system.

Priority #: 2 Taxes to Replace Reductions in Revenues Due to Revisions to the Property Tax System.

In relation to Priority 1, the Committee will consider options for how to replace reductions in revenues due to revisions to the property tax system. This topic will include: a review of the sales and use tax including the state and local optional tax rates and a review of sales tax exemptions and the possibility of broadening the sales tax; and a review of other potential sources of revenue including a tax on purchases of real property to replace all or a portion of the property tax.

## Education

Standard Budget: \$65,000.00

Priority #: 1 Early Childhood Education.

The Committee will study preschool programs and childcare providers to develop an understanding of how well students are prepared to enter kindergarten. The topic will include a review of state agencies involved in early childhood programs, the governance structure, child development centers, and the current childcare infrastructure. The Committee will review prior studies and request state agencies and interested parties awarded grants for this purpose to help the Committee identify policy options. The Committee will study the reading assessment and intervention program under W.S. 21-3-401 and will review prior work completed in the 2021 interim and enacted during the 2022 Budget Session. This study is a continuation of work completed during the 2023 interim.

Priority #: 2 K-12 Mental Health.

The Committee will study K-12 mental health issues, including the impacts on student academic performance and well-being, and staff recruitment, retention, and well-being. State agencies, school districts and other interested parties will be requested to identify state, community, school district, and financial resources available and utilized by school districts, students, and staff to address mental health

issues. The Committee will also monitor the implementation of the K-12 school mental health service grants enacted through 2024 Budget Bill (2024 Wyoming Session Laws, Chapter 118, Section 331).

Priority #: 3 Career and Technical Education.

The Committee will study career and technical education (CTE) programs offered by the community colleges and the University of Wyoming, including the certification processes for CTE teachers and the professional industry career permit. The Committee will also review graduation requirements for CTE students and the relationship between high school CTE programs and community college CTE programs. This study will include a review of the available state and federal funding sources and requirements including the impacts on students, CTE student organizations, school districts and postsecondary institutions. This would also include a review of Wyoming Department of Education's (WDE) Chapter 36, Career and Technical Education Equipment Grants and alignment with W.S. 21-2-105.

Priority #: 4 School Choice.

The Committee will study the ability to provide educational options that can be offered separate and apart from the public school system for Wyoming's K-12 population. The Committee will comprehensively review charter school laws, including 2023 Wyoming Session Laws, Chapter 179 and receive reports and recommendations from state agencies for any necessary statutory changes. This study will also include recommendations regarding 2024 House Bill 166, Education savings accounts.

Priority #: 5 K-12 Education.

The Committee will study the public school system and related funding. This study will include reviewing school districts' safety and security policies and consider any necessary statutory changes. The Committee will receive reports from the WDE, the State Board of Education, the Governor's Reimagining and Innovating the Delivery of Education initiative, and other stakeholder groups. The Committee will review the State Board of Education's work related to the student content and performance standards and explore the alignment of standards to the statewide student assessment. The Committee will also study potential incentives for school districts to participate and apply for reimbursement from Medicaid under the School-Based Services Program as authorized under W.S. 21-13-321 and 42-4-103.

The Committee, in accordance with W.S. 21-13-309(o) and (u), will review information necessary to make its recommendation on an external cost adjustment to the education resource block grant model for school year 2025-2026. The Committee will meet jointly with the Joint Appropriations Committee to receive required reports and information under W.S. 21-13-309(u). The Committee will also review components of the education resource block grant model, including transportation reimbursement under W.S. 21-13-320, and cash reserves and operating balances under W.S. 21-13-313, in preparation for the 2025 recalibration.

## Agriculture, State and Public Lands & Water Resources

Standard Budget: \$63,000.00

Priority #: 1 Eminent Domain Restrictions.

The Committee will evaluate existing Wyoming eminent domain laws with respect to wind or solar energy collector lines to ensure they strike a balance between public interest and property rights protection. The Committee will also assess the necessity of reforms to prevent abuse, safeguard

property owners' rights and uphold the principles of just compensation, minimum easement standards and due process.

Priority #: 2      Temporary Change of Use – Water Rights.

The Committee will examine the framework governing temporary changes of water rights in Wyoming and will assess its effectiveness in balancing competing water needs. The Committee will consider adjustments to the regulations to address emerging challenges, such as increased demand for water resources.

Priority #: 3      Right to Repair Farm Equipment.

The Committee will study the implications of the right to repair farm equipment, including its potential impact on equipment manufacturers and farmers. The Committee will evaluate legislative measures to ensure fair access to repair information and parts while safeguarding intellectual property rights and product safety standards.

Priority #: 4      Natural Asset Companies.

The Committee will investigate the rise of natural asset companies and their impact on private property rights, state sovereignty and Wyoming's natural resources.

Priority #: 5      Agency Reports and Reviews.

- The Committee will receive reports from various agencies and consider legislation in response to those reports. When receiving reports from the Wyoming Department of Agriculture, the Committee will review the Rangeland Health Assessment Program administered by the Department. The Committee will review prior legislation, agency reports, stakeholder feedback and relevant data to address any additional legislative concerns not covered by the above priorities.

## Travel, Recreation, Wildlife & Cultural Resources

Standard Budget:      \$60,000.00

Priority #: 1      Wyoming State Parks and Cultural Resources.

The Committee will study the prioritization and management of potential state parks, updates to Wyoming state parks law enforcement statutes and snowmobile registration fees.

Priority #: 2      Wyoming Game and Fish Department.

The Committee will study the financial planning of the Department, wildlife management and diseases, commercial fishing and management of wildlife for the next 50 years.

Priority #: 3      Wyoming Arts Alliance.

The Committee will study the economic impact of the creative industries in Wyoming.

Priority #: 4      Agency Updates and Reports.

The Committee will receive reports from various agencies as required by law and take legislative action to address the reports if necessary or required.

## Corporations, Elections & Political Subdivisions

Standard Budget: \$52,000.00

### Priority #: 1 Continuation of Electric Utilities Study.

The Committee will continue its examination of Electric Utilities, prioritizing the affordability of utility rates. The Committee will also monitor legislative developments during the 2024 Budget Session and new efforts by utilities to raise rates. The Committee will explore the ability of local governments to produce electricity, including compensation for renewable energy generation but excluding any discussion of small-scale net metering. The Committee will receive an informational presentation from the Public Service Commission and consider taxation of electricity generation, using 2024 House Bill 200 as a starting point. Finally, the Committee will study electricity taxation with the assistance of legal experts in the field and an Electricity Tax Subcommittee.

### Priority #: 2 Continuation of Wyoming Telecommunications Act Study.

The Committee will continue its study of the Wyoming Telecommunications Act, focusing on the legal framework necessary moving forward, as the Act is scheduled to sunset on July 1, 2025. The Committee will also address 911 emergency outage reporting requirements and other issues and regulatory needs within the telecommunications sector.

### Priority #: 3 Housing Policies.

The Committee recognizes that affordable housing is an issue that has become increasingly prevalent in recent years. To that end, the Committee will examine the roles of both the private and public sectors in the provision of housing; explore the use of Tax Increment Financing (TIF) to encourage the construction of more affordable housing; and explore ways to leverage opportunities to improve housing options in the state, including through the use of legislatively designated investments, lease options for state lands, and the creation of a fund for housing infrastructure purposes. The Committee will also consider issues related to abandoned and nuisance buildings, as well as rental housing regulations.

### Priority #: 4 Business Fraud/LLC Reform.

The Committee will explore Business Fraud and LLC Reform, with a focus on preventing potential abuses of, and fraudulent filings in, the corporate filing system. The Committee will also address reinstatement procedures for dissolved corporate entities that own real property, explore issues related to trade names and trademarks, and examine the impact of federal reporting requirements.

### Priority #: 5 Insurance and Agency Updates.

The Committee will turn its attention to Insurance and Agency Updates, including revisions to the Insurance Code and the Model Holding Company Act. The Committee will also review auto-insurance minimum coverage limits, property/casualty insurance availability, and mandatory fraud reporting through the National Insurance Crime Bureau.

### Priority #: 6 Executive Orders and the Wyoming Administrative Procedure Act.

The Committee will investigate executive orders as it relates to the Wyoming Administrative Procedure Act, including whether executive orders should be incorporated into rule so that there is an opportunity

for the public to comment and to seek redress. The Committee will consider the executive order on sage grouse as an example of how there may be inequity in the current system with respect to the application of executive orders.

## Transportation, Highways & Military Affairs

Standard Budget: \$50,000.00

Priority #: 1 Transportation and Highways.

The Committee will study transportation topics including the Wyoming Department of Transportation's current and future funding, highway safety, maximum semitrailer lengths, Wyoming Department of Transportation's authority and control over county roads, and necessary statutory updates. The Committee will study the Wyoming Office of Homeland Security's funding for Regional Emergency Response Teams and the State Emergency Response Commission.

Priority #: 2 Military Affairs.

The Committee will study identified issues related to military affairs, including the use of deadly force to protect military equipment and property, suicide prevention for veterans and active military members, military recruitment and retention, and higher-education support.

Priority #: 3 Electronic Titling.

The Committee will study the implementing electronic titling statewide including any necessary statutory updates.

Priority #: 4 Reports from Agencies, State, and Local Entities.

The Committee will receive reports from various agencies as required by law and take legislative action to address the reports as necessary or required.

## Minerals, Business & Economic Development

Standard Budget: \$55,000.00

Priority #: 1 Oil and Gas Pipeline Issues.

The Committee will study oil-and-gas issues and pipeline issues, including the regulation of intrastate carbon dioxide pipelines, the Wyoming Pipeline Corridor Initiative, incentives for enhanced oil recovery, and bonding issues related to oil and gas production.

Priority #: 2 Mining Topics.

The Committee will study mining-related issues, including tax issues, credits, and exemptions applicable to the mining industry, mineral ownership and descent, and the repeal of low-carbon energy generation standards.

Priority #: 3 Energy-Related Water Issues.

The Committee will study issues associated with produced water and hydrogen production.

Priority #: 4 UW School of Energy Resources and Research.

The Committee will receive reports and updates from the University of Wyoming School of Energy Resources and consider the governance of the Integrated Test Center. The Committee will also receive information and review the structure of the Center of Innovation for Flow Through Porous Media.

Priority #: 5 Electricity Generation.

The Committee will receive information and consider issues with the self-generation of electricity.

Priority #: 6 Department of Environmental Quality.

The Committee will receive updates from the Department of Environmental Quality and consider issues associated with the Wyoming Environmental Quality Act.

Priority #: 7 Committee Reports and Agency Updates

The Committee will receive reports from various agencies as required by law and updates from agencies and take legislative action to address the reports if necessary or required.

### Labor, Health & Social Services

Standard Budget: \$52,000.00

Priority #: 1 Maternity Healthcare & Childcare Issues.

Wyoming is experiencing the emergence of maternity deserts, leading to reduced access to maternity health care and childbirth services across the state. Prenatal health care access can be especially challenging in remote parts of the state. Understanding the landscape for current and future maternity health care providers will be essential to effectively address the state's growing maternity deserts. The Committee will hear from the Maternal Health Innovation Program from the University of Wyoming and the Obstetrician Subcommittee of the Governor's Health Task Force. The Committee will study ways to increase the number of labor and delivery and maternity health care professionals in Wyoming. The Committee will also review childcare access issues and availability and will consider legislation to increase childcare facilities throughout the state.

Priority #: 2 Wyoming Healthcare Authority.

The Governor's Health Task Force has developed a recommendation of establishing a permanent Wyoming Healthcare Authority to support healthcare policy recommendations for Wyoming. Health care is one of the largest industries in Wyoming and is an essential economic driver for business development and retention of residents. Establishing a permanent Wyoming Healthcare Authority is recommended by the Governor's Health Task Force to support health care policy recommendations. Given the importance of health care as an economic driver and essential service, this priority aims to elevate its status alongside other key industries in the state. The Committee will look at legislation to make the proposed Wyoming Health Care Authority a reality.

Priority #: 3 Provider Enrollment.

Commercial health insurance companies take 90 to 120 days on average to enroll Wyoming providers as participating providers in their health plans while Medicaid and Medicare take approximately 30 to 60 days. Reducing the time required for provider enrollment in health care plans, both commercial and

government-sponsored like Medicaid and Medicare, is crucial for improving access to care for Wyoming residents. Examining statutes in neighboring states can offer valuable insights for streamlining this process. Colorado, New Mexico, and Louisiana have statutes that may help the Committee study this key issue. The Committee will hear testimony regarding provider enrollment and analyze proposed legislation aimed at reducing the time required for provider enrollment in health care plans.

Priority #: 4 Music Therapy–Licensure.

Music therapy is a clinical and evidence-based, non-invasive proactive therapy that utilizes music interventions to address a wide range of emotional, physical, cognitive, and social needs. Establishing licensure for practitioners can enhance access to this evidence-based therapeutic approach and address various emotional, physical, cognitive, and social needs of individuals. The Committee will hear testimony from the Wyoming Music Therapy Task Force and examine proposed legislation regarding music therapy licensure.

Priority #: 5 Pharmacology.

Step therapy is a type of prior authorization used by health insurance companies that requires patients to take lower-cost alternative prescriptions before authorizing the original medications prescribed by a patient's healthcare provider. According to the National Institutes of Health (NIH), 29 states have laws limiting step therapy. Implementing step therapy protocols could improve patient access to medication. The Committee will look at proposed legislation regarding step therapy.

A variety of current pharmacological issues relevant to Wyoming include oversight by the Board of Pharmacy, regulation of medical coverage of obesity-related medical treatments, access to alternatives to opioids for safe pain management, reviewing the Compassionate Care Act and ensuring legal protection through Good Samaritan Laws for overdose situations. The Committee will review these issues and develop any necessary legislation.

Priority #: 6 Agency Reports and Reviews.

The Committee will receive reports from various agencies and consider legislation in response to those reports. The Committee will review agency reports, stakeholder feedback and relevant data to address any additional legislative concerns not covered by the above priorities. The Committee will request an update from the University of Wyoming concerning the WICHE and WWAMI programs as well.

Management Council

Standard Budget: \$35,000.00

Select Committee on School Facilities

Standard Budget: \$38,000.00

Priority #: 1 Statutory Responsibilities.

The Select Committee is charged by W.S. 28-11-301 with the following obligations: (1) monitor the assessment of statewide school facility needs, the prioritization of those needs and remediation of identified needs as undertaken by the School Facilities Commission (Commission) and State Construction



Department (Department); (2) develop knowledge and expertise among its members regarding issues pertaining to school facilities and Commission and Department programs and procedures to maintain statewide facility adequacy; (3) prepare budget recommendations addressing statewide building and facility needs; and (4) review and provide recommendations on proposed commission rules. This work will result in a FY 2025-2026 supplemental budget recommendation, if necessary, to the Joint Appropriations Committee and the Governor not later than November 1, 2024, pursuant to W.S. 28-11-301(b)(v).

Priority #: 2      Prioritization Process.

The Select Committee will study the condition and capacity methodologies, along with the exception process contained in Chapter 3, Section 8 of the Commission's rules, to determine if statutory or programmatic revisions are necessary to prioritize projects. The Select Committee will review the roles of the Department, Commission, and Select Committee in setting priorities and the evolution of funding for school capital construction. This study will culminate in a comprehensive education of school facilities capital construction funding for the Legislature. As part of this effort, the Select Committee will request updates from the Commission and the Department on the strategic review of facility funding for school buildings suggested by the Department to the Joint Appropriations Committee for study during the 2024 interim to ensure a coordinated effort by the Legislature in addressing K-12 facility needs across Wyoming.

Priority #: 3      Major Maintenance.

The Select Committee will review the statutory major maintenance calculation to determine if revisions to the funding formula are necessary. This will include examination of enhancements and excess square footage in school facilities. The Select Committee will also consider how community funding may assist school districts in completing projects and those with unique needs. The Select Committee will review the ability of a school district to utilize up to 10 percent of the funds generated for major maintenance on enhancements and the replacement value percentage utilized to determine major maintenance payments.

Priority #: 4      Safety and Security.

The Select Committee will study the safety and security needs of school facilities, including funding for projects. This study will include review of the safety and security standards and updates in technology and best practices. If necessary, the Select Committee may request the Department to conduct a comprehensive statewide assessment of school safety and security needs.

Select Committee on Blockchain, Financial Technology and Digital Innovation Technology

Standard Budget:      \$50,000.00

Priority #: 1      Artificial Intelligence Governance.

The Select Committee will continue its consideration of the governance of artificial intelligence technologies and identify the State's role in developing artificial intelligence policies while fostering responsible innovation. The Select Committee will evaluate information regarding other states' regulatory frameworks and assess how artificial intelligence may impact Wyoming residents.

Priority #: 2      Personal Data Privacy & Ownership.

The Select Committee will consider the latest developments in data privacy, other states' legislative initiatives, and potential legislation relating to data privacy and digital identity with respect to both private and governmental entities.

Priority #: 3      State Engagement with Technology.

The Select Committee will review the State's use of technology and may consider legislation in associated areas, including regulatory sandboxes, e-residency, remittance of sales tax, the creation of a centralized electronic notice system, and business filings, including the use of cryptographic signatures.

Priority #: 4      Previous Legislation.

The Select Committee will receive information pertaining to previously passed legislation to update and improve on existing laws. The Select Committee will analyze other states' DAO legislation and consider updates to the existing DAO supplement and 2024 Senate File 50-Unincorporated nonprofit DAO's. The Select Committee intends to improve existing digital asset laws, including the tokenization of property, non-fungible tokens, intellectual property, insurance, digital asset lien registries, cleansing of digital assets, and digital asset registration. The Select Committee will receive updates on open banking and consider any additional legislation that may be necessary to improve upon 2023 House Bill 62-Open banking and 2024 House Bill 145-Open banking amendments. The Select Committee will consider updates relating to SPDIs and how Wyoming's regulatory structure interacts with federal law. The Select Committee also intends to discuss legislation that would allow a SPDI to convert to a trust. The Select Committee will continue evaluating the implementation of the Wyoming Stable Token Act and consider any legislation that may be necessary to improve the stable token program.

Select Committee on Capital Financing & Investments

Standard Budget:      \$65,000.00

Priority #: 1      Local Government Funds/Investment in Equities.

The Select Committee will study alternatives and options for the investment of local government funds in equities in addition to a state-managed investment pool.

Priority #: 2      State Treasurer's Office Staffing and Investment Manager Selection.

The Select Committee will study potential and upcoming staffing needs for the State Treasurer's Office and the selection and approval process for investment managers.

Priority #: 3      Review of Wyoming's Investment Structure and Outcomes.

The Select Committee will continue reviewing the structure of the investment of Wyoming's permanent and nonpermanent funds to identify efficiencies, reduce complexity, and improve investment returns.

Priority #: 4      Statutory Updates.

The Select Committee will receive updates and reports related to capital financing and investments and reports required by law, including a report on the performance-compensation study required by 2024 House Enrolled Act 50 (HB0001), Section 320.

## Select Committee on Legislative Facilities, Technology and Process

Standard Budget: \$38,000.00

Priority #: 1 General Responsibilities Relating to Legislative Technology.

The Select Committee will review the Wyoming Legislature's use of technology, including but not limited to reviewing and updating, as necessary, the Legislature's current information strategy to guide technology development for the legislative branch.

Priority #: 2 General Responsibilities Relating to Legislative Process.

Review and recommend rule and process changes and other innovations to enhance the efficient, open and transparent operations of the Legislature.

Priority #: 3 Website Enhancements.

The Select Committee wishes to continue development of the Legislature's Website, including additional features and enhancements to improve the public's access to the legislative process.

## Select Committee on Tribal Relations

Standard Budget: \$20,000.00

Priority #: 1 Health, Education and Welfare.

The Select Committee will consider K-12 related issues, including an update on WYTOPP performance, early literacy, and other related issues. The Select Committee will also consider higher education issues, including discussion of ACT preparation courses, access to the Hathaway scholarship and other issues related to recruitment and retention at Wyoming Colleges and the University of Wyoming.

Priority #: 2 Cultural Education and Resources.

The Select Committee will invite the Tribal Business Councils to provide an overview of Tribal cultural practices and perspectives to facilitate and foster intergovernmental relations and communication. The Select Committee will also consider issues related to cultural resource protection, such as indigenous rock art sites on the Wind River Reservation, and State and federal lands.

Priority #: 3 Housing and Infrastructure.

The Select Committee will consider housing and homelessness issues on the Wind River Reservation, including exploring access to funding. The Select Committee will receive an update on the Wind River Reservation solid waste management issues and best practices.

Priority #: 4 Commerce and Taxation.

The Select Committee will continue its review of online sales tax collection from tribal members on the Wind River Reservation.

Priority #: 5 Public and Highway Safety.

The Select Committee will consider public safety issues on the Wind River Reservation, including receiving updates on Missing and Murdered Indigenous Persons Task Force, Tribal law enforcement and

the Wind River Tribal Court. The Select Committee will consider highway safety on the Wind River Reservation, including receiving an update on hit and run accidents, and any information from the Wyoming Department of Transportation on road conditions.

#### Select Federal Natural Resource Management Committee

Standard Budget: \$20,000.00

Priority #: 1 Statutory Responsibilities.

The Select Federal Natural Resource Management Committee is required by statute to review federal policies or actions that may impact the management, development, or use of the state's natural resources. The Committee is also authorized to develop and introduce legislative responses to federal policies and actions that are necessary to protect the state's interests including issues related to the structure of ownership of federal lands within the state.

#### Select Natural Resource Funding Committee

Standard Budget: \$15,000.00

Priority #: 1 Large Project Funding Legislation.

The Committee will review grant applications for large projects recommended by the Wyoming Wildlife and Natural Resource Trust Account Board and the Outdoor Recreation and Tourism Trust Account Board and sponsor legislation to fund projects based on available funds. This topic represents the Committee's responsibilities under W.S. 28-11-401(b) to review and sponsor legislation for Board-recommended large projects.

Priority #: 2 Update and Review of the Outdoor Recreation and Tourism Trust Fund.

The Committee will receive an update on the Outdoor Recreation and Tourism Trust Fund, including information on the new board, income account and governance structure for the Trust Fund as created by 2024 Wyoming Session Laws, Chapter 42.

Priority #: 3 Review of Ongoing Projects.

The Committee will tour ongoing large projects funded in previous years to ensure funds are being expended properly and to monitor project progress, with an emphasis on projects on the Western side of the state. The Committee will receive updates from stakeholders and the public on the impact of these projects. The Committee will also receive a report from the Wyoming Wildlife and Natural Resource Trust on the allocation of grants by county to consider the distribution and impact of the trust funds across the state.

#### Select Water Committee

Standard Budget: \$73,000.00

Priority #: 1 Review 2024 SF 122 Disposition of water rights - amendments.

The Select Committee will review and discuss 2024 SF 122 Disposition of water rights – amendments. The Select Committee will study issues related to the subdivision of land and water rights and consider legislation if appropriate.

Priority #: 2      Colorado River Basin Issues Update.

The Select Committee will receive updates on issues relating to water use within Wyoming's portion of the Colorado River Basin. The Select Committee will consider specifying additional beneficial uses of water as considered in 2023 SF 170.

Priority #: 3      Groundwater Appropriation and Management.

The Select Committee will review Wyoming statutes regarding appropriation of underground water rights, permitting of groundwater wells, and oversight of aquifers and groundwater withdrawal disputes. The Select Committee will review and discuss 2022 SF 81 Clarification of existing state ownership of groundwater and consider legislation, if appropriate.

Priority #: 4      Statutory Responsibilities and Agency Concerns.

The Select Water Committee is required by statute to monitor the water development program, review project contracts, prepare annual legislation and review water related statutory revisions. The Select Committee is also required by statute to review and make recommendations regarding the project funding list under the Safe Drinking Water Revolving Fund program. The Select Committee will consider any water related concerns brought forward by state agencies within the scope of the committee's statutory duties.

Priority #: 5      Agency Reports and Reviews.

The Committee will receive reports and consider legislation in response to those reports. The Committee will review agency reports, stakeholder feedback and relevant data to address any additional legislative concerns not covered by the above priorities.

## Attachment G

Here is the list developed by the treatment court committee:

### 1. Public Defender Participation

- A. *Issue:* Statute does not explicitly authorize the public defender to serve on treatment court or diversion court teams and represent participants in treatment/diversion court proceedings. The lack of explicit authorization raises liability concerns for the state public defender.
- B. *Solution:* Amend the Public Defender Act to explicitly authorize the public defender to serve on treatment and diversion court teams and represent participants in treatment/diversion court proceedings.

The public defender may serve as defense attorney on a court supervised treatment program team established under W.S. 5-12-111 and on a diversion court team. The public defender may represent participants in court supervised treatment program proceedings, including sanction and expulsion proceedings, as well as in diversion court proceedings.

### 2. Cross-County Issues

- A. *Issue:* Addiction knows no jurisdictional bounds. Yet, treatment courts may not be an option for a defendant who lives in one county and commits a substance-related offense in another. The county where he committed the offense may not admit him into treatment court because he does not reside in the county. And the county where he resides may not allow him to participate in treatment court because he committed the underlying offense in another county. Or the county where he resides may not have a treatment court.
- B. *Solution:* Amend the Court Supervised Treatment Program Act to include a provision addressing cross-county jurisdictional issues.

A court supervised treatment program may accept participants from any other jurisdiction in this state based upon either the residence of the participant, the jurisdiction where the participant is charged, or the unavailability of a court supervised treatment program in either the jurisdiction where the participant resides or the jurisdiction where the participant is charged.

### 3. Access to Treatment Courts

- A. *Issue:* Treatment court offerings in Wyoming are limited. Only 13 of 23 counties boast treatment courts. To expand access, statute might authorize the creation of regional and statewide treatment courts. These courts could operate in a hybrid fashion with occasional in-person sessions and more regular remote sessions and teleservices.
- B. *Solution:* Amend the Court Supervised Treatment Program Act to allow regional or statewide treatment courts.

Each judicial district or two or more adjoining judicial districts may establish a court supervised treatment program or a regional court supervised treatment program.

The supreme court may establish statewide court supervised treatment programs to accept participants who reside or commit substance related offenses in jurisdictions without adequate court supervised treatment program opportunities.

#### 4. Misdemeanant Eligibility

- A. *Issue:* Under Wyo. Stat. § 5-12-109, only a person who pleads guilty is eligible to participate, but the statute also allows parolees to participate. This means a misdemeanor who exercises his right to trial is not eligible, but a felon on parole is, whether or not he chooses to go to trial.
- B. *Solution:* Amend Wyo. Stat. § 5-12-109(a)(i) to include “or is found guilty.”

No substance offender may participate in a program unless the substance offender, in a Wyoming district, juvenile, circuit, municipal or tribal court, has been charged with an offense; and:

(i) Has entered an admission, or a guilty or nolo contendere plea, or is found guilty;

\*\*\*\*



**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Treatment court amendments.

Sponsored by: Representative(s) Larsen, L

A BILL

for

1 AN ACT relating to court supervised treatment programs;  
2 allowing substance offenders who are convicted at trial to  
3 participate in court supervised treatment programs;  
4 requiring juvenile offenders to participate in court  
5 supervised treatment programs as specified; authorizing  
6 treatment courts to accept participants from any other  
7 jurisdiction; amending the Public Defender Act to allow the  
8 public defender to participate as a team member in court  
9 supervised treatment and diversion programs and represent  
10 participants in those programs; making conforming  
11 amendments; amending definitions; and providing for an  
12 effective date.

13

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

2

3       **Section 1.** W.S. 5-12-104(a)(ii) and (viii), 5-12-  
4 109(a)(i) and (ii), (c) and by creating a new subsection  
5 (e) and 7-6-104(d) and by creating a new subsection (e) are  
6 amended to read:

7

8       **5-12-104. Definitions.**

9

10       (a) As used in this act:

11

12               (ii) "Applicant" means ~~the~~ one (1) or more  
13 governing ~~body~~ bodies of a city, town or county, a tribal  
14 government of either the Northern Arapaho or Eastern  
15 Shoshone tribes of the Wind River Indian Reservation or a  
16 nonprofit organization recognized under 26 U.S.C.  
17 501(c)(3);

18

19               (viii) "Program" or "court supervised treatment  
20 program" means ~~a local~~ one (1) or more court supervised  
21 treatment ~~program~~ programs that ~~complies~~ comply with rules  
22 and regulations adopted by the Wyoming supreme court;

23

1           **5-12-109. Participation in court supervised treatment**  
2 **program; conditions; extended probation.**

3  
4           (a) No substance offender may participate in a  
5 program unless the substance offender, in a Wyoming  
6 district, juvenile, circuit, municipal or tribal court, has  
7 been charged with an offense; and:

8  
9           (i) Has entered an admission<sup>7</sup> or a guilty or  
10 nolo contendere plea or is found guilty;

11  
12           (ii) Has been found guilty or entered a guilty  
13 plea pursuant to W.S. 7-13-301;

14  
15           (c) Participation in a program shall only be with the  
16 consent of the referring judge and the participant, except  
17 for cases referred from the juvenile court pursuant to W.S.  
18 14-3-429(d) (iv), 14-6-247(a) (xiv) and 14-6-429(d) (viii),  
19 and acceptance of the participant by the program team in  
20 accordance with a written agreement between the participant  
21 and the program team. The agreement shall include the  
22 participant's consent to release of medical and other  
23 records relevant to his treatment history and assessment

1 that meets the requirements of 42 U.S.C. 290dd-2(b) or 42  
2 C.F.R. part 2.31, as applicable. Prior to a participant's  
3 entry into a written agreement, the participating judge  
4 shall inform the participant that he may be subject to a  
5 term of probation that exceeds the maximum term of  
6 imprisonment established for the particular offense  
7 charged, as provided in W.S. 5-9-134 and 5-12-116.

8  
9 (e) A court supervised treatment program may accept  
10 participants from any other jurisdiction in the state.

11  
12 **7-6-104. Representation of needy persons.**

13  
14 (d) A needy person's right to a benefit under  
15 subsection (a), ~~or~~ (c) or (e) of this section is not  
16 affected by his having provided a similar benefit at his  
17 own expense, or by his having waived it, at an earlier  
18 stage.

19  
20 (e) The public defender shall be authorized to serve  
21 on court supervised treatment program and diversion program  
22 teams and to represent participants in court supervised

1 treatment program and diversion program proceedings,  
2 including sanction and expulsion proceedings.

3

4       **Section 2.** This act is effective immediately upon  
5 completion of all acts necessary for a bill to become law  
6 as provided by Article 4, Section 8 of the Wyoming  
7 Constitution.

8

9 (END)

## Attachment I

### Protection Order Items for JJC Update 5/7/24

- 1) §35-21-104(b) and §7-3-508(a) Set timeframe hearing for out of county/out of state respondents from 3 days to 10 days. Leave 3 days for all local county respondents.
- 2) Who can file for minors – Amend §35-21-103(a)(i)  
Any person with legal authority to act on behalf of the victim when the victim is 16 years or age or 17 years of age or legally married. = Mirror language in §7-3-507(a)(iii)
- 3) Service of Extension Orders - Service accomplished by one of the following:
  - A) Actual service WRCP Rule 5(b)(1) or (b)(2)(A) - OR
  - B) Certified Mail - OR
  - C) Email and mailing to last known address WRCP Rule 5(b)(2)(D)(\*\* Change Protection Order to get Respondents Email as well as mailing address)
- 4) Expand Jurisdiction  
Amend/Replace §7-3-506(a)(i) “Court” means the Circuit Court in the county where an alleged victim of stalking or sexual assault resides or is found, or where the alleged perpetrator of the stalking or sexual assault resides or is found, or where an act or incident of stalking or sexual assault occurred.  
Amend/Replace §35-21-102(a)(i) “Court” means the Circuit Court in the county where an alleged victim of domestic abuse resides or is found, or where the alleged perpetrator of the domestic abuse resides or is found, or where an act or incident of domestic abuse occurred.
- 5) Remove Appointment of Attorney – No budget to appoint.  
§35-21-103(e) The court may appoint an attorney to assist and advise the petitioner or the petitioner may hire an attorney or file pro se.  
§7-3-507(d) If the petition is not filed by the District Attorney, the court may appoint an attorney to represent an indigent petitioner. Nothing in this subsection shall prevent the victim from hiring an attorney or filing a petition pro se.  
INSERT §7-3-507(d) Nothing in this subsection shall prevent the victim from hiring an attorney or filing a petition pro se. If a petition is filed on behalf of a

minor victim the court may appoint the District Attorney to represent a pro se minor victim.

- 6) Tolling of Protection Orders During Incarceration = Difficult Implementation  
Acknowledge the value of statutes §35-21-106(b) and §7-3-510(b) = No method for courts to determine length of incarceration for any related or unrelated jail or penitentiary sentence. Could place burden on petitioner to inform court of known incarcerations of respondent, though information can come from any source.
- 7) Child Support Enforcement does not enforce statutory provision §35-21-105(b)(iii) for failure of respondent to pay court ordered child support. Child Support ADD to §20-2-301- or any order of child support pursuant to provision §35-21-105(b)(iii).



This guide is designed to help you make a decision for yourself. It is not legal advice.

Clerks cannot give you legal advice or explain the information on this page.

To get help from a Victim Advocate, you can call the Wyoming Coalition Against Domestic Violence and Sexual Assault at 307-755-0992 or the Wyoming Division of Victim's Services at 1-888-996-8816.

## Domestic Violence Orders of Protection in Wyoming: Getting Started

This page can help you decide whether to ask the Court for a  
**Domestic Violence Order of Protection.**

Orders of Protection might also be called  
Protection Orders, Protective Orders, or Restraining Orders.  
In Wyoming, the formal name is Order of Protection.

You can ask the Court to give you an Order of Protection if you are a victim of  
**Domestic Violence or Sexual Assault or Stalking.**

This page can help you figure out if a Domestic Violence Order of Protection fits your situation.

(There are "Getting Started" pages for Sexual Assault and Stalking too.

You can get those pages from the Circuit Court Clerk or the Judicial Branch website.)

Laws about Domestic Violence look at what happened to you and what your relationship is with the person who did it. This checklist can help you figure out whether your experiences are considered Domestic Violence.

### A. What happened:

- ☐ Somebody physically abused you.
- ☐ Somebody threatened you.
- ☐ Somebody forced you to take part in sexual activity.
- ☐ Somebody prevented you from moving around (for example, held you down on the floor).
- ☐ Somebody prevented you from leaving a place (for example, locked you in a room).

### B. Who did it:

- ☐ Somebody you are married to or used to be married to.
- ☐ Somebody you date or used to date.
- ☐ Somebody you live with in a relationship like a married couple, or used to.
- ☐ Somebody you have children with.
- ☐ Somebody who is your child (either still young or an adult).
- ☐ Somebody who is your parent.
- ☐ Somebody you share living space with (for example, your roommate).

If you checked at least one box in List A and at least one box in List B, you might qualify for a Domestic Violence Order of Protection.

You can get forms and instructions for asking the Court for an Order of Protection by visiting the Circuit Court Clerk in your county or the Judicial Branch website.

## INSTRUCTIONS FOR APPLYING FOR A DOMESTIC VIOLENCE ORDER OF PROTECTION IN WYOMING

These instructions can help you petition the court for an Order of Protection. You might choose to ask the court for an Order of Protection if you have been the victim of domestic violence. An Order of Protection will list certain rules that the Respondent (the person you want to be protected from) has to follow.

It is important for you to understand that this process does not guarantee you will be safe. A judge might decide not to issue an Order of Protection. If an Order of Protection is issued, the Respondent might not follow the rules.

A Domestic Violence Order of Protection should not be sought unless the Petitioner has been the victim of domestic abuse as defined by law. The legal definition of domestic abuse is:

The occurrence of one or more of the following acts by a household member but does not include acts of self defense: (A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liberty of any household member; (B) Placing a household member in reasonable fear of imminent physical harm; or (C) Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress.

For help in developing a safety plan or learning about protection orders and how to get one, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **National Domestic Violence Hotline at (800) 799-SAFE (7233) or (512) 453-8117** (multi-lingual advocates are available); **TTY: (800) 787-3224**.

Advocates are trained to help you decide what actions may help keep you and your loved ones safe. Find your local domestic violence program at <https://www.wyomingdvsa.org/programs>. Learn more about safety planning at <https://www.thehotline.org/plan-for-safety/>.

### **INSTRUCTIONS FOR COMPLETING THE PETITION FOR DOMESTIC VIOLENCE ORDER OF PROTECTION**

READ THESE INSTRUCTIONS CAREFULLY.

It is best to fill out these papers completely and to give as much detail as you can. The court may deny your request if there is not enough information in the papers you file.

## The top of the page on a Petition for Order of Protection.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). When you file the Petition, the Clerk of Court can give you this information.

The next blanks are for the name of the Petitioner and the name of the Respondent. If you are the one who wants an Order of Protection, you are the **Petitioner**.

Important Note: These instructions will assume that you are the Petitioner. If you are filing the petition for someone who is 15 years old or younger, or for someone who is a disabled or vulnerable adult, that person is the Petitioner. Whenever these instructions say “you” or “your name” or “your address,” etc., write the information for the Petitioner.

You will be explaining to the Court that someone hurt, threatened, or restrained you. That is the person you want to be protected from. That person is called the **Respondent**.

The next blank is for the Case Number. When you file the Petition, the Clerk of Court will give you the case number.

## Section 1 is for information about you, the Petitioner.

The first box is for your name. It should be written Last name, First name, Middle initial.

The next box is called “Next Friend.” You will only use this box if you are filing this petition on behalf of someone who is 15 years old or younger, or on behalf of a disabled or vulnerable adult. That person is the Petitioner, and you are the Next Friend. (Even if you are the parent of the Petitioner, you’ll still be called the “Next Friend” in the court documents.)

Then there are blanks for your home address. **You are not required to write your address here**, but the Court does need a way to mail things to you. You have a few options:

You can write your address here. You might choose to do this if the Respondent already knows your address.

You can write the address of a friend or relative. Be sure to get that person’s permission first. Also, you need to be sure that you will get the mail if the Court contacts you using that person’s address.

**You can ask the Court to keep your address confidential.** If it is confidential, the Respondent won’t be able to see your address on the court papers. If this is your choice, put a checkmark in the small box near the address line. You must give the Court your address in an envelope. Write “confidential” on the envelope.

If you think it will help keep you safe, you can use a friend’s or relative’s address *and* ask for it to be kept confidential. Be sure to mark the small checkbox and give the Court an

envelope with the address in it.

The next blank is for your telephone number. You have the same choices here as you had for your address. You can write in your phone number or the phone number of a friend or relative; you can also ask the Court to keep your phone number confidential.

If you want to write the phone number of a friend or relative, be sure to get that person's permission first. Also, you need to be sure that you will get the messages if the Court contacts you using that person's phone.

If you want the Court to keep your phone number confidential, put a checkmark in the small box. You must give the Court your phone number in an envelope. Write "confidential" on the envelope.

The next blank is for other names you use. This includes names you use now and names you used to use.

The next boxes are for your Date of Birth, Race, and Gender. This information is required.

The next blanks are for your Height, Weight, Eye Color, and Hair Color. It is okay to estimate your height and weight.

**Section 2 is for information about the Respondent, the person you want to be protected from.**

The first box is for the Respondent's name. It should be written Last name, First name, Middle initial. If you don't know the Respondent's full name, write in as much as you know.

The next blanks are for the Respondent's home address, mailing address, and phone number. Write in as much as you know.

The next boxes are for the Respondent's Date of Birth, Race, and Gender. You are required to write in this information. If you don't know the respondent's date of birth, write in an estimate of the person's age. If you don't know the Respondent's race, you can write "unsure."

The next blanks ask for more information about the Respondent. Give as much information as you can. Estimating the Respondent's height and weight is better than giving no answer at all. If you don't know the Respondent's license plate number but you do know what county it's from, write that in.

If the Court issues an Order of Protection, law enforcement officers will use the information you shared to help them recognize the Respondent, which can help keep you safer.

The next blank is for other names used by the Respondent. List any other names you

know the Respondent uses, even if they aren't "legal" names.

The next blank is for scars, tattoos, and marks on the Respondent's skin. Describe what they look like and where they are on the Respondent's body. You can also include other notable physical features.

### **Section 3 is for other court cases.**

There are two questions that ask for yes or no answers, and then there are charts that you might need to fill out.

These charts are for you to tell the Court about other court cases involving you, the Respondent, or your children. Examples would be divorce, custody, or criminal cases. It can be important to tell the Court about a case even if it is from a long time ago. If you do have other cases, fill in as much information here as you can.

Important Note: If your child is involved in a Juvenile Court proceeding, you should not list it on your Petition.

**Case Name:** This will be near the top on the first page of papers you have from the case. It will probably say something like *your name v. the Respondent's name*.

**Case Number:** This number will probably be near the top on the first page. The number might include letters.

**County and State:** This information will be near the top on the first page.

**Judge's Name:** You might have a paper that tells you which judge the case has been assigned to. Also, the judge's name and signature might be on the last page of some of your papers.

Mark who was involved in the case and what type of case it was.

For the final question in the chart, mark "yes" if the judge in that case gave you a formal document that says Order near the top.

Fill out a separate chart for each case. You can add more pages if you need them.

If you have custody orders, visitation orders, or protection orders from another case, please attach those or bring them to your hearing.

### **Section 4 tells the Court which laws apply to your request.**

You do not need to write anything here. The form already has the correct information filled in.

You might find it helpful to read the laws (which are called statutes) in the Wyoming Domestic Violence Protection Act. You can find them on the internet by visiting

<https://www.wyoleg.gov/StateStatutes/StatutesDownload>. Click Title 35 then scroll down until you get to Chapter 21. Your local library could also help you find the statutes.

You are **not** required to read the statutes in order to request or receive an Order of Protection.

### **Section 5 is about locations.**

The first blanks are for the name of the county and the state where you live.

The next blanks are for the city, county, and state where the abuse happened. If abuse happened in more than one location, list all of the locations. If you don't know the name of a county, you can do an internet search to find out.

### **Section 6 is about your relationship with the Respondent.**

Many kinds of relationships are listed in this section. Select all the ones that describe the relationship between you and the Respondent.

If none of these explanations describe the relationship you have with the Respondent, you might not qualify for a Domestic Violence Protection Order. You can contact your local domestic violence program to get more information.

### **Section 7 is for information about your children.**

These charts are where you will give information about minor children that you and the Respondent share. (You and the Respondent **share** children if you both are the legal parents or guardians – even if you do not both have custody or visitation.)

Use a separate chart for each child. Write the child's name on the first line. Then fill in the rest of the information for each child.

### **Section 8 is about what happened.**

In the blanks, describe in as much detail as possible the most recent incident in which you were threatened, hurt, or restrained (prevented from moving around). This information might feel difficult to share, but it's important. If you provide a lot of details, that helps the Court decide if you qualify for a protection order. If you can share the day, time, and place where the abuse occurred, and give the names of witnesses, that will be helpful. If any children (under the age of 18) witnessed the abuse, share that too, even if you don't know the children's names. Try to use the exact words the Respondent used if you were threatened with physical harm. Describe any physical abuse in detail.

Here is other important information to share:

- If the Respondent has a criminal history.
- If the Respondent has a history of mental illness.
- If the Respondent has a history of drug abuse or alcohol abuse or both.

- If protection orders have been issued against the Respondent before. If you can, include dates and case numbers.
- If the Respondent has violated protection orders before. If you can, include dates and case numbers.
- If the Respondent has threatened to take your child (or children) away from you.
- If the Respondent has threatened to commit suicide.
- If the Respondent has threatened to kill you, your children, or other people.

**Section 9 is about weapons used during the abuse.**

If the Respondent used or threatened to use any weapons during any incident of abuse, describe the weapons here. Weapons include firearms, knives, etc. Describe the weapons that were involved, even if no one was physically hurt with a weapon.

**Section 10 is about the Respondent's firearms and ammunition.**

List the firearms and ammunition the Respondent has in their possession. Be as specific as you can. List any information you know about the type of firearms, the company that made them, and whether they have been modified. If you can, explain where the firearms are usually kept. This information is very important for your safety and for the safety of the people involved in protecting you, including law enforcement.

**Section 11 is about requesting protection.**

This section begins with a paragraph about two types of Protection Orders. When you file this Petition, you will be asking the Court to first give you an Ex Parte Order of Protection. (An Ex Parte Order of Protection is temporary. It takes effect as soon as the Respondent receives a copy of it from the Court.) The Court will then hold a hearing. After the hearing, the Court may give you an Order of Protection that could last up to three years.

(You can read more information about these two types of Orders in the *Important Things You Need to Know* section at the end of these instructions.)

After that paragraph, there is a long list with lots of check boxes and some long blanks. This list is how you can let the Court know what you think will help. Please be very specific.

Remember that the Court might not do the things you ask for.

**Section 12 is about a hearing.**

After the Petition is filed, the Court will schedule a hearing. That will be a meeting when you and the Respondent will both have the chance to tell the judge what happened. You are required to take part in the hearing. Select either A or B to let the Court know how you want to take part. If you select B, it is important to remember that you are asking the Court for permission to take part virtually. If the Court denies your request, it means you do not have permission and you must go to the courthouse for your hearing.

## Signature Section – Important!

Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or the Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both.  
Review your answers carefully before you sign the Petition.

## Important Things You Need to Know

### What is a redacted Petition, and how do I make one?

A redacted Petition is a document with certain information blacked out. The information is blacked out to keep people who are not part of the case from seeing it. When you file your Petition, you will also need to give the Clerk of Court a redacted version of the Petition. You can make a redacted version of your Petition by using a black marker or pen or both to mark out (cover up) certain information on a copy of the Petition. Here's what to redact:

- Petitioner's address. Do not leave any of the address visible. In the redacted Petition, the address lines should all look like this: [REDACTED]
- Names of children under the age of 18. Leave only the child's initials visible. If the child's name is Jordan Johnson, the redacted Petition should show J [REDACTED] J [REDACTED].

Important Note: Make sure you redact a *copy* of the Petition. Do not redact the Petition itself.

### Is redacting the Petition the same thing as keeping my address confidential?

No.

The Respondent will be given a copy of the **non-redacted** Petition.

If you need to keep your address a secret so the Respondent won't know where you live, follow the instructions for keeping your address **confidential**. Those instructions are in Section 1 above.

### What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give you soon after you file your petition. An Ex Parte Order can help protect you for a few days. Ask the Clerk of Court to give you **certified** copies of your Ex Parte Order of Protection.

Before the judge can consider replacing the Ex Parte Order with an Order that lasts longer, there will need to be a hearing (a meeting at the court) where you and the Respondent each tell the judge your side of the events.

### What happens if the judge doesn't grant an Ex Parte Order?

A judge might deny you an Ex Parte Order but also set a hearing to give you and the Respondent a chance to tell your side of the events. After this hearing, the judge might grant you an Order of Protection.

Remember: Being denied an Ex Parte Order does not mean the judge is refusing to give you a protection order.



### Do I have to go to the hearing?

Yes.

Whether you got an Ex Parte Order or not, you **must** attend any hearing (a meeting at the court) that the judge schedules. The hearing is when the judge will get to hear what you have to say and what the Respondent has to say. If you do not attend the hearing, the judge is not allowed to grant you an Order of Protection that lasts for several months or years. Also, if you do not attend the hearing, the Ex Parte Order will expire.

### What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can talk about what happened, you may take them with you to give testimony at the hearing. If you have evidence about what happened, you may take it to the hearing and present it to the judge. Remember, the judge knows nothing about your case, except what you include in the Petition and what you provide in court.

After considering your side of the situation and the Respondent's side, the judge will make decisions about whether to give you an Order of Protection, what restrictions to include in it, and how long it will last.

### What evidence can I use at the hearing?

Your evidence might include photographs of injuries, medical records from getting treatment for injuries, or photographs of damaged property. You also might want to show the judge text messages or recordings of threats made by the Respondent.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge.

If you need help getting your evidence ready to take to your hearing, contact your local domestic violence program. (Contact information is in the black rectangle on Page 1.)

### What should I do with the Order if I get one?

Always carry the Order with you. This will make it easier for police or sheriff's officers to enforce the Order if you call them for help. It's also a good idea to keep pictures on your phone that show every page of the Order.

Ask the Clerk of Court to give you **certified** copies of your Order of Protection.

### Does the Ex Parte Order still count after the judge gives me an Order of Protection?

The Order of Protection *replaces* the Ex Parte Order. The Order of Protection will last longer and may have more information or restrictions than the Ex Parte Order had.

### Can I change an Order of Protection that I already have?

You can ask the Court to modify your Order of Protection. You might choose to do this if something has changed in your life and you need the Order of Protection to address that change. You could also ask for a modification if the Respondent has started doing something different that makes you feel unsafe. The Court might be able to add a new

restriction to your Order to help protect you.

You will need to file a Motion to Modify Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to modify the Order if the Order has already expired.

What can I do if the Order of Protection doesn't last long enough?

If your Order of Protection is nearing its expiration date and you feel the Respondent is still a danger to you (or to other people included in the Order), you can ask the Court to extend the Order. You will need to file a Motion to Extend Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to extend the Order if the Order has already expired. It is helpful to file the Motion to Extend at least ten days before your Order expires.

Can the Order last longer if the Respondent spends some of the time in jail?

According to Wyoming law, a Domestic Violence Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect you after the Respondent gets out of jail/prison. (It's important to know that tolling is different from getting an extension for your Order. There's information about getting an Order extended in the paragraph above.)

Tolling happens automatically, but the Order of Protection the Court gave you won't show the new expiration date. The Court needs to know the Respondent went to jail/prison.

You can file a Notice of Incarceration or Imprisonment to let the Court know about that. (You can get a form for that Notice from the Clerk of Court's office.)

Important Note: It doesn't matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you or the protection order.

STATE OF WYOMING ) IN THE CIRCUIT COURT  
 ) ss  
COUNTY OF \_\_\_\_\_ ) \_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Name of person you want to be protected from )

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## PETITION FOR DOMESTIC VIOLENCE ORDER OF PROTECTION

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**UNDER THE WYOMING DOMESTIC VIOLENCE PROTECTION ACT, THE PETITIONER AND THE RESPONDENT MUST BE "HOUSEHOLD MEMBERS" AS SET FORTH IN PARAGRAPH 6, BELOW.**  
**THE DEFINITION OF "DOMESTIC ABUSE" IS SET FORTH IN PARAGRAPH 9, BELOW.**

1. **PETITIONER'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(Print)

**NEXT FRIEND'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(If you are filing on behalf of a child age 15 or younger, or on behalf of a disabled or vulnerable adult, write that person's name in the Petitioner box and your name in the Next Friend box. If you are filing for yourself, leave the Next Friend box blank.)

\_\_\_\_\_  
Address (Optional)

\_\_\_\_\_  
City & State (Optional)

\_\_\_\_\_  
Telephone Number (Optional)

☐

Check here if the Petitioner is asking the Court to order the address or phone number of the Petitioner and any children of the Petitioner and Respondent be kept confidential.

OTHER NAMES USED BY PETITIONER \_\_\_\_\_

DATE OF BIRTH  RACE  GENDER

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

2. **RESPONDENT'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(Print)

Address

Mailing Address (if different)

City & State

Telephone Number

DATE OF BIRTH  RACE  GENDER

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

EMPLOYER \_\_\_\_\_

DRIVER'S LICENSE State of Issue \_\_\_\_\_

VEHICLE LICENSE PLATE Number \_\_\_\_\_

VEHICLE LICENSE PLATE State of Issue \_\_\_\_\_

STATE and COUNTRY OF BIRTH \_\_\_\_\_

OTHER NAMES USED BY RESPONDENT \_\_\_\_\_

Describe the Respondent's distinguishing marks, scars, tattoos, and tell where they are located:

3. **OTHER COURT CASES**

Is the Respondent on probation now for domestic violence? ☐ Yes ☐ No

Are there any other court cases that involve you, the Respondent, or your children?

☐ Yes ☐ No

If yes, list the court cases below. (Do not list Juvenile Court cases.)

Case Name:	Case Number:
County and State:	Judge's Name:
Who was involved? <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Children	
Type of Case: <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Child Support, Custody, or Divorce  <input type="checkbox"/> Order of Protection         </div> <div> <input type="checkbox"/> Criminal Case  <input type="checkbox"/> Other         </div> </div>	
Did the judge make an Order? <input type="checkbox"/> Yes <input type="checkbox"/> No	



6. My relationship with the Respondent is as marked below. Check all that apply:
- ☐ We are married to each other.
  - ☐ We aren't married to each other, but we live together and have a relationship like a married couple.
  - ☐ We used to be married to each other.
  - ☐ We were never married to each other, but we used to live together and have a relationship like a married couple.
  - ☐ I am a parent of the Respondent.
  - ☐ I am 16 years old or older, and I share common living quarters with the Respondent. (For example, you and the Respondent are roommates.)
  - ☐ Respondent and I are parents of a child(ren) but we do not live with each other.
  - ☐ I am 16 years old or older, and the Respondent is my parent.
  - ☐ We are in a dating relationship.
  - ☐ We used to be in a dating relationship.

7. Respondent and I are parents/guardians of the following minor children:

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives:

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives:

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives:

Child's Name (first, middle, last) :		
Date of Birth:	Race:	Gender:
Name of the person the child lives with:	That person's relationship to the child:	Address where the child lives:

8. Under W.S. 35-21-102(a)(iii) "Domestic abuse" means the occurrence of one or more of the following acts by a household member but does not include acts of self defense:
- (A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liberty of any household member;
  - (B) Placing a household member in reasonable fear of imminent physical harm; or
  - (C) Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress.

Please describe what happened. Include the date or your best estimate of the date when it happened. If there have been multiple acts of violence, please start with the most recent one and then describe the other situations. ATTACH ADDITIONAL SHEETS IF NEEDED.

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9. If weapons of any kind were used during the incidents described above, explain which weapons and how they were used. If threats about weapons were made, include that information too.

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10. List all firearms and ammunition possessed by the Respondent. If you know where the firearms or ammunition are kept, give that information too.

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11. The Court may issue an Ex Parte Order of Protection. (That's a temporary Order that can be granted before the Court hears from the Respondent.) The Court will schedule a hearing. That's when the judge will decide whether to issue an Order of Protection, which will be in effect for longer.

You can ask the Court for certain kinds of relief to be included in the Ex Parte Order of Protection and the Order of Protection. Check all that apply:

- A ☐ **Personal Conduct** – Order the Respondent not to commit, try to commit or threaten to commit any form of violence against me. This includes stalking, harassing, threatening, physically hurting, or causing any other form of abuse.

**B** ☐ **No Contact** – Order the Respondent not to contact, phone, mail, e-mail, or communicate with me in any way, either directly or indirectly, including electronically, except as allowed by the visitation provisions of the temporary protection order.

**C** ☐ **Medical Expenses** – Order the Respondent to pay medical costs incurred by me as a result of the abuse inflicted by the Respondent. (Bring medical bills if available. Attach pages, if necessary).

**D** ☐ **Stay Away** – Order the Respondent to stay away from:

☐ a. Stay at least \_\_\_\_\_ (distance) from me.

☐ b. Stay away from my

Home:

☐ I will submit the home address confidentially.

OR

☐ I will list the home address here:

\_\_\_\_\_  
(address)

Work:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not work at the same place as me.

School or Childcare:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not go to the same school as me.

Place of worship:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not attend the same place of worship as me.

If the Respondent works at the same place, goes to the same school, or attends the same place of worship as you, the Court cannot order the Respondent to stay away from that place. Give information the Court should consider about interactions with the Respondent in those settings.



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☐ c. Stay away from the minor child(ren) listed in paragraph 7 of this form at their:

Home:

(address)

Work:

(address)

The Respondent ☐ does ☐ does not work at the same place as the minor child(ren) listed in paragraph 7 of this form.

School or Childcare:

(address)

The Respondent ☐ does ☐ does not go to the same school as the minor child(ren) listed in paragraph 7 of this form.

Place of worship:

(address)

The Respondent ☐ does ☐ does not attend the same place of worship as the minor child(ren) listed in paragraph 7 of this form.

☐ d. Other (explain):

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**E** ☐ **No Guns or Weapons** – Order the Respondent not to use, possess, have, or buy a gun or firearm or ammunition or any of these weapons:

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**F** ☐ **Property Control** – Order the Respondent not to give away, sell, hide, encumber (for example, pawn or take a loan against), or otherwise get rid of my property or

property accumulated by us jointly, while we were married and/or living together.

**G** ☐ **Property Control** – Order that only I can use, control and possess the following:

☐ a. Home:

\_\_\_\_\_  
(address)

☐ b. Car, truck or other essential personal belongings (*describe*):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**H** ☐ **Property Control** – Order the Respondent

☐ Not to interfere with or change my phone, utility, or other services.

☐ To maintain existing wireless phone contracts or accounts without transferring them.

**I** ☐ **Property Control** – Order the Respondent to provide me with suitable alternative housing.

**J** ☐ **Pets** –

Order the Respondent not to kill, physically injure, or threaten to kill or injure a household pet that is:

☐ a. Owned or kept by me.

☐ b. Owned or kept by the Respondent.

☐ Grant me sole possession of the following household pets (name and description):

\_\_\_\_\_  
\_\_\_\_\_  
(Household pet is defined in W.S. 6-3-1001(a)(ii). This does not include livestock as defined in W.S. 23-1-102(a)(xvi).)

**K** ☐ **Transfer Wireless Phone Number(s)** – Order the Respondent and the wireless service provider to transfer current wireless phone number(s) for me or a minor child named above to a new account of my choice.

- The Respondent is the account holder for the following wireless phone number(s):

- The number(s) are assigned to phones that are primarily used by me or by people who will live with me while the protective order is in effect.

- I will have full financial responsibility for each wireless phone number, beginning on the day of transfer. This includes monthly service costs and costs for any mobile device associated with the wireless phone number(s).
- I understand that a wireless service provider may apply standard requirements for account establishment to me when transferring financial responsibility.

**L ☐ Child Custody and Visitation Orders –**

Give temporary custody of the minor children I share with the Respondent to

☐ me

☐ \_\_\_\_\_  
(name of person other than the Respondent)

Give the Respondent visitation as follows: \_\_\_\_\_

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If you asked for a No Contact Order above, who do you want to communicate with the Respondent regarding your children?

Name: \_\_\_\_\_

**Note:** If you have custody or visitation orders from another court, please attach those or bring them to your hearing.

**M ☐ Children –** Order the Respondent not to abduct, remove, or conceal the child(ren) from me.

**N ☐ No Alcohol or Drugs –** Order the Respondent not to use alcohol or illegal drugs before or during visitation.

**O ☐ Supervised Visitation –** Provide the Respondent with supervised visitation as follows. List name and phone number of supervising agency or person:

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**P ☐ Travel Restrictions –** Order the Respondent not to take the children listed above out of the state of Wyoming.

**Q ☐ Child Support, Spousal Support and other Expenses –** Order the Respondent to:

☐ a. Pay \$ \_\_\_\_\_ each month in child support.

☐ b. Pay \$ \_\_\_\_\_ each month in spousal support.

☐ c. Pay \_\_\_\_\_% of the minor children's childcare expenses.

☐ d. Pay \_\_\_\_\_% of the minor children's medical expenses, including premiums, deductibles, and co-payments.

☐ Check this box if child support has been determined by another court.

**R** ☐ **Attorney Fees** – Order the Respondent to pay my attorney fees.

**S** ☐ **Appoint Attorney** – If possible, appoint an attorney to assist and advise me under W.S. 35-21-103(e).

**T** ☐ **Other Assistance Needed** – Explain any other instructions that could help protect you and the children listed on this form. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

12. After this Petition is filed, the Court will schedule a hearing. You are **REQUIRED** to take part in the hearing. Please check one of the boxes below.

**A** ☐ **Appear in Person** I will attend the hearing in person at the courthouse.

**B** ☐ **Appear Virtually** I ask the Court to allow me to attend the hearing by phone or computer instead of going to the courthouse in person.

I, the Petitioner, being first duly sworn upon my oath, state that I have read the above and foregoing information, and I believe the matters set forth are true and correct under penalty of perjury:

Date \_\_\_\_\_

\_\_\_\_\_  
PETITIONER

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_)

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
CLERK OF COURT/NOTARIAL OFFICER

My commission expires: \_\_\_\_\_

# Information Sheet

THIS PAGE IS CONFIDENTIAL AND RELEASED ONLY TO LAW ENFORCEMENT

*Items indicated in **BOLD** and Italics are required.*

**PETITIONER (Print):** \_\_\_\_\_

**(LAST NAME)**

**(FIRST NAME)**

**(MI)**

**CONTACT PHONE NUMBER:** \_\_\_\_\_

**OTHER NAMES USED BY PETITIONER** \_\_\_\_\_

Home Address \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Employment Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Gender \_\_\_\_\_ Race \_\_\_\_\_

Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Glasses \_\_\_\_\_

Hair Color \_\_\_\_\_ Eye Color \_\_\_\_\_ Facial Hair \_\_\_\_\_

Scars, Tattoos, Other Markings \_\_\_\_\_

The Information Sheet will be retained by the Court as part of the official record in this case. However, it is confidential, which means it will not be made available to the public.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Name of person you want to be protected from )

Case Number \_\_\_\_\_

## EX PARTE DOMESTIC VIOLENCE ORDER OF PROTECTION

### PETITIONER NAME

First Middle Last

### RESPONDENT NAME

First Middle Last

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

### PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

### RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES		HAIR		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
EMPLOYMENT				

Additional Information (for example, other names used, tattoos, scars):

**When Does This ORDER EXPIRE:****This Order shall be in effect until further Order of the Court.**

Based upon the verified Petition for Order of Protection on file herein and good cause appearing,  
**IT IS ORDERED, ADJUDGED, AND DECREED:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☒ Respondent is Ordered not to commit any of the following acts: (A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm, or acts that unreasonably restrain the personal liberty of the Petitioner; (B) Placing the Petitioner in reasonable fear of imminent physical harm; or (C) Causing the Petitioner to engage involuntarily in sexual activity by force, threat of force, or duress.
2. ☒ Respondent is ordered not to initiate contact with Petitioner in any way, either directly or indirectly, including, but not limited to, communication verbally in person, communication by telephone or other electronic means, written communication in any form, communication through third persons, and nonverbal communication and gestures. Prohibited contact under this paragraph includes telephone calls, mail, e-mail, texting, fax, contacting through social media, contacting through the internet or similar technology, and any other form of communication.
3. ☒ Respondent is ordered not to be at Petitioner's place of employment or Petitioner's residence. Respondent is ordered to stay far enough away from those places to avoid upsetting the life of Petitioner.
4. ☒ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner.
5. ☐ Petitioner is granted sole possession of the following residence during the period this order is in effect. Respondent is ordered to vacate the residence immediately. Respondent is prohibited from entering or being at Petitioner's residence at:  
\_\_\_\_\_  
\_\_\_\_\_
6. ☐ Respondent is prohibited from giving away, selling, hiding, encumbering (for example, pawning, taking a loan against), or otherwise getting rid of Petitioner's property or the joint property of the parties. This Order shall not affect title to any property, and this Order does not allow the Petitioner to give away, sell, hide, encumber (for example, pawn, take a loan against), or otherwise get rid of Respondent's property or the joint property of the parties.
7. ☐ Petitioner is awarded temporary custody of the following child(ren):  
\_\_\_\_\_

8. ☐ Respondent is prohibited from taking any of the children away, and Respondent is prohibited from hiding any of the children.

9. ☐ Respondent is prohibited from contacting the minor children at their school(s) and/or childcare(s), which are as follows:

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10. ☐ Visitation and support issues will be determined at the hearing.

11. ☐ While this Order is in effect, the Petitioner is Granted sole possession of the following household pets (name and description):

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(Household pet is defined in W.S. 6-3-1001(a)(ii). This does not include livestock as defined in W.S. 23-1-102(a)(xvi).)

The Respondent shall not kill, physically injure, or threaten to kill or injure a household pet that is:

- ☐ a. Owned or kept by Petitioner.
- ☐ b. Owned or kept by the Respondent.

12. ☐ Other relief this Court determines is appropriate:

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13. ☐ Respondent shall not use or possess firearms or ammunition.

**Pursuant to the UCCJEA, if this Order involves custody and/or support of a minor child, the Circuit Court shall inform any court that has already issued a relevant custody and/or support determination of this Order.**



## **The Court Orders the Parties to take Notice of the Following:**

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to domestic violence protection orders to possess, ship, use or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8) (W.S. § 35-21-109).

At the time this Order is entered, a certified copy will be provided to the Petitioner by the Court.

This Order shall be filed with the clerk of court. A copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides of the existence of this Order. The Order shall be personally served upon the Respondent.

The Court shall set a hearing on this matter. Notice of the Hearing shall be personally served upon the Respondent. If the Respondent fails to appear at the hearing, this Court may award any or all of the relief requested by the Petitioner.

This Order is in place beginning when Respondent is served.

**WARNING TO RESPONDENT:** The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this warning. If you want to modify or dismiss the Order, you must ask the Court. Only the Court can change this Order.

**Willful violation of any provision of this Ex Parte Order of Protection constitutes a crime, as defined by Wyo. Stat. Ann. § 6-4-404. Violation can result in immediate arrest, and may result in further punishment. A violation of this Ex Parte Order of Protection that constitutes the offense of stalking as defined by W.S. § 6-2-506(b) may subject the Respondent to enhanced penalties for felony stalking under 6-2-506(e).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

BY THE COURT

\_\_\_\_\_  
JUDGE OR MAGISTRATE

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition )

Case Number \_\_\_\_\_

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## SUMMONS

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### TO THE ABOVE-NAMED RESPONDENT:

**YOU ARE** notified that a Petition has been filed with the above-named Court seeking a Domestic Violence Order of Protection. Attached to this Order and hereby served upon you are the following documents:

- ☒ Petition  
☐ Ex Parte Temporary Order of Protection

You are further notified that a hearing concerning the Petition will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ County Circuit Court, \_\_\_\_\_, Wyoming.

**If you violate any of the terms or conditions of the attached order, a warrant for your arrest may be issued.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE/MAGISTRATE/CLERK

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Name of person you want to be protected from )

Case Number \_\_\_\_\_

## DOMESTIC VIOLENCE ORDER OF PROTECTION

### PETITIONER NAME

First Middle Last

### PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

### RESPONDENT NAME

First Middle Last

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

### RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES		HAIR		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
EMPLOYMENT				

Additional Information (for example, other names used,  
tattoos, scars):

When Does This **ORDER EXPIRE**:

**This Order shall be in effect until and will expire at 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended by order of the Court.**

THIS MATTER was heard on \_\_\_\_\_, 20\_\_\_\_\_. These parties were present:

**PETITIONER**

\_\_\_\_\_ **Appeared in person**

\_\_\_\_\_ **Appeared remotely**

**RESPONDENT**

\_\_\_\_\_ **Appeared in person**

\_\_\_\_\_ **Appeared remotely**

\_\_\_\_\_ **Did not appear and was given proper notice**

\_\_\_\_\_ Attorney

\_\_\_\_\_ Attorney

**THE COURT FINDS:**

- ☐ Petitioner and Respondent are married to each other.
- ☐ Petitioner and Respondent are living together as if married.
- ☐ Petitioner and Respondent were formerly married to each other.
- ☐ Petitioner and Respondent formerly lived together as if married.
- ☐ Petitioner is the parent of Respondent.
- ☐ Petitioner is 16 years old or older and sharing common living quarters with Respondent.
- ☐ Petitioner and Respondent are parents of a child(ren) and are not living together.
- ☐ Petitioner is 16 years old or older, and Respondent is Petitioner's parent.
- ☐ Petitioner and Respondent are in a dating relationship.
- ☐ Petitioner and Respondent have previously been in a dating relationship.

**THE COURT FURTHER FINDS:**

- ☐ The Respondent has stipulated that an act of domestic abuse as defined by W.S. 35-21-102(a)(iii) has occurred.
- ☐ Based upon the foregoing stipulation, the Court finds that the Respondent has committed an act of domestic abuse as defined by W.S. 35-21-102(a)(iii).
- ☐ The Respondent stipulates that the Court may exercise jurisdiction over him/her under the Domestic Violence Protection Act even though the Respondent may dispute that he/she has committed an act of domestic abuse against the Petitioner. W.S. 35-21-101 to 112.
- ☐ After having heard the evidence, the Court finds that an act of domestic abuse as defined by W.S. 35-21-102(a)(iii) has occurred.
- ☐ This Court has jurisdiction over the parties and subject matter of this action.

**IT IS ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☒ Respondent is ordered not to commit any of the following acts: (A) Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts that unreasonably restrain the personal liberty of the Petitioner; (B) Placing the Petitioner in reasonable fear of imminent physical harm; or (C) Causing the Petitioner to engage involuntarily in sexual activity by force, threat of force, or duress.
2. ☒ Respondent is ordered not to initiate contact with Petitioner anywhere either directly or indirectly, including, but not limited to, communication verbally in person, communication by telephone or other electronic means, written communication in any form, communication through third persons, and nonverbal communication and gestures. Prohibited contact under this paragraph includes telephone calls, mail, e-mail, texting, fax, contacting through social media, contacting through the internet or similar technology, and any other form of communication.
3. ☒ Respondent is ordered not to be at Petitioner's place of employment or Petitioner's residence. Respondent is ordered to stay far enough away from those places to avoid upsetting the life of Petitioner.
4. ☒ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner.
5. ☒ Respondent is ordered to provide the Court with a current mailing address. While this Order is in effect, Respondent must promptly inform the Court in writing if that mailing address changes. Mailing of appropriate documents (for example: modification, termination or extension of this Order) to the most recent mailing address provided to the Court by Respondent shall be considered service upon Respondent.
6. ☐ Petitioner is granted sole possession of the following residence during the period this Order is in effect. Respondent is ordered to vacate the residence immediately. Respondent is prohibited from entering or being at Petitioner's residence at:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. ☐ Petitioner is awarded temporary custody of the following child(ren). Respondent is prohibited from taking any of the children away, and Respondent is prohibited from hiding any of the children.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. ☐ Respondent is provided reasonable visitation rights with the above-named child(ren) as follows:

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9. ☐ **If custody/visitation in this Order modifies a previous custody/visitation order, this Order shall remain effective only until the parties revisit the issue in the original Court, subject to the following:**

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10. ☐ Respondent is ordered to pay to Petitioner temporary child support in the amount of \$ \_\_\_\_\_ per month, beginning on \_\_\_\_\_ and to be paid on the \_\_\_\_\_ day of each month thereafter. Payments are to be made to the Circuit Court. This child support obligation will cease when this protection order expires.

11. ☐ Respondent is ordered to pay medical costs incurred by Petitioner as a result of the abuse reflected herein in the amount of \$ \_\_\_\_\_. Payment shall be made as follows:

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12. ☐ While this Order is in effect, the Petitioner is Granted sole possession of the following household pets (name and description):

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(Household pet is defined in W.S. 6-3-1001(a)(ii). This does not include livestock as defined in W.S. 23-1-102(a)(xvi).)

The Respondent shall not kill, physically injure, or threaten to kill or injure a household pet that is:

- ☐ a. Owned or kept by Petitioner.  
☐ b. Owned or kept by the Respondent.

13. ☐ Respondent is prohibited from giving away, selling, hiding, encumbering (for example, pawning, taking a loan against), or otherwise getting rid of Petitioner's property or the joint property of the parties. This Order shall not affect title to any property, and this Order does not allow the Petitioner to give away, sell, hide, encumber (for example, pawn, take a loan against), or otherwise get rid of Respondent's property or the joint property of the parties.

14. ☐ Respondent may retrieve personal belongings from the residence located at \_\_\_\_\_

This retrieval shall occur on \_\_\_\_\_, 20\_\_\_\_ between \_\_\_\_\_ a.m./p.m. and \_\_\_\_\_ a.m./p.m.

☐ Respondent shall be accompanied by law enforcement.

☐ Respondent's belongings may be retrieved from the residence located at: \_\_\_\_\_ (address)

by the 3<sup>rd</sup> party \_\_\_\_\_ (name) on \_\_\_\_\_, 20\_\_\_\_,  
between \_\_\_\_\_ a.m./p.m. and \_\_\_\_\_ a.m./p.m.

☐ The 3<sup>rd</sup> party shall be accompanied by law enforcement.

15. ☐ Respondent is ordered to undergo counseling as follows:

\_\_\_\_\_  
\_\_\_\_\_

16. ☐ Respondent is ordered not to possess firearms or ammunition.

17. ☐ A separate "Order for Transfer of Mobile Number Use and Financial Responsibility" shall be signed and appended hereto, which orders Respondent's commercial mobile services provider (as defined in 47 U.S.C. sec. 332 (d) and W.S. 35-21-1058(a)(viii)) to transfer to the Petitioner the sole right to use and sole financial responsibility for the mobile telephone number(s) used by the Petitioner or a minor child in the Petitioner's custody, and to terminate in the provider's system Respondent's ability to use and to access any data associated with the mobile telephone number(s).

18. ☐ Other:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Pursuant to the UCCJEA, if this Order involves custody and/or support of a minor child, the Circuit Court shall inform any court that has already issued a relevant custody and/or support determination of this Order.**

## The Court Orders the Parties to Take Notice of the Following:

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to domestic violence protection orders to possess, ship, use, or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8).

This Order shall be filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides. The Order shall be personally served upon the Respondent, unless the Respondent or the Respondent's attorney was present when the Order was issued.

This Order applies to the Respondent immediately upon service and shall remain in full force and effect until the expiration date of the Order or until it is modified or terminated by this Court.

If the Respondent named on this Order is incarcerated or imprisoned, for any reason, while the Order is in effect, the effective time of the Order will toll. The Order will be in effect longer based on the date when the Respondent is released. W.S. 35-21-106(b). The parties are encouraged to file a Notice of Incarceration or Imprisonment to notify the Court of the jail/prison time and receive an Order stating the new expiration date.

W.S. 35-21-106(b): "If a party subject to an order of protection is sentenced and incarcerated or becomes imprisoned the running of the time remaining for the order of protection shall be tolled during the term of incarceration or imprisonment. The conditions and provisions of an order of protection shall remain in effect during any period of tolling under this subsection. Upon release from incarceration or imprisonment the effective period of the order of protection shall be the amount of time remaining as of the first day of the term of incarceration or imprisonment or one year from the date of release, whichever is greater."

Interstate violation of this Order may subject the Respondent to federal criminal penalties. 18 U.S.C. §§ 2261, 2261 (A) and 2262.

This protection order is enforceable in all fifty states, the District of Columbia, tribal lands, and U.S. territories, and is issued to prevent violent or threatening acts by the Respondent against the Petitioner. 18 U.S.C. § 2265.

**WARNING:** The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this warning. If you want to modify or dismiss the Order, you must ask the Court. Only the Court can change this Order.

**Willful violation of any provision of this Order of Protection constitutes a crime, as defined by W.S. 6-4-404. Violation can result in immediate arrest, and may result in further punishment. A violation of this Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b) may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2-506(e).**



Case Number \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY THE COURT

\_\_\_\_\_  
JUDGE OR MAGISTRATE

**ACCEPTANCE OF SERVICE**

I, \_\_\_\_\_, Respondent in this action, voluntarily accept service of this Order of Protection, and acknowledge that I have received a true copy thereof this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
RESPONDENT

STATE OF WYOMING

)  
) ss  
)

IN THE CIRCUIT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition )  
vs. )  
Respondent: \_\_\_\_\_ )  
Person listed as Respondent on the Petition )

Case Number \_\_\_\_\_

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## ORDER FOR TRANSFER OF MOBILE NUMBER USE AND FINANCIAL RESPONSIBILITY

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**THIS MATTER** came before the Court upon the Petitioner's request that an Order be entered instructing the provider of the Respondent's commercial mobile telephone services to transfer the sole use and sole financial responsibility for the mobile telephone number(s) used by the Petitioner or a minor child in the Petitioner's custody to the Petitioner, and to terminate in the provider's system the Respondent's ability to use and to access any data associated with the mobile telephone number(s); and good cause having been shown,

### IT IS HEREBY ORDERED:

The commercial mobile services provider, \_\_\_\_\_, shall transfer to the Petitioner the sole right to use and sole financial responsibility for the following mobile number(s):

Mobile number(s) to be transferred: \_\_\_\_\_

Name of Respondent (current account holder): \_\_\_\_\_

Contact information for Respondent (current account holder): \_\_\_\_\_

Name of Petitioner (new account holder): \_\_\_\_\_

Contact information for Petitioner (new account holder) \*: \_\_\_\_\_

(\*CONFIDENTIAL—DO NOT DISCLOSE.)

The Respondent (current account holder) shall no longer have the ability to use or access any data associated with the aforementioned mobile number(s).

In complying with this Order, said provider may apply any customary requirements for establishing an account and transferring a mobile telephone number(s) to the Petitioner.

The provider, may, not later than five (5) business days after being served with this Order, notify the Petitioner and the Court that compliance with the Order is not possible or practicable because an account holder named in the Order has terminated the account, differences in network technology would prevent the functionality of a device on the network, or there are geographic limitations on network or service availability. The provider is immune from civil liability for complying with this Order pursuant to W.S. 35-21-105(a)(viii).

The Clerk of this Court shall cause this Order to be served on the commercial mobile services provider named herein, or on its Registered Agent as provided in W.S. 17-28-104.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition )

Case Number \_\_\_\_\_

---

**RETURN/AFFIDAVIT OF SERVICE ON COMMERCIAL MOBILE  
SERVICE PROVIDER**

---

**RETURN**

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

TO BE USED BY WYOMING SHERIFF, UNDER  
SHERIFF OR DEPUTY

I, \_\_\_\_\_, being a person over the age of 18 years and not a party to the above-entitled action, hereby certify and return that I received the hereunto annexed **Order for Transfer of Mobile Number Use and Financial Responsibility** on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that I served the same upon \_\_\_\_\_, the commercial mobile service provider named in the attached Order, by delivering to and leaving with said provider's Registered Agent, \_\_\_\_\_, personally on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ (address and/or city), a true copy thereof.

\_\_\_\_\_  
Sheriff

\_\_\_\_\_  
By: Deputy Sheriff

**AFFIDAVIT OF SERVICE**

STATE OF WYOMING        )  
                                      ) ss    TO BE USED BY A PERSON OTHER THAN  
COUNTY OF \_\_\_\_\_ )        WYOMING SHERIFF, UNDER SHERIFF OR DEPUTY

I, \_\_\_\_\_, being a person over the age of 18 years and not a party to the above-entitled action, hereby certify and return that I received the hereunto annexed **Order for Transfer of Mobile Number Use and Financial Responsibility** on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that I served the same upon \_\_\_\_\_, the commercial mobile service provider named in the attached Order, by delivering to and leaving with said provider's Registered Agent, \_\_\_\_\_, personally on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ (address and/or city), a true copy thereof.

By: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

INSTRUCTIONS FOR  
GIVING THE COURT  
NOTICE OF INCARCERATION OR IMPRISONMENT

For help in developing a safety plan or learning about protection orders, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **National Domestic Violence Hotline at (800) 799-SAFE (7233) or (512) 453-8117** (multi-lingual advocates are available); TTY: **(800) 787-3224**.

You can also get information from the Wyoming Coalition Against Domestic Violence and Sexual Assault website: **<https://www.wyomingdvsa.org/programs>**

READ THESE INSTRUCTIONS CAREFULLY.

**If all of the following information is true, you might choose to file this form.**

- There is a current Domestic Violence Order of Protection that was issued by a Wyoming court or is registered with a Wyoming court.

Important Note: It does not matter if you are the Petitioner named on the Order of Protection. This Notice can be filed by the Petitioner **OR** by anyone else who has information about the Respondent.

- The person the protection order is against (the Respondent) is in jail or prison, or recently was in jail or prison.

Important Note: It does not matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you, the Petitioner, or the protection order.

**Why would you choose to file this form?**

According to Wyoming law (Wyoming Statute 35-21-106(b)), a Domestic Violence Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

Tolling happens automatically, but the Order the Court issued won't show the new expiration date. The Court needs to know the Respondent went to jail/prison. You can use this Notice of Incarceration or Imprisonment to let the Court know about that.

Important Note: **Tolling** the Order is different from getting the Order **Extended**.

If the Petitioner wants to ask the Court to extend the Order, the Petitioner can use the Motion to Extend Order of Protection. Only use this Notice of Incarceration or Imprisonment if the Respondent went to jail/prison while the Order of Protection was in effect.

## The top of the page on a Notice of Incarceration or Imprisonment.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be at the top of the first page of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent.

The person who received the protection order is the **Petitioner**.

The person the protection order is against is the **Respondent**.

You might not be either of those people, and that is okay. If you are not the Petitioner or the Respondent, your name does not go here at the top of the page.

There is also a blank for the Case Number. The Case Number will be at the top of the first page of the Order of Protection. The Case Number may include letters. If you do not know the Case Number, leave this blank.

Next, you'll see the title of the document: Notice of Incarceration or Imprisonment.

After the title, there is a section with just one blank. This section makes it easy for the judge to read the statute, and it lets the judge know that you believe the statute applies to this situation. Write your name in the blank after the word "I" so the judge will know you are the person giving this information to the Court.

Next, you'll see the line **I ask this Court to take notice of the following**. After this sentence, you will need to fill in as much information as you have. The information you give here will help the Court figure out if the statute does apply to this situation and, if so, what the new expiration date will be for the Order of Protection.

- You can find the issue date for the Order of Protection by looking at the file stamp at the top of the first page of the Order. If you do not know the issue date, leave this empty.
- The expiration date will be clearly stated somewhere in the Order, probably on the first or second page. If you do not know the expiration date, leave this empty.
- If you know when the Respondent went to jail/prison, write the date in the blank.
  - If you know the date is correct, place a mark by "This is an exact date."
  - If you're giving your best guess about the date, mark "This is an approximate date."
  - If you do not know when the Respondent went to jail/prison, you can leave the blank empty and mark "I do not know the date."
- Fill in as much information as you know about where the jail or prison is located.

Next, there will be a section with lots of check boxes. Check as many as you need to check to give the Court all the information you have about the Respondent's incarceration/imprisonment.

When you get to the end of the form, fill in the date, month, and year.

Review your answers carefully before you sign. By signing the form, you are telling the

Court that you believe everything you wrote on the form is true. You will sign on the line labelled Signature of Person Submitting the Notice.

On the next line, print your name neatly.

The final line is for you to give the Court information about how to contact you, in case the judge has questions. Provide information that you are comfortable sharing. **The Respondent will see this information. Do not provide information that is confidential (secret).**

## Important Things You Need to Know

How do I find out the location and dates of the Respondent's time in jail/prison?

Getting information on where and when a person is incarcerated or imprisoned can be difficult. This form **does not require** you to have this information. For help getting information about the Respondent's incarceration/imprisonment, you can try contacting:

- Victim Assistance providers in your county
  - <https://dvs.wyo.gov/victim-service-providers>
- Wyoming Coalition Against Domestic Violence and Sexual Assault
  - (307) 755-0992
- Wyoming Division of Victim's Services
  - (888) 996-8816

What will happen after I file this form?

After you file this Notice, the Court will determine whether the law about tolling applies to this situation. If it does apply, the judge will use the law to figure out the new expiration date for the Order of Protection.

The Court will issue an Order that states the new expiration date. The Petitioner should always carry the Order Setting New Expiration Date **and** the original Order of Protection. This will make it easier for police or sheriff's officers to enforce the Order if they are called for help. It is also a good idea for the Petitioner to keep pictures that show every page of the Order Setting New Expiration Date **and** the original Order of Protection.



STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

---

## NOTICE OF INCARCERATION OR IMPRISONMENT

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I, \_\_\_\_\_, state that the Respondent in this matter is or has been incarcerated or imprisoned. The period of incarceration/imprisonment coincided with the effective period of a Domestic Violence Order of Protection issued by this Court. That Order of Protection, currently in effect, is mandatorily tolled under W.S. 35-21-106(b), which reads in pertinent part:

If a party subject to an order of protection is sentenced and incarcerated or becomes imprisoned the running of the time remaining for the order of protection shall be tolled during the term of incarceration or imprisonment. The conditions and provisions of an order of protection shall remain in effect during any period of tolling under this subsection. Upon release from incarceration or imprisonment the effective period of the order of protection shall be the amount of time remaining as of the first day of the term of incarceration or imprisonment or one (1) year from the date of release, whichever is greater.

### I ask this Court to take notice of the following:

A Domestic Violence Order of Protection was issued on \_\_\_\_\_, 20\_\_.

The expiration date stated on the Order of Protection is \_\_\_\_\_, 20\_\_.

The Respondent first became incarcerated/imprisoned on \_\_\_\_\_, 20\_\_.

☐ This is an exact date. ☐ This is an approximate date. ☐ I do not know the date.

Location of incarceration/imprisonment:

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

(In the list below, check all that apply.)

☐ The Respondent is scheduled to be released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent was released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent is still incarcerated/imprisoned.

☐ I do not know whether the Respondent has been released.

☐ I have attached papers with information about the Respondent's incarceration/imprisonment.

☐ I do not have papers with information about the Respondent's incarceration/imprisonment,  
but I found out about it from: \_\_\_\_\_

\_\_\_\_\_

DATED \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Person Submitting the Notice

\_\_\_\_\_  
Name (printed) of Person Submitting the Notice

The Court can contact me at: \_\_\_\_\_  
\_\_\_\_\_  
(address, phone number, or email)

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order )

Case Number \_\_\_\_\_

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### ORDER SETTING NEW EXPIRATION DATE ON ORDER OF PROTECTION DUE TO TOLLING

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Upon receiving notice of Respondent's incarceration and upon consideration of the notice, the Court, in accordance with Wyoming Statute, hereby sets a new expiration date on the Order of Protection issued in the above-captioned case. This new expiration date is authorized under the tolling provision in the Wyoming Statute, which mandates the tolling of orders of protection under specific circumstances.

#### THE COURT FINDS:

The Order of Protection mandatorily tolled under

- ☐ W.S. 35-21-106(b) pertaining to Domestic Violence.  
☐ W.S. 7-3-510(b) pertaining to Sexual Assault and Stalking.

The Respondent was incarcerated or imprisoned on \_\_\_\_\_, 20\_\_\_\_ and released on \_\_\_\_\_, 20\_\_\_\_.

As of the first day of the term of incarceration/imprisonment, the Order of Protection had \_\_\_\_\_ days remaining in its effective period.

The appropriate expiration date for the Order of Protection is

- ☐ 365 days from the Respondent's date of release.  
☐ \_\_\_\_\_ days from the Respondent's date of release.

**The Respondent has twenty days from the date this Order is served or received to file an Objection or Request for a Hearing, otherwise this Order shall remain in full force and effect.**

The Respondent has the right to contest this new expiration date. To do so, the Respondent must file a written request for a hearing with this court. If such a request is made, a hearing will promptly be scheduled. At the hearing, the Respondent may present testimony or evidence regarding the dates of incarceration and the calculation of the new expiration date.

The Respondent is advised that tolling occurs even if the incarceration did not relate in any way to the order of protection or to the Petitioner.

**IT IS ORDERED AS FOLLOWS:**

1. The Order of Protection entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, will continue to be in effect until 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended or terminated by order of the Court.
2. All provisions and conditions of the original Order of Protection remain in full force and effect during this period.
3. The clerk of court shall deliver copies of this order as well as copies of the original Order of Protection to the sheriff and the local law enforcement agencies.
4. Willful violation of any provision of the Order of Protection constitutes a crime as defined by W.S. 6-4-404.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

This guide is designed to help you make a decision for yourself. It is not legal advice.  
Clerks cannot give you legal advice or explain the information on this page.  
To get help from a Victim Advocate, you can call the Wyoming Coalition Against Domestic Violence and Sexual Assault at 307-755-0992 or the Wyoming Division of Victim's Services at 1-888-996-8816.

## Stalking Orders of Protection in Wyoming: Getting Started

This page can help you decide whether to ask the Court for a  
**Stalking Order of Protection.**

Orders of Protection might also be called  
Protection Orders, Protective Orders, or Restraining Orders.  
In Wyoming, the formal name is Order of Protection.

You can ask the Court to give you an Order of Protection if you are a victim of  
**Domestic Violence or Sexual Assault or Stalking.**

This page can help you figure out if a Stalking Order of Protection fits your situation.

(There are "Getting Started" pages for Domestic Violence and Sexual Assault too.  
You can get those pages from the Circuit Court Clerk or the Judicial Branch website.)

Some experiences may make you feel uncomfortable or unsafe but still not count as Stalking according to Wyoming law. This checklist can help you figure out whether your experiences are considered Stalking.

### A. What happened:

- ☐ Somebody threatened you. This could be spoken, in writing, or through electronic message.
- ☐ Somebody, without your permission, said sexual things to you or showed you sexual images.
- ☐ Somebody, without your permission, touched you. This could be sexual or non-sexual.
- ☐ Somebody damaged your property.
- ☐ Somebody followed you, watched you, or spied on you.
- ☐ Somebody hung around your home, work, school, or some other place you usually go in order to watch you, follow you, or make you uncomfortable.
- ☐ Somebody tracked you using GPS or other electronics.
- ☐ Somebody spied on your internet or cell phone activity.
- ☐ Somebody got another person to do any of these things to you.

### B. When it happened:

- ☐ Somebody did one of those things to you more than one time.
- ☐ Somebody did more than one of those things to you, and it was more than one time.

### C. Why it is a problem:

- ☐ You feel afraid, and the person making you afraid probably knows that.
- ☐ You feel upset, and the person making you upset probably knows that.
- ☐ You feel worried about your property, and the person making you worry probably knows that.

If you checked at least one box in List A, at least one box in List B, and at least one box in List C, you might qualify for a Stalking Order of Protection.

You can get forms and instructions for asking the Court for an Order of Protection by visiting the Circuit Court Clerk in your county or the Judicial Branch website.

## INSTRUCTIONS FOR APPLYING FOR A STALKING ORDER OF PROTECTION IN WYOMING

These instructions can help you petition the court for an Order of Protection. You might choose to ask the court for an Order of Protection if you have been the victim of stalking. An Order of Protection will list certain rules that the Respondent (the person you want to be protected from) has to follow.

It is important for you to understand that this process does not guarantee you will be safe. A judge might decide not to issue an Order of Protection. If an Order of Protection is issued, the Respondent might not follow the rules.

A Stalking Order of Protection should not be sought unless the Petitioner has been the victim of stalking as defined by law. You can read the legal definition of stalking in Wyoming Statute 6-2-506. You do not have to read the statute before asking for a Stalking Order of Protection. But it is important for you to know that stalking has a particular legal definition.

For help in developing a safety plan or learning about protection orders and how to get one, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **National Domestic Violence Hotline at (800) 799-SAFE (7233) or (512) 453-8117** (multi-lingual advocates are available); **TTY: (800) 787-3224**.

Advocates are trained to help you decide what actions may help keep you and your loved ones safe. Find your local domestic violence program at <https://www.wyomingdvsa.org/programs>. Learn more about safety planning at <https://www.thehotline.org/plan-for-safety/>.

### **INSTRUCTIONS FOR COMPLETING THE PETITION FOR STALKING ORDER OF PROTECTION**

READ THESE INSTRUCTIONS CAREFULLY.

It is best to fill out these papers completely and to give as much detail as you can. The court may deny your request if there is not enough information in the papers you file.

#### **Before You Get Started**

You will need to figure out if what is happening to you is considered stalking according to the law. Some experiences may make you feel uncomfortable or unsafe but still not count as stalking. Here is a simple checklist to help you figure out whether your experiences are

considered stalking:

- ☐ It was not just one time. Someone has repeatedly done things that make you feel uncomfortable or unsafe. This could be the same thing more than one time or different things.
- ☐ The person doing these things knows (or would be expected to know) that their behavior makes you feel uncomfortable or unsafe.

If both of the items above are true, your situation might be legally considered stalking. You can file the Petition at your local Circuit Court to ask for an Order of Protection.

At the end of these instructions, there is a section called *Important Things You Need to Know*. You can read part of the statute (law) there, if you want to see exactly how it defines stalking. You are not required to read the statute.

### **The top of the page on a Petition for Order of Protection.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). When you file the Petition, the Clerk of Court can give you this information.

The next blanks are for the name of the Petitioner and the name of the Respondent. If you are the one who wants an Order of Protection, you are the **Petitioner**.

Important Note: These instructions will assume that you are the Petitioner. If you are filing the petition for someone who is 17 years old or younger, or for someone who is a disabled or vulnerable adult, that person is the Petitioner. Whenever these instructions say “you” or “your name” or “your address,” etc., write the information for the Petitioner.

You will be explaining to the Court that someone has been doing things that make you feel uncomfortable and unsafe. That is the person you want to be protected from. That person is called the **Respondent**.

The next blank is for the Case Number. When you file the Petition, the Clerk of Court will give you the case number.

### **Section 1 is for information about you, the Petitioner.**

The first box is for your name. It should be written Last name, First name, Middle initial.

The next box is called “Next Friend.” You will only use this box if you are filing this petition on behalf of someone who is 17 years old or younger, or on behalf of a disabled or vulnerable adult. That person is the Petitioner, and you are the Next Friend. (Even if you are the parent of the Petitioner, you’ll still be called the “Next Friend” in the court documents.)

Then there are blanks for your home address. **You are not required to write your own**

**home address here**, but the Court does need a way to mail things to you. You have a couple of options:

You can write your address here. You might choose to do this if the Respondent already knows your address.

You can write the address of a friend or relative. Be sure to get that person's permission first. Also, you need to be sure that you will get the mail if the Court contacts you using that person's address.

The next blank is for your telephone number. You have the same choices here as you had for your address. You can write in your phone number or the phone number of a friend or relative.

If you want to write the phone number of a friend or relative, be sure to get that person's permission first. Also, you need to be sure that you will get the messages if the Court contacts you using that person's phone.

The next blank is for other names you use. This includes names you use now and names you used to use.

The next boxes are for your Date of Birth, Race, and Gender. This information is required.

The next blanks are for your Height, Weight, Eye Color, and Hair Color. It is okay to estimate your height and weight.

**Section 2 is for information about the Respondent, the person you want to be protected from.**

The first box is for the Respondent's name. It should be written Last name, First name, Middle initial. If you don't know the Respondent's full name, write in as much as you know.

The next blanks are for the Respondent's home address, mailing address, and phone number. Write in as much as you know.

The next blanks are for the Respondent's Date of Birth, Race, and Gender. If you don't know the respondent's date of birth, write in an estimate of the person's age. If you don't know the Respondent's race, you can write "unsure."

The next blanks ask for more information about the Respondent. Give as much information as you can. Estimating the Respondent's height and weight is better than giving no answer at all. If you don't know the Respondent's license plate number but you do know what county it's from, write that in.



If the Court issues an Order of Protection, law enforcement officers will use the information you shared to help them recognize the Respondent, which can help keep you safer.

The next blank is for other names used by the Respondent. List any other names you know the Respondent uses, even if they aren't "legal" names.

The next blank is for scars, tattoos, and marks on the Respondent's skin. Describe what they look like and where they are on the Respondent's body. You can also include other notable physical features.

In the next blank, if you can, list the firearms and ammunition the Respondent has in their possession. Be as specific as you can. List any information you know about the type of firearms, the company that made them, and whether they have been modified. If you can, explain where the firearms are usually kept. This information is very important for your safety and for the safety of the people involved in protecting you, including law enforcement.

### **Section 3 is about your relationship with the Respondent.**

Many kinds of relationships are listed in this section. Select the one that best describes the relationship between you and the Respondent. If you select "Other," write a short explanation in the blank.

### **Section 4 is about what has been happening.**

In the blanks, describe in as much detail as possible what the Respondent has been doing that makes you feel uncomfortable or unsafe. This information might feel difficult to share, but it's important. If you provide a lot of details, that helps the Court decide if you qualify for a protection order. As much as you can, include the days, times, and places where the stalking has occurred. If you can give the names of witnesses, that will be helpful. If the Respondent has sent you messages (for example, texts or voice messages), write down the Respondent's exact words.

If you need more space to write everything out, attach additional papers to your Petition. If you have written messages from the Respondent or pictures of the Respondent stalking you, you can also attach those to the Petition.

Remember that the Judge will need to understand why you feel uncomfortable or unsafe. The Judge will also need to understand why you are worried that the Respondent will continue stalking you. Share as much information as you can to help the Judge understand.

### **Section 5 is about requesting protection.**

This section begins with a paragraph about two types of Protection Orders. When you file

this Petition, you will be asking the Court to first give you an Ex Parte Order of Protection. (An Ex Parte Order of Protection is temporary. It takes effect only as soon as the Respondent receives a copy of it from the Court.) The Court will then hold a hearing. After the hearing, the Court may give you an Order of Protection that could last up to three years.

(You can read more information about these two types of Orders in the *Important Things You Need to Know* section at the end of these instructions.)

After that paragraph, there is a list with check boxes and some long blanks. This list is how you can let the Court know what you think will help. Please be very specific. Remember that the Court might not do the things you ask for.

### **Section 6 is about a hearing.**

After the Petition is filed, the Court will schedule a hearing. That will be a meeting when you and the Respondent will both have the chance to tell the judge what happened. You are required to take part in the hearing. Select either A or B to let the Court know how you want to take part. If you select B, it is important to remember that you are asking the Court for permission to take part virtually. If the Court denies your request, it means you do not have permission and you must go to the courthouse for your hearing.

### **Signature Section – Important!**

Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or the Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both. Review your answers carefully before you sign the Petition.

### **Important Things You Need to Know**

#### What do I do after I fill out the form?

You must file the form with the Clerk of Circuit Court in the county named at the top of the Petition for Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

#### How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

### What can law enforcement (police or sheriffs) do to help me?

If you are being stalked, you can ask law enforcement officers to explain Orders of Protection and the stalking laws and also to explain how and in what situations criminal charges might be brought against a stalker.

You can also ask law enforcement officers to help you get to a medical facility (for example, an emergency room) or to a victims' shelter.

### What is a redacted Petition, and how do I make one?

A redacted Petition is a document with certain information blacked out. The information is blacked out to keep people who are not part of the case from seeing it. When you file your Petition, you will also need to give the Clerk of Court a redacted version of the Petition.

You can make a redacted version of your Petition by using a black marker or pen or both to mark out (cover up) certain information on a copy of the Petition. Here's what to redact:

- Petitioner's address. Do not leave any of the address visible. In the redacted Petition, the address lines should all look like this: [REDACTED]
- Names of children under the age of 18. Leave only the child's initials visible. If the child's name is Jordan Johnson, the redacted Petition should show J [REDACTED] J [REDACTED].

Important Note: Make sure you redact a *copy* of the Petition. Do not redact the Petition itself.

### Is redacting the Petition the same thing as keeping my information confidential?

No.

The Respondent will be given a copy of the **non-redacted** Petition. When you ask the Court for a Stalking Order of Protection, the Respondent will see the information on your Petition. You will not have the option to keep it confidential.

You are allowed to give the Court a friend or family member's address. Please see the instructions in Section 1 above for more information.

### What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give you soon after you file your petition. An Ex Parte Order can help protect you for a few days. Ask the Clerk of Court to give you **certified** copies of your Ex Parte Order of Protection.

Before the judge can consider replacing the Ex Parte Order with an Order that lasts longer, there will need to be a hearing (a meeting at the court) where you and the Respondent each tell the judge your side of the events.

### What happens if the judge doesn't grant an Ex Parte Order?

A judge might deny you an Ex Parte Order but also set a hearing to give you and the Respondent a chance to tell your side of the events. After this hearing, the judge might grant you an Order of Protection.

Remember: Being denied an Ex Parte Order does not mean the judge is refusing to give you a protection order.

### Do I have to go to the hearing?

Yes.

Whether you got an Ex Parte Order or not, you **must** attend any hearing (a meeting at the court) that the judge schedules. The hearing is when the judge will get to hear what you have to say and what the Respondent has to say. If you do not attend the hearing, the judge is not allowed to grant you an Order of Protection that lasts for several months or years. Also, if you do not attend the hearing, the Ex Parte Order will expire.

### What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can talk about what happened, you may take them with you to give testimony at the hearing. If you have evidence about what happened, you may take it to the hearing and present it to the judge. Remember, the judge knows nothing about your case, except what you include in the Petition and what you provide in court.

After considering your side of the situation and the Respondent's side, the judge will make decisions about whether to give you an Order of Protection, what restrictions to include in it, and how long it will last.

### What evidence can I use at the hearing?

Your evidence might include photographs of the Respondent, medical records related to the stalking, or photographs of damaged property. You also might want to show the judge text messages or recordings of threats or harassment from the Respondent.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk before the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.

If you need help getting your evidence ready to take to your hearing, contact your local domestic violence program. (Contact information is in the black rectangle on Page 1.)

### What should I do with the Order if I get one?

Always carry the Order with you. This will make it easier for police or sheriff's officers to enforce the Order if you call them for help. It's also a good idea to keep pictures on your phone that show every page of the Order.

Ask the Clerk of Court to give you **certified** copies of your Order of Protection.

### Does the Ex Parte Order still count after the judge gives me an Order of Protection?

The Order of Protection *replaces* the Ex Parte Order. The Order of Protection will last longer and may have more information or restrictions than the Ex Parte Order had.

### Can I change an Order of Protection that I already have?

You can ask the Court to modify your Order of Protection. You might choose to do this if something has changed in your life and you need the Order of Protection to address that change. You could also ask for a modification if the Respondent has started doing something different that makes you feel unsafe. The Court might be able to add a new restriction to your Order to help protect you.

You will need to file a Motion to Modify Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to modify the Order if the Order has already expired.

### What can I do if the Order of Protection doesn't last long enough?

If your Order of Protection is nearing its expiration date and you feel the Respondent is still a danger to you (or to other people included in the Order), you can ask the Court to extend the Order. You will need to file a Motion to Extend Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to extend the Order if the Order has already expired. It is helpful to file the Motion to Extend at least ten days before your Order expires.

### Can the Order last longer if the Respondent spends some of the time in jail?

According to Wyoming law, a Stalking Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect you after the Respondent gets out of jail/prison. (It's important to know that tolling is different from getting an extension for your Order. There's information about getting an Order extended in the paragraph above.)

Tolling happens automatically, but the Order of Protection the Court gave you won't show the new expiration date. The Court needs to know the Respondent went to jail/prison.

You can file a Notice of Incarceration or Imprisonment to let the Court know about that. (You can get a form for that Notice from the Clerk of Court's office.)

**Important Note:** It doesn't matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you or the protection order.

### What does Wyoming law say about Stalking?

**You are not required to read the statute (law) that defines Stalking.**

You can use the simple checklist in the section called *Before You Get Started* (which will be on Page 1 or Page 2 above) to help figure out if your situation is considered stalking according to the law.

If you do want to read the statute, you can find it online by visiting the Wyoming Legislative Service Office website or you can look at statute books at your local library. The statute number is 6-2-506.

Here is the definition as it is written in the first part of the statute:

(a) As used in this section:

(i) "Course of conduct" means a pattern of conduct composed of a series of acts

over any period of time evidencing a continuity of purpose;

(ii) "Harass" means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person that the defendant knew or should have known would cause:

(A) A reasonable person to suffer substantial emotional distress;

(B) A reasonable person to suffer substantial fear for their safety or the safety of another person; or

(C) A reasonable person to suffer substantial fear for the destruction of their property.

(b) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:

(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses;

(ii) Following a person, other than within the residence of the defendant;

(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant;

(iv) Using any electronic, digital or global positioning system device or other electronic means to place another person under surveillance or to surveil another person's internet or wireless activity without authorization from the other person; or

(v) Otherwise engaging in a course of conduct that harasses another person.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
Name of person you want to be protected from )

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## PETITION FOR STALKING ORDER OF PROTECTION

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1. **PETITIONER'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(Print)

**NEXT FRIEND'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(If you are filing on behalf of a child age 17 or younger, or on behalf of a disabled or vulnerable adult, write that person's name in the Petitioner box and your name in the Next Friend box. If you are filing for yourself, leave the Next Friend box blank.)

\_\_\_\_\_  
Address

\_\_\_\_\_  
City & State

\_\_\_\_\_  
Telephone Number

OTHER NAMES USED BY PETITIONER \_\_\_\_\_  
\_\_\_\_\_

DATE OF BIRTH  RACE  GENDER

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

2. **RESPONDENT'S LAST NAME, FIRST NAME**

(Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Mailing Address (if different)

\_\_\_\_\_  
City & State

\_\_\_\_\_  
Telephone Number

DATE OF BIRTH \_\_\_\_\_ RACE \_\_\_\_\_ GENDER \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

Does the Respondent usually wear GLASSES? \_\_\_\_\_

Does the Respondent usually have FACIAL HAIR? \_\_\_\_\_

EMPLOYER \_\_\_\_\_

PLACE OF EMPLOYMENT Address \_\_\_\_\_

DRIVER'S LICENSE State of Issue \_\_\_\_\_

VEHICLE Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_

VEHICLE LICENSE PLATE Number \_\_\_\_\_

VEHICLE LICENSE PLATE State of Issue \_\_\_\_\_

STATE and COUNTRY OF BIRTH \_\_\_\_\_

OTHER NAMES USED BY THE RESPONDENT \_\_\_\_\_

\_\_\_\_\_  
If you can, describe the Respondent's distinguishing marks, scars, tattoos, and tell where they are located:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
If you can, list firearms and ammunition possessed by the Respondent. If you know where the firearms or ammunition are kept, give that information too.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Select the most accurate description of your relationship with the Respondent:

☐ We used to be married to each other, but now we are divorced.

☐ We are married to each other, but we do not live together now.

☐ We used to have a dating relationship, but we do not anymore.

☐ We are friends or we used to be friends.

☐ We are co-workers or we used to be co-workers.

☐ We go to the same school or we used to go to the same school.

☐ I have no relationship with the Respondent.



☐ Other: \_\_\_\_\_

4. Please describe what has been happening. Include the dates or your best estimate of the dates when these things happened. You are asking for an Order of Protection because you feel the Respondent is doing these things to harass you. Please be specific in your description to help the Court understand why you feel that way. ATTACH ADDITIONAL SHEETS IF NEEDED. \_\_\_\_\_

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5. The Court may issue an Ex Parte Order of Protection. (That's a temporary Order that can be granted before the Court hears from the Respondent.) The Court will schedule a hearing. That's when the judge will decide whether to issue an Order of Protection, which will be in effect for longer. You can learn more about the hearing and the two types of Orders in the Instructions for this form.

You can ask the Court for certain kinds of relief to be included in the Ex Parte Order of Protection and the Order of Protection. This list is how you tell the Court what you think will help. Check all that apply:

- A ☐ **Address Immediate Danger** – Issue an Ex Parte Order of Protection because I believe an immediate danger exists that stalking will continue.

- B ☐ **Protection for Others** – Include the following people in the Order of Protection:

Name	Relationship to Me	Reason this Person Needs Protection

- C ☐ **No Contact** – Order the Respondent not to contact, phone, mail, e-mail, or communicate with me in any way, either directly or indirectly, including electronically.

- D ☐ **Stay Away** – Order the Respondent to:

☐ a. Stay at least \_\_\_\_\_ (distance) from me.

☐ b. Stay away from my \_\_\_\_\_

Home:

\_\_\_\_\_  
(address)

Work:

\_\_\_\_\_  
(address)

The Respondent [ ] does [ ] does not work at the same place as me.

School or Childcare:

\_\_\_\_\_  
(address)

The Respondent [ ] does [ ] does not go to the same school as me.

Place of worship:

\_\_\_\_\_  
(address)

The Respondent [ ] does [ ] does not attend the same place of worship as me.

If the Respondent works at the same place, goes to the same school, or attends the same place of worship as you, the Court cannot order the Respondent to stay away from that place. Give information the Court should consider about interactions with the Respondent in those settings.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E [ ]

**Other Assistance Needed** – Explain any other instructions that could help protect you and the other individuals listed on this form.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. After this Petition is filed, the Court will schedule a hearing. You are **REQUIRED** to

take part in the hearing. Please check one of the boxes below.

**A ☐** **Appear in Person** I will attend the hearing in person at the courthouse.

**B ☐** **Appear Virtually** I ask the Court to allow me to attend the hearing by phone or computer instead of going to the courthouse in person.

I, the Petitioner, being first duly sworn upon my oath, state that I have read the above and foregoing information, and I believe the matters set forth are true and correct under penalty of perjury:

Date \_\_\_\_\_

\_\_\_\_\_  
PETITIONER

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_)

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
CLERK OF COURT/NOTARIAL OFFICER

My commission expires: \_\_\_\_\_

# Information Sheet

THIS PAGE IS CONFIDENTIAL AND RELEASED ONLY TO LAW ENFORCEMENT

*Items indicated in **BOLD** and Italics are required.*

**PETITIONER (Print):** \_\_\_\_\_

**(LAST NAME)**

**(FIRST NAME)**

**(MI)**

**CONTACT PHONE NUMBER:** \_\_\_\_\_

**OTHER NAMES USED BY PETITIONER** \_\_\_\_\_

Home Address \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Employment Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Gender \_\_\_\_\_ Race \_\_\_\_\_

Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Glasses \_\_\_\_\_

Hair Color \_\_\_\_\_ Eye Color \_\_\_\_\_ Facial Hair \_\_\_\_\_

Scars, Tattoos, other Markings \_\_\_\_\_

The Information Sheet will be retained by the Court as part of the official record in this case. However, it is confidential, which means it will not be made available to the public.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Name of person you want to be protected from )

Case Number \_\_\_\_\_

## EX PARTE STALKING ORDER OF PROTECTION

### PETITIONER NAME

First Middle Last

### RESPONDENT NAME

First Middle Last

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

### PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

### RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES		HAIR		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
EMPLOYMENT				

Additional Information (for example, other names used, tattoos, scars):

\_\_\_\_\_  
\_\_\_\_\_

When Does This **ORDER EXPIRE**:

**This Order shall be in effect until further Order of the Court.**

Based upon the verified Petition for Order of Protection on file herein and good cause appearing,  
**IT IS ORDERED, ADJUDGED, AND DECREED:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☐ Respondent is ordered to have **no contact with Petitioner**. No contact with Petitioner is allowed anywhere. Both direct and indirect contact are prohibited. Examples of contact include talking in person, yelling, gesturing, talking on the phone, texting, instant messaging, emailing, leaving notes, sending letters, sending messages through other people, and sending messages through social media.
2. ☐ Respondent is ordered to stay away from Petitioner anywhere Petitioner is. Respondent is specifically ordered to stay away from the following places:
  - a. ☐ Home \_\_\_\_\_
  - b. ☐ School \_\_\_\_\_
  - c. ☐ Business \_\_\_\_\_
  - d. ☐ Place of Employment \_\_\_\_\_
  - e. ☐ Other location (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. ☐ Respondent is ordered not to stalk, contact, harass, threaten, intimidate, or in any way interfere with any of the people protected by this Order. Respondent is ordered not to ask, direct, or hire anyone else to do these things to any of the people protected by this Order. In addition to the Petitioner, the people protected by this Order are:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. ☐ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner. This restriction includes using cameras, GPS, or any other electronic system to watch the Petitioner or monitor the Petitioner's movements. This restriction also includes monitoring the Petitioner's internet or cell phone activities.

5. ☐ Respondent is ordered not to use or possess firearms or ammunition.

The Court includes this restriction because it finds that the Respondent is an intimate partner of the Petitioner under 18 USC § 921(a)(32). Specifically:

- ☐ Respondent and Petitioner are or used to be married.
- ☐ Respondent and Petitioner currently cohabitate or used to cohabitate.
- ☐ Respondent and Petitioner have one or more children together.
- ☐ Respondent and Petitioner are or used to be in a dating relationship.

6. ☐ Other requirements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### **The Court Orders the Parties to take Notice of the Following:**

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to applicable protection orders to possess, ship, use or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8)

At the time this Order is entered, a certified copy will be provided to the Petitioner by the Court.

This Order shall be filed with the clerk of court. A copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides of the existence of this Order. The Order shall be personally served upon the Respondent.

The Court shall set a hearing on this matter. Notice of the Hearing shall be personally served upon

Case Number \_\_\_\_\_

the Respondent. If the Respondent fails to appear at the hearing, this Court may award any or all of the relief requested by the Petitioner.

This Order applies to Respondent immediately upon service.

**WARNING TO RESPONDENT:** The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this warning. If you want to modify or dismiss the Order, you must ask the Court. Only the Court can change this Order.

**Willful violation of any provision of this Ex Parte Order of Protection constitutes a crime as defined by W.S. 7-3-510(c) and can result in immediate arrest. A violation of this Ex Parte Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b), may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2-506(e).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE



STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Person listed as Petitioner on the Petition )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition )

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## ORDER TO APPEAR

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### TO THE ABOVE-NAMED RESPONDENT:

**YOU ARE** notified that a Petition has been filed with the above-named Court seeking a Stalking Order of Protection. Attached to this Order and hereby served upon you are the following documents:

- ☒ Petition  
☐ Ex Parte Temporary Order of Protection

You are further notified that a hearing concerning the Petition will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ County Circuit Court, \_\_\_\_\_, \_\_\_\_\_, Wyoming.

FURTHERMORE, you are ordered to obey all terms of any attached Order.

**YOU ARE ORDERED TO APPEAR AT THIS HEARING. YOUR FAILURE TO APPEAR OR VIOLATION OF THE ATTACHED ORDER MAY RESULT IN YOUR IMMEDIATE ARREST.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE/MAGISTRATE/CLERK

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
Name of person filing for protection order)

Case Number \_\_\_\_\_

vs.

Respondent: \_\_\_\_\_ )  
Name of person you want to be protected from)

## STALKING ORDER OF PROTECTION

### PETITIONER NAME

First Middle Last

### PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

### RESPONDENT NAME

First Middle Last

### RESPONDENT IDENTIFIERS

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

SEX	RACE	DOB	HT	WT
EYES		HAIR		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
EMPLOYMENT				

Additional Information (for example, other names used,  
tattoos, scars):

When Does This **ORDER EXPIRE**:

**This Order shall be in effect until and will expire at 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended by order of the Court.**

THIS MATTER was heard on \_\_\_\_\_, 20\_\_\_\_\_. These parties were present:

**PETITIONER**

\_\_\_\_ Appeared in person  
\_\_\_\_ Appeared remotely

\_\_\_\_ Attorney

**RESPONDENT**

\_\_\_\_ Appeared in person  
\_\_\_\_ Appeared remotely  
\_\_\_\_ Did not appear and was  
given proper notice

\_\_\_\_ Attorney

**THE COURT FINDS:**

- ☐ This Court has jurisdiction over the parties and subject matter of this action.
- ☐ The parties stipulate to the Court's exercising jurisdiction in this case and the subject matter of this action.
- ☐ After hearing the testimony of the parties and their witnesses, the Court finds that the Respondent's conduct constitutes stalking as defined by W.S. 6-2-506(b) and that an Order of Protection should be entered.

**IT IS ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☒ Respondent is ordered not to commit any additional acts of stalking involving Petitioner. Respondent is ordered not to harass, threaten, intimidate, or in any way interfere with Petitioner.
2. ☒ Respondent is ordered to have **no contact with Petitioner**. No contact with Petitioner is allowed anywhere. Both direct and indirect contact are prohibited. Examples of contact include talking in person, yelling, gesturing, talking on the phone, texting, instant messaging, emailing, leaving notes, sending letters, sending messages through other people, and sending messages through social media.
3. ☒ Respondent is ordered to provide the Court with a current mailing address. While this Order is in effect, Respondent must promptly inform the Court in writing if that mailing

address changes. Mailing of appropriate documents (for example: modification, termination, or extension of this Order) to the most recent mailing address provided to the Court by Respondent shall be considered service upon Respondent.

4. ☐ Respondent is ordered to stay away from Petitioner anywhere Petitioner is. Respondent is specifically ordered to stay away from the following places:

- a. ☐ Home \_\_\_\_\_
- b. ☐ School \_\_\_\_\_
- c. ☐ Business \_\_\_\_\_
- d. ☐ Place of Employment \_\_\_\_\_
- e. ☐ Other location (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. ☐ Respondent is ordered not to stalk, contact, harass, threaten, intimidate, or in any way interfere with any of the people protected by this Order. Respondent is ordered not to ask, direct, or hire anyone else to do these things to any of the people protected by this Order. In addition to the Petitioner, the people protected by this Order are:

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6. ☐ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner. This restriction includes using cameras, GPS, or any other electronic system to watch the Petitioner or monitor the Petitioner's movements. This restriction also includes monitoring the Petitioner's internet or cell phone activities.

7. ☐ Respondent is ordered not to use or possess firearms or ammunition.

The Court includes this restriction because it finds that the Respondent is an intimate partner of the Petitioner under 18 USC § 921(a)(32). Specifically:

- ☐ Respondent and Petitioner are or used to be married.
- ☐ Respondent and Petitioner currently cohabitate or used to cohabitate.
- ☐ Respondent and Petitioner have one or more children together.

☐ Respondent and Petitioner are or used to be in a dating relationship.

8. ☐ Other requirements: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## The Court Orders the Parties to Take Notice of the Following:

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to applicable protection orders to possess, ship, use, or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8).

This Order shall be filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides. The Order shall be personally served upon the Respondent, unless the Respondent or the Respondent's attorney was present when the Order was issued.

This Order applies to the Respondent immediately upon service and shall remain in full force and effect until the expiration date of the Order or until it is modified or terminated by this Court.

Interstate violation of this order may subject the Respondent to federal criminal penalties. 18 U.S.C. §§ 2261, 2261 (A) and 2262.

This protection order is enforceable in all fifty states, the District of Columbia, tribal lands and U.S. territories, and is issued to prevent violent or threatening acts by the Respondent against the Petitioner. 18 U.S.C. § 2265.

It is a crime to use a telephone or other telecommunications device to annoy, abuse, harass, or threaten another person at the called number. 47 U.S.C. § 223 (a)(1)(C), W.S. 6-6-103.

If the Respondent named on this Order is incarcerated or imprisoned, for any reason, while the Order is in effect, the effective time of the Order will toll. The Order will be in effect longer based on the date when the Respondent is released. W.S. 7-3-510(b). The parties are encouraged to file a Notice of Incarceration or Imprisonment to notify the Court of the jail/prison time and receive an Order stating the new expiration date.

**WARNING TO RESPONDENT:** The Petitioner cannot give you legal permission to violate this order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this WARNING. If you want to modify or dismiss the order you must ask the Court. Only the Court can change this Order.

Case Number \_\_\_\_\_

**Willful violation of any provision of this Order of Protection constitutes a crime as defined by W.S. 7-3-510(c) and can result in immediate arrest. A violation of this Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b), may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2- 506(e).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

BY THE COURT

\_\_\_\_\_  
JUDGE OR MAGISTRATE

DRAFT

**ACCEPTANCE OF SERVICE**

I, \_\_\_\_\_, Respondent in this action, voluntarily accept service of this Order of Protection, and acknowledge that I have received a true copy thereof this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
RESPONDENT

DRAFT

INSTRUCTIONS FOR  
GIVING THE COURT  
NOTICE OF INCARCERATION OR IMPRISONMENT

For help in developing a safety plan or learning about protection orders, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **National Domestic Violence Hotline at (800) 799-SAFE (7233) or (512) 453-8117** (multi-lingual advocates are available); **TTY: (800) 787-3224**.

You can also get information from the Wyoming Coalition Against Domestic Violence and Sexual Assault website: **<https://www.wyomingdvsa.org/programs>**

READ THESE INSTRUCTIONS CAREFULLY.

**If all of the following information is true, you might choose to file this form.**

- There is a current Stalking Order of Protection that was issued by a Wyoming court or is registered with a Wyoming court.

Important Note: It does not matter if you are the Petitioner named on the Order of Protection. This Notice can be filed by the Petitioner **OR** by anyone else who has information about the Respondent.

- The person the protection order is against (the Respondent) is in jail or prison, or recently was in jail or prison.

Important Note: It does not matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you, the Petitioner, or the protection order.

**Why would you choose to file this form?**

According to Wyoming law (Wyoming Statute 7-3-510(b)), a Stalking Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

Tolling happens automatically, but the Order the Court issued won't show the new expiration date. The Court needs to know the Respondent went to jail/prison. You can use this Notice of Incarceration or Imprisonment to let the Court know about that.

Important Note: **Tolling** the Order is different from getting the Order **Extended**. If the Petitioner wants to ask the Court to extend the Order, the Petitioner can use the Motion to Extend Order of Protection. Only use this Notice of Incarceration or Imprisonment if the Respondent went to jail/prison while the Order of Protection was in



effect.

### **The top of the page on a Notice of Incarceration or Imprisonment.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be at the top of the first page of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent.

The person who received the protection order is the **Petitioner**.

The person the protection order is against is the **Respondent**.

You might not be either of those people, and that is okay. If you are not the Petitioner or the Respondent, your name does not go here at the top of the page.

There is also a blank for the Case Number. The Case Number will be at the top of the first page of the Order of Protection. The Case Number may include letters. If you do not know the Case Number, leave this blank.

Next, you'll see the title of the document: Notice of Incarceration or Imprisonment.

After the title, there is a section with just one blank. This section makes it easy for the judge to read the statute, and it lets the judge know that you believe the statute applies to this situation. Write your name in the blank after the word "I" so the judge will know you are the person giving this information to the Court.

Next, you'll see the line **I ask this Court to take notice of the following**. After this sentence, you will need to fill in as much information as you have. The information you give here will help the Court figure out if the statute does apply to this situation and, if so, what the new expiration date will be for the Order of Protection.

- You can find the issue date for the Order of Protection by looking at the file stamp at the top of the first page of the Order. If you do not know the issue date, leave this empty.
- The expiration date will be clearly stated somewhere in the Order, probably on the first or second page. If you do not know the expiration date, leave this empty.
- If you know when the Respondent went to jail/prison, write the date in the blank.
  - If you know the date is correct, place a mark by "This is an exact date."
  - If you're giving your best guess about the date, mark "This is an approximate date."
  - If you do not know when the Respondent went to jail/prison, you can leave the blank empty and mark "I do not know the date."
- Fill in as much information as you know about where the jail or prison is located.

Next, there will be a section with lots of check boxes. Check as many as you need to check to give the Court all the information you have about the Respondent's incarceration/imprisonment.

When you get to the end of the form, fill in the date, month, and year.

Review your answers carefully before you sign. By signing the form, you are telling the Court that you believe everything you wrote on the form is true. You will sign on the line labelled Signature of Person Submitting the Notice.

On the next line, print your name neatly.

The final line is for you to give the Court information about how to contact you, in case the judge has questions. Provide information that you are comfortable sharing. **The Respondent will see this information. Do not provide information that is confidential (secret).**

## Important Things You Need to Know

### How do I find out the location and dates of the Respondent's time in jail/prison?

Getting information on where and when a person is incarcerated or imprisoned can be difficult. This form **does not require** you to have this information. For help getting information about the Respondent's incarceration/imprisonment, you can try contacting:

- Victim Assistance providers in your county
  - <https://dvs.wyo.gov/victim-service-providers>
- Wyoming Coalition Against Domestic Violence and Sexual Assault
  - (307) 755-0992
- Wyoming Division of Victim's Services
  - (888) 996-8816

### What will happen after I file this form?

After you file this Notice, the Court will determine whether the law about tolling applies to this situation. If it does apply, the judge will use the law to figure out the new expiration date for the Order of Protection.

The Court will issue an Order that states the new expiration date. The Petitioner should always carry the Order Setting New Expiration Date **and** the original Order of Protection. This will make it easier for police or sheriff's officers to enforce the Order if they are called for help. It is also a good idea for the Petitioner to keep pictures that show every page of the Order Setting New Expiration Date **and** the original Order of Protection.

STATE OF WYOMING

)  
) ss  
)

IN THE CIRCUIT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
vs. )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## NOTICE OF INCARCERATION OR IMPRISONMENT

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I, \_\_\_\_\_, state that the Respondent in this matter is or has been incarcerated or imprisoned. The period of incarceration/imprisonment coincided with the effective period of a Stalking Order of Protection issued by this Court. That Order of Protection, currently in effect, is mandatorily tolled under W.S. 7-3-510(b), which reads in pertinent part:

If a party subject to an order of protection is sentenced and incarcerated or becomes imprisoned, the running of the time remaining for the order of protection shall be tolled during the term of incarceration or imprisonment. The conditions and provisions of an order of protection shall remain in effect during any period of tolling under this subsection. Upon release from incarceration or imprisonment the effective period of the order of protection shall be the amount of time remaining as of the first day of the term of incarceration or imprisonment or one (1) year from the date of release, whichever is greater.

### I ask this Court to take notice of the following:

A Stalking Order of Protection was issued on \_\_\_\_\_, 20\_\_.

The expiration date stated on the Order of Protection is \_\_\_\_\_, 20\_\_.

The Respondent first became incarcerated/imprisoned on \_\_\_\_\_, 20\_\_.

☐ This is an exact date. ☐ This is an approximate date. ☐ I do not know the date.

Location of incarceration/imprisonment:

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

(In the list below, check all that apply.)

☐ The Respondent is scheduled to be released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent was released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent is still incarcerated/imprisoned.

☐ I do not know whether the Respondent has been released.

☐ I have attached papers with information about the Respondent's incarceration/imprisonment.

☐ I do not have papers with information about the Respondent's incarceration/imprisonment,  
but I found out about it from: \_\_\_\_\_

\_\_\_\_\_

DATED \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Person Submitting the Notice

\_\_\_\_\_  
Name (printed) of Person Submitting the Notice

The Court can contact me at: \_\_\_\_\_  
\_\_\_\_\_  
(address, phone number, or email)

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order )

Case Number \_\_\_\_\_

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### ORDER SETTING NEW EXPIRATION DATE ON ORDER OF PROTECTION DUE TO TOLLING

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Upon receiving notice of Respondent's incarceration and upon consideration of the notice, the Court, in accordance with Wyoming Statute, hereby sets a new expiration date on the Order of Protection issued in the above-captioned case. This new expiration date is authorized under the tolling provision in the Wyoming Statute, which mandates the tolling of orders of protection under specific circumstances.

#### THE COURT FINDS:

The Order of Protection mandatorily tolled under

- ☐ W.S. 35-21-106(b) pertaining to Domestic Violence.  
☐ W.S. 7-3-510(b) pertaining to Sexual Assault and Stalking.

The Respondent was incarcerated or imprisoned on \_\_\_\_\_, 20\_\_\_\_ and released on \_\_\_\_\_, 20\_\_\_\_.

As of the first day of the term of incarceration/imprisonment, the Order of Protection had \_\_\_\_\_ days remaining in its effective period.

The appropriate expiration date for the Order of Protection is

- ☐ 365 days from the Respondent's date of release.  
☐ \_\_\_\_\_ days from the Respondent's date of release.

**The Respondent has twenty days from the date this Order is served or received to file an Objection or Request for a Hearing, otherwise this Order shall remain in full force and effect.**

The Respondent has the right to contest this new expiration date. To do so, the Respondent must file a written request for a hearing with this court. If such a request is made, a hearing will promptly be scheduled. At the hearing, the Respondent may present testimony or evidence regarding the dates of incarceration and the calculation of the new expiration date.

The Respondent is advised that tolling occurs even if the incarceration did not relate in any way to the order of protection or to the Petitioner.

**IT IS ORDERED AS FOLLOWS:**

1. The Order of Protection entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, will continue to be in effect until 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended or terminated by order of the Court.
2. All provisions and conditions of the original Order of Protection remain in full force and effect during this period.
3. The clerk of court shall deliver copies of this order as well as copies of the original Order of Protection to the sheriff and the local law enforcement agencies.
4. Willful violation of any provision of the Order of Protection constitutes a crime as defined by W.S. 6-4-404.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

This guide is designed to help you make a decision for yourself. It is not legal advice.  
Clerks cannot give you legal advice or explain the information on this page.  
To get help from a Victim Advocate, you can call the Wyoming Coalition Against Domestic Violence and Sexual Assault at 307-755-0992 or the Wyoming Division of Victim's Services at 1-888-996-8816.

## Sexual Assault Orders of Protection in Wyoming: Getting Started

This page can help you decide whether to ask the Court for a  
**Sexual Assault Order of Protection.**

Orders of Protection might also be called  
Protection Orders, Protective Orders, or Restraining Orders.  
In Wyoming, the formal name is Order of Protection.

You can ask the Court to give you an Order of Protection if you are a victim of  
**Domestic Violence or Sexual Assault or Stalking.**  
This page can help you figure out if a Sexual Assault Order of Protection fits your situation.

(There are "Getting Started" pages for Domestic Violence and Stalking too.  
You can get those pages from the Circuit Court Clerk or the Judicial Branch website.)

Sexual assault includes many different kinds of behaviors.

It includes forcing someone to have sex by physically overpowering them or by threatening them. These are actions that are commonly called "rape." Wyoming does not have separate laws for rape. Rape is a kind of sexual assault.

In addition to forcing a person to have sex, sexual assault also includes actions such as touching the sexual parts of another person's body without permission. The touching could be done with any body part (hand, mouth, penis, etc.). The touching could happen directly on the person's body or over the clothing that covers sexual parts.

Sexual assault also includes forcing someone to touch the sexual parts of a person's body.

Sexual assault also includes putting objects into the sexual parts of a person's body.

If any of these actions has been done to you, the Court might give you an Order of Protection to help keep you safer.

- ✓ You can ask for an Order of Protection even if the person who did these things did not get arrested.
- ✓ You can ask for an Order of Protection even if the person who did these things tells you that what they did is okay.
- ✓ You can ask for an Order of Protection even if you didn't tell anyone what happened. You do not have to have a police report or doctor's report.

You can get forms and instructions for asking the Court for an Order of Protection by visiting the Circuit Court Clerk in your county or the Judicial Branch website.

## INSTRUCTIONS FOR APPLYING FOR A SEXUAL ASSAULT ORDER OF PROTECTION IN WYOMING

These instructions can help you petition the court for an Order of Protection. You might choose to ask the court for an Order of Protection if you have been the victim of sexual assault. An Order of Protection will list certain rules that the Respondent (the person you want to be protected from) has to follow.

It is important for you to understand that this process does not guarantee you will be safe. A judge might decide not to issue an Order of Protection. If an Order of Protection is issued, the Respondent might not follow the rules.

A Sexual Assault Order of Protection should not be sought unless the Petitioner has been the victim of sexual assault as defined by law. You can read the legal definition of sexual assault in Wyoming Statutes 6-2-302 through 6-2-319. You do not have to read the statute before asking for a Sexual Assault Order of Protection. But it is important for you to know that sexual assault has a particular legal definition.

For help in developing a safety plan or learning about protection orders and how to get one, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **Rape, Abuse, and Incest National Network at (800) 656-4673**.

Advocates are trained to help you decide what actions may help keep you and your loved ones safe. Find your local domestic violence program at <https://www.wyomingdvsa.org/programs>. Learn more about safety planning at <https://www.thehotline.org/plan-for-safety/>.

### **INSTRUCTIONS FOR COMPLETING THE PETITION FOR SEXUAL ASSAULT ORDER OF PROTECTION**

READ THESE INSTRUCTIONS CAREFULLY.

It is best to fill out these papers completely and to give as much detail as you can. The court may deny your request if there is not enough information in the papers you file.

#### **Before You Get Started**

Sexual assault includes many different kinds of behaviors.

It includes forcing someone to have sex by physically overpowering them or by threatening them. These are actions that are commonly called "rape." Wyoming does not



have separate laws for rape. Rape is a kind of sexual assault.

In some of the sexual assault laws, sexual assault is also called *sexual abuse*.

In addition to forcing a person to have sex, sexual assault also includes actions such as touching the sexual parts of another person's body without permission. The touching could be done with any body part (hand, mouth, penis, etc.). The touching could happen directly on the person's body or over the clothing that covers sexual parts.

Sexual assault also includes forcing someone to touch the sexual parts of a person's body.

Sexual assault also includes putting objects into the sexual parts of a person's body.

If any of these actions has been done to you, the Court might give you an Order of Protection to help keep you safer.

- ✓ You can ask for an Order of Protection even if the person who did these things did not get arrested.
- ✓ You can ask for an Order of Protection even if the person who did these things tells you that what they did is okay.
- ✓ You can ask for an Order of Protection even if you didn't tell anyone what happened. You do not have to have a police report or doctor's report.

At the end of these instructions, there is a section called *Important Things You Need to Know*. You can read some of the statutes (laws) there, if you want to see how they define sexual assault. You are not required to read the statutes.

### **The top of the page on a Petition for Order of Protection.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). When you file the Petition, the Clerk of Court can give you this information.

The next blanks are for the name of the Petitioner and the name of the Respondent. If you are the one who wants an Order of Protection, you are the **Petitioner**.

Important Note: These instructions will assume that you are the Petitioner. If you are filing the petition for someone who is 17 years old or younger, or for someone who is a disabled or vulnerable adult, that person is the Petitioner. Whenever these instructions say "you" or "your name" or "your address," etc., write the information for the Petitioner.

You will be explaining to the Court that someone sexually assaulted you. That is the person you want to be protected from. That person is called the **Respondent**.

The next blank is for the Case Number. When you file the Petition, the Clerk of Court will

give you the case number.

**Section 1 is for information about you, the Petitioner.**

The first box is for your name. It should be written Last name, First name, Middle initial.

The next box is called “Next Friend.” You will only use this box if you are filing this petition on behalf of someone who is 17 years old or younger, or on behalf of a disabled or vulnerable adult. That person is the Petitioner, and you are the Next Friend. (Even if you are the parent of the Petitioner, you’ll still be called the “Next Friend” in the court documents.)

Then there are blanks for your home address. **You are not required to write your address here**, but the Court does need a way to mail things to you. You have a few options:

You can write your address here. You might choose to do this if the Respondent already knows your address.

You can write the address of a friend or relative. Be sure to get that person’s permission first. Also, you need to be sure that you will get the mail if the Court contacts you using that person’s address.

**You can ask the Court to keep your address confidential.** If it is confidential, the Respondent won’t be able to see your address on the court papers. If this is your choice, put a checkmark in the small box near the address line. You must give the Court your address in an envelope. Write “confidential” on the envelope.

If you think it will help keep you safe, you can use a friend’s or relative’s address *and* ask for it to be kept confidential. Be sure to mark the small checkbox and give the Court an envelope with the address in it.

The next blank is for your telephone number. You have the same choices here as you had for your address. You can write in your phone number or the phone number of a friend or relative; you can also ask the Court to keep your phone number confidential.

If you want to write the phone number of a friend or relative, be sure to get that person’s permission first. Also, you need to be sure that you will get the messages if the Court contacts you using that person’s phone.

If you want the Court to keep your phone number confidential, put a checkmark in the small box. You must give the Court your phone number in an envelope. Write “confidential” on the envelope.

The next blank is for other names you use. This includes names you use now and names you used to use.

The next boxes are for your Date of Birth, Race, and Gender. This information is required.

The next blanks are for your Height, Weight, Eye Color, and Hair Color. It is okay to estimate your height and weight.

**Section 2 is for information about the Respondent, the person you want to be protected from.**

The first box is for the Respondent's name. It should be written Last name, First name, Middle initial. If you don't know the Respondent's full name, write in as much as you know.

The next blanks are for the Respondent's home address, mailing address, and phone number. Write in as much as you know.

The next blanks are for the Respondent's Date of Birth, Race, and Gender. If you don't know the respondent's date of birth, write in an estimate of the person's age. If you don't know the Respondent's race, you can write "unsure."

The next blanks ask for more information about the Respondent. Give as much information as you can. Estimating the Respondent's height and weight is better than giving no answer at all. If you don't know the Respondent's license plate number but you do know what county it's from, write that in.

If the Court issues an Order of Protection, law enforcement officers will use the information you shared to help them recognize the Respondent, which can help keep you safer.

The next blank is for other names used by the Respondent. List any other names you know the Respondent uses, even if they aren't "legal" names.

The next blank is for scars, tattoos, and marks on the Respondent's skin. Describe what they look like and where they are on the Respondent's body. You can also include other notable physical features.

In the next blank, if you can, list the firearms and ammunition the Respondent has in their possession. Be as specific as you can. List any information you know about the type of firearms, the company that made them, and whether they have been modified. If you can, explain where the firearms are usually kept. This information is very important for your safety and for the safety of the people involved in protecting you, including law enforcement.

The next blank is for information about the Respondent's parents. If the Respondent is under the age of 18, give any information you have that could help the Court contact the

Respondent's parents. If you know a parent's name, address, or phone number, or where the parent works, that will be helpful.

If you know that the Respondent is 18 or older, leave this part blank.

### **Section 3 is about your relationship with the Respondent.**

Many kinds of relationships are listed in this section. Select what best describes the relationship between you and the Respondent. It is okay to select more than one description. If you select "Other," write a short explanation in the blank.

### **Section 4 is about what happened.**

In the blanks, describe the assault in as much detail as possible. If the Respondent assaulted you more than one time, describe as many of the situations as you can. This information might feel difficult to share, but it's important. If you provide a lot of details, that helps the Court decide if you qualify for a protection order. As much as you can, include the days, times, and places where assault has occurred. Include the ages of the people involved. If there were any witnesses and you can give their names, that will be helpful. If the Respondent threatened you, try to write down the Respondent's exact words.

If you need more space to write everything out, attach additional papers to your Petition.

Share as much information as you can to help the Judge understand what happened.

### **Section 5 is about criminal matters.**

This section is asking for information that is related to the assaults you described in Section 4. Give as much information as you can. Here are a few important things to remember:

- You can ask for an Order of Protection even if you never told the police about what happened to you.
- Being arrested is not the same thing as being charged. It is possible your answers will be "yes, the Respondent was arrested" and "no, the Respondent was not charged." You can still ask for an Order of Protection.
- Having this information will help the Court decide if it will give you an Order of Protection, but it is not the only information the Court will consider. Answer honestly with as much information as you can.

### **Section 6 is about advocates.**

Victim Advocates (or "a victims' advocate") can help people who have been assaulted. They can help right after an assault happens – for example, by taking you to a safe shelter.

And they can help later – for example, by explaining court papers to you. If you have received any kind of help from a victims' advocate, mark yes.

### **Section 7 is about requesting protection.**

This section begins with a paragraph about two types of Protection Orders. When you file this Petition, you will be asking the Court to first give you an Ex Parte Order of Protection. (An Ex Parte Order of Protection is temporary. It takes effect only as soon as the Respondent receives a copy of it from the Court.) The Court will then hold a hearing. After the hearing, the Court may give you an Order of Protection that could last up to three years.

(You can read more information about these two types of Orders in the *Important Things You Need to Know* section at the end of these instructions.)

After that paragraph, there is a list with check boxes and some long blanks. This list is how you can let the Court know what you think will help. Please be very specific. Remember that the Court might not do the things you ask for.

### **Section 8 is about a hearing.**

After the Petition is filed, the Court will schedule a hearing. That will be a meeting when you and the Respondent will both have the chance to tell the judge what happened. You are required to take part in the hearing. Select either A or B to let the Court know how you want to take part. If you select B, it is important to remember that you are asking the Court for permission to take part virtually. If the Court denies your request, it means you do not have permission and you must go to the courthouse for your hearing.

### **Signature Section – Important!**

Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or the Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both. Review your answers carefully before you sign the Petition.

### **Important Things You Need to Know**

#### What can law enforcement (police or sheriffs) do to help me?

If you have been sexually assaulted, you can ask law enforcement officers to explain Orders of Protection and the sexual assault laws and also to explain how and in what situations criminal charges might be brought against a person who assaulted you.

You can ask the law enforcement officers to help you get to a medical facility or to a

victims' shelter.

Law enforcement officers can also make plans for you to get a medical exam after a sexual assault. If you choose to do this, you will be examined by a specially-trained nurse or doctor, and you will not have to pay for the exam.

Does it matter if I got a medical exam after the assault?

Being examined by a specially-trained nurse or doctor after a sexual assault can be helpful in many ways. It can help law enforcement officers investigate the assault, and it can help the state's lawyers (prosecutors) decide whether to bring criminal charges against the person who assaulted you.

It can also help you because getting care from the nurse or doctor might make you feel safer and healthier.

There are good reasons to get a medical exam after a sexual assault. But it is important to know that **a medical exam is not required.** You can ask the Court for an Order of Protection even if you did not get a medical exam.

Does it matter what kind of sexual assault happened?

Yes.

The Wyoming statutes (laws) describe many situations that are considered sexual assault. The Court is allowed to give you an Order of Protection for most of those situations. There are two situations when the Court is not allowed to give you an Order of Protection. In the statutes, those situations are called "Sexual assault in the third degree" and "Sexual battery." The statute numbers are 6-2-304 and 6-2-313.

You can talk to a Victim Advocate if you want help figuring out which kind of sexual assault happened to you. (Information about advocates is in the box on Page 1 of these instructions.)

**Important Note:** If you truly believe you were sexually assaulted, you can ask the Court for an Order of Protection. Even if a judge decides that your situation is not a kind that qualifies for an Order of Protection, you will not get in trouble for asking – as long as you are honest on your Petition and at your hearing.

What is a redacted Petition, and how do I make one?

A redacted Petition is a document with certain information blacked out. The information is blacked out to keep people who are not part of the case from seeing it. When you file your Petition, you will also need to give the Clerk of Court a redacted version of the Petition.

You can make a redacted version of your Petition by using a black marker or pen or both to mark out (cover up) certain information on a copy of the Petition. Here's what to redact:

- Petitioner's address. Do not leave any of the address visible. In the redacted Petition, the address lines should all look like this: [REDACTED]
- Names of children under the age of 18. Leave only the child's initials visible. If the child's name is Jordan Johnson, the redacted Petition should show J [REDACTED].

**Important Note:** Make sure you redact a *copy* of the Petition. Do not redact the Petition itself.

Is redacting the Petition the same thing as keeping my address confidential?

No.

The Respondent will be given a copy of the **non-redacted** Petition.

If you need to keep your address a secret so the Respondent won't know where you live, follow the instructions for keeping your address **confidential**. Those instructions are in Section 1 above.

What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give you soon after you file your petition. An Ex Parte Order can help protect you for a few days. Ask the Clerk of Court to give you **certified** copies of your Ex Parte Order of Protection.

Before the judge can consider replacing the Ex Parte Order with an Order that lasts longer, there will need to be a hearing (a meeting at the court) where you and the Respondent each tell the judge your side of the events.

What happens if the judge doesn't grant an Ex Parte Order?

A judge might deny you an Ex Parte Order but also set a hearing to give you and the Respondent a chance to tell your side of the events. After this hearing, the judge might grant you an Order of Protection.

Remember: Being denied an Ex Parte Order does not mean the judge is refusing to give you a protection order.

Do I have to go to the hearing?

Yes.

Whether you got an Ex Parte Order or not, you **must** attend any hearing (a meeting at the court) that the judge schedules. The hearing is when the judge will get to hear what you have to say and what the Respondent has to say. If you do not attend the hearing, the judge is not allowed to grant you an Order of Protection that lasts for several months or years. Also, if you do not attend the hearing, the Ex Parte Order will expire.

What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can talk about what happened, you may take them with you to give testimony at the hearing. If you have evidence about what happened, you may take it to the hearing and present it to the judge. Remember, the judge knows nothing about your case, except what you include in the Petition and what you provide in court.

After considering your side of the situation and the Respondent's side, the judge will make decisions about whether to give you an Order of Protection, what restrictions to include in it, and how long it will last.

What evidence can I use at the hearing?

Your evidence might include photographs of injuries, medical records related to the sexual assault, or photographs of damaged property. You also might want to show the judge text messages or recordings, for example, if the Respondent threatened you,

recorded the assault, or sent messages to other people about what happened. It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge. If you need help getting your evidence ready to take to your hearing, contact your local domestic violence program. (Contact information is in the black rectangle on Page 1.)

What should I do with the Order if I get one?

Always carry the Order with you. This will make it easier for police or sheriff's officers to enforce the Order if you call them for help. It's also a good idea to keep pictures on your phone that show every page of the Order.

Ask the Clerk of Court to give you **certified** copies of your Order of Protection.

Does the Ex Parte Order still count after the judge gives me an Order of Protection?

The Order of Protection *replaces* the Ex Parte Order. The Order of Protection will last longer and may have more information or restrictions than the Ex Parte Order had.

Can I change an Order of Protection that I already have?

You can ask the Court to modify your Order of Protection. You might choose to do this if something has changed in your life and you need the Order of Protection to address that change. You could also ask for a modification if the Respondent has started doing something different that makes you feel unsafe. The Court might be able to add a new restriction to your Order to help protect you.

You will need to file a Motion to Modify Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to modify the Order if the Order has already expired.

What can I do if the Order of Protection doesn't last long enough?

If your Order of Protection is nearing its expiration date and you feel the Respondent is still a danger to you (or to other people included in the Order), you can ask the Court to extend the Order. You will need to file a Motion to Extend Order of Protection at the Clerk of Court's office. (You can get a form for that Motion from the Clerk's office.)

It's important to remember that you cannot ask the Court to extend the Order if the Order has already expired. It is helpful to file the Motion to Extend at least ten days before your Order expires.

Can the Order last longer if the Respondent spends some of the time in jail?

According to Wyoming law, a Sexual Assault Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect you after the Respondent gets out of jail/prison. (It's important to know that tolling is different from getting an extension for your



Order. There's information about getting an Order extended in the paragraph above.) Tolling happens automatically, but the Order of Protection the Court gave you won't show the new expiration date. The Court needs to know the Respondent went to jail/prison. You can file a Notice of Incarceration or Imprisonment to let the Court know about that. (You can get a form for that Notice from the Clerk of Court's office.)

**Important Note:** It doesn't matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you or the protection order.

### What does Wyoming law say about Sexual Assault?

#### **You are not required to read the statutes (law) that define Sexual Assault.**

You can use the information in the section called *Before You Get Started* (which will be on Page 1 or Page 2 above) to help figure out if your situation is considered sexual assault according to the law.

If you want to read all of the statutes about sexual assault, you can find them online by visiting the Wyoming Legislative Service Office website or you can look at statute books at your local library. The statute numbers are 6-2-301 to 6-2-319. In some of the sexual assault laws, sexual assault is also called *sexual abuse*.

Below are a few of the statutes (6-2-301 to 6-2-303). It's important to remember that these are not all of the statutes. Other kinds of situations can also be sexual assault. (See the section above called *Does it matter what kind of sexual assault happened?* for more information.)

It's also important to know that the genders of the people involved do not matter. The ages of the people involved might matter.

It is okay if you don't understand everything the statutes say. If you think what happened to you was sexual assault, you can ask the Court for an Order of Protection. You can talk to a Victim Advocate if you want help figuring out whether what happened was sexual assault. (Information about advocates is in the box on Page 1 of these instructions.)

Here are a few statutes:

#### 6-2-301. Definitions.

##### (a) As used in this article:

- (i) "Actor" means the person accused of criminal assault;
- (ii) "Intimate parts" means the external genitalia, perineum, anus or pubes of any person or the breast of a female person;
- (iii) "Physically helpless" means unconscious, asleep or otherwise physically unable to communicate unwillingness to act;
- (iv) "Position of authority" means that position occupied by a parent, guardian, relative, household member, teacher, employer, custodian, health care provider or any other person who, by reason of his position, is able to exercise significant influence over a person;
- (v) "Sexual assault" means any act made criminal pursuant to W.S. 6-2-302 through 6-2-319;
- (vi) "Sexual contact" means touching, with the intention of sexual arousal, gratification or abuse, of the victim's intimate parts by the actor, or of the actor's intimate parts by

the victim, or of the clothing covering the immediate area of the victim's or actor's intimate parts;

(vii) "Sexual intrusion" means:

(A) Any intrusion, however slight, by any object or any part of a person's body, except the mouth, tongue or penis, into the genital or anal opening of another person's body if that sexual intrusion can reasonably be construed as being for the purposes of sexual arousal, gratification or abuse; or

(B) Sexual intercourse, cunnilingus, fellatio, analingus or anal intercourse with or without emission.

(viii) "Victim" means the person alleged to have been subjected to sexual assault;

(ix) "Health care provider" means an individual who is licensed, certified or otherwise authorized or permitted by the laws of this state to provide care, treatment, services or procedures to maintain, diagnose or otherwise treat a patient's physical or mental condition;

(x) Repealed by Laws 2019, ch. 186, 2.

#### 6-2-302. Sexual assault in the first degree.

(a) Any actor who inflicts sexual intrusion on a victim commits a sexual assault in the first degree if:

(i) The actor causes submission of the victim through the actual application, reasonably calculated to cause submission of the victim, of physical force or forcible confinement;

(ii) The actor causes submission of the victim by threat of death, serious bodily injury, extreme physical pain or kidnapping to be inflicted on anyone and the victim reasonably believes that the actor has the present ability to execute these threats;

(iii) The victim is physically helpless, and the actor knows or reasonably should know that the victim is physically helpless and that the victim has not consented; or

(iv) The actor knows or reasonably should know that the victim through a mental illness, mental deficiency or developmental disability is incapable of appraising the nature of the victim's conduct.

#### 6-2-303. Sexual assault in the second degree.

(a) Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree:

(i) The actor causes submission of the victim by threatening to retaliate in the future against the victim or the victim's spouse, parents, brothers, sisters or children, and the victim reasonably believes the actor will execute this threat. "To retaliate" includes threats of kidnapping, death, serious bodily injury or extreme physical pain;

(ii) The actor causes submission of the victim by any means that would prevent resistance by a victim of ordinary resolution;

(iii) The actor administers, or knows that someone else administered to the victim, without the prior knowledge or consent of the victim, any substance which substantially impairs the victim's power to appraise or control his conduct;

(iv) The actor knows or should reasonably know that the victim submits erroneously

believing the actor to be the victim's spouse;

(v) Repealed By Laws 2007, Ch. 159, 3.

(vi) The actor is in a position of authority over the victim and uses this position of authority to cause the victim to submit;

(vii) The actor is an employee, independent contractor or volunteer of a state, county, city or town, or privately operated adult or juvenile correctional system, including but not limited to jails, penal institutions, detention centers, juvenile residential or rehabilitative facilities, adult community correctional facilities or secure treatment facilities and the victim is known or should be known by the actor to be a resident of such facility or under supervision of the correctional system;

(viii) Repealed by Laws 2018, ch. 80, 3.

(ix) The actor is an employee or volunteer of an elementary or secondary public or private school who, by virtue of the actor's employment or volunteer relationship with the school, has interaction with the victim who is a student or participant in the activities of the school and is more than four (4) years older than the victim.

(b) A person is guilty of sexual assault in the second degree if he subjects another person to:

(i) Sexual contact or sexual intrusion in the person's capacity as a health care provider in the course of providing care, treatment, services or procedures to maintain, diagnose or otherwise treat a patient's physical or mental condition;

(ii) Sexual contact and causes serious bodily injury to the victim under any of the circumstances listed in W.S. 6-2-302(a)(i) through (iv) or paragraphs (a)(i) through (vii) and (ix) of this section.

(c) Repealed By Laws 1997, ch. 135, 2.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
Name of person you want to be protected from )

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## PETITION FOR SEXUAL ASSAULT ORDER OF PROTECTION

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1. **PETITIONER'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(Print)

**NEXT FRIEND'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(If you are filing on behalf of a child age 17 or younger, or on behalf of a disabled or vulnerable adult, write that person's name in the Petitioner box and your name in the Next Friend box. If you are filing for yourself, leave the Next Friend box blank.)

\_\_\_\_\_  
Address (Optional)

\_\_\_\_\_  
City & State (Optional)

\_\_\_\_\_  
Telephone Number (Optional)

☐

Check here if the Petitioner is asking the Court to order the address or phone number of the Petitioner be kept confidential.

OTHER NAMES USED BY PETITIONER \_\_\_\_\_

DATE OF BIRTH  RACE  GENDER

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

2. **RESPONDENT'S LAST NAME, FIRST NAME, MIDDLE INITIAL**

(Print)

Address

Mailing Address (if different)

City & State

Telephone Number

DATE OF BIRTH \_\_\_\_\_ RACE \_\_\_\_\_ GENDER \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

Does the Respondent usually wear GLASSES? \_\_\_\_\_

Does the Respondent usually have FACIAL HAIR? \_\_\_\_\_

EMPLOYER \_\_\_\_\_

PLACE OF EMPLOYMENT Address \_\_\_\_\_

DRIVER'S LICENSE State of Issue \_\_\_\_\_

VEHICLE Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_

VEHICLE LICENSE PLATE Number \_\_\_\_\_

VEHICLE LICENSE PLATE State of Issue \_\_\_\_\_

STATE and COUNTRY OF BIRTH \_\_\_\_\_

OTHER NAMES USED BY THE RESPONDENT \_\_\_\_\_

If you can, describe the Respondent's distinguishing marks, scars, tattoos, and tell where they are located:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you can, list firearms and ammunition possessed by the Respondent. If you know where the firearms or ammunition are kept, give that information too.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the Respondent is under the age of 18, and you know the names or contact information of the Respondent's parents or guardians, please list that here.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Select the most accurate description of your relationship with the Respondent:

☐ We are married to each other.

☐ We are married to each other, but we do not live together.

- ☐ We used to be married to each other, but now we are divorced.
- ☐ We have a dating relationship.
- ☐ We used to have a dating relationship, but we do not anymore.
- ☐ We have children together.
- ☐ We are friends or we used to be friends.
- ☐ We are co-workers or we used to be co-workers.
- ☐ We go to the same school or we used to go to the same school.
- ☐ The Respondent is a member of my family.
- ☐ The Respondent is my boss.
- ☐ The Respondent is my teacher or principal.
- ☐ The Respondent is my coach.
- ☐ The Respondent is my doctor, dentist, or therapist.
- ☐ The Respondent is my pastor, rabbi, imam, or other leader from my place of worship.
- ☐ The Respondent is my caregiver.
- ☐ I have no relationship with the Respondent.
- ☐ Other: \_\_\_\_\_

4. Please describe what happened. Include the date or your best estimate of the date when these things happened. Please give the ages or an estimate of the ages of the people who were involved. This information can be difficult to share, but giving a detailed explanation here will help the Court decide whether to give you an Order of Protection. If assault happened more than one time, describe each time as best as you can, starting with the most recent. ATTACH ADDITIONAL SHEETS IF NEEDED.

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5. Was the Respondent arrested because of any of the actions you described in the section above? ☐ Yes ☐ No ☐ I do not know.

If you answered yes, please give as much information as you can:

When was the Respondent arrested? \_\_\_\_\_

In which county? \_\_\_\_\_

Is the Respondent in jail/prison now? \_\_\_\_\_

Has the Respondent been criminally charged for any of the actions you described?

☐ Yes ☐ No ☐ I do not know.

If you answered yes, please give as much information as you can:

When was the Respondent charged? \_\_\_\_\_

In which county? \_\_\_\_\_  
What is the case number? \_\_\_\_\_  
Is the Respondent in jail/prison now? \_\_\_\_\_

6. Have you received help from a victims' advocate? ☐ Yes ☐ No
7. The Court may issue an Ex Parte Order of Protection. (That's a temporary Order that can be granted before the Court hears from the Respondent.) The Court will schedule a hearing. That's when the judge will decide whether to issue an Order of Protection, which will be in effect for longer. You can learn more about the hearing and the two types of Orders in the Instructions for this form.

You can ask the Court for certain kinds of relief to be included in the Ex Parte Order of Protection and the Order of Protection. This list is how you tell the Court what you think will help. Check all that apply:

- A ☐ **Address Immediate Danger** – Issue an Ex Parte Order of Protection because I believe an immediate danger exists that I will be sexually assaulted again or that other serious physical harm will be done to me.

- B ☐ **Protection for Others** – Include the following people in the Order of Protection:

Name	Relationship to Me	Reason this Person Needs Protection

- C ☐ **No Contact** – Order the Respondent not to contact, phone, mail, e-mail, or communicate with me in any way, either directly or indirectly, including electronically.

- D ☐ **Stay Away** – Order the Respondent to:

☐ a. Stay at least \_\_\_\_\_ (distance) from me.

☐ b. Stay away from my

Home:

☐ I will submit the home address confidentially.

OR

☐ I will list the home address here:

\_\_\_\_\_  
(address)

Work:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not work at the same place as me.

School or Childcare:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not go to the same school as me.

Place of worship:

\_\_\_\_\_  
(address)

The Respondent ☐ does ☐ does not attend the same place of worship as me.

If the Respondent works at the same place, goes to the same school, or attends the same place of worship as you, the Court cannot order the Respondent to stay away from that place. Give information the Court should consider about interactions with the Respondent in those settings.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E ☐

**Other Assistance Needed** – Explain any other instructions that could help protect you and the other individuals listed on this form.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. After this Petition is filed, the Court will schedule a hearing. You are **REQUIRED** to



take part in the hearing. Please check one of the boxes below.

**A ☐** **Appear in Person** I will attend the hearing in person at the courthouse.

**B ☐** **Appear Virtually** I ask the Court to allow me to attend the hearing by phone or computer instead of going to the courthouse in person.

I, the Petitioner, being first duly sworn upon my oath, state that I have read the above and foregoing information, and I believe the matters set forth are true and correct under penalty of perjury:

Date \_\_\_\_\_

\_\_\_\_\_  
PETITIONER

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
CLERK OF COURT/NOTARIAL OFFICER

My commission expires: \_\_\_\_\_

# Information Sheet

THIS PAGE IS CONFIDENTIAL AND RELEASED ONLY TO LAW ENFORCEMENT

*Items indicated in **BOLD** and Italics are required.*

**PETITIONER (Print):** \_\_\_\_\_

**(LAST NAME)**

**(FIRST NAME)**

**(MI)**

**CONTACT PHONE NUMBER:** \_\_\_\_\_

**OTHER NAMES USED BY PETITIONER** \_\_\_\_\_

Home Address \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Employment Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Gender \_\_\_\_\_ Race \_\_\_\_\_

Age \_\_\_\_\_ Height \_\_\_\_\_ Weight \_\_\_\_\_ Glasses \_\_\_\_\_

Hair Color \_\_\_\_\_ Eye Color \_\_\_\_\_ Facial Hair \_\_\_\_\_

Scars, Tattoos, other Markings \_\_\_\_\_

The Information Sheet will be retained by the Court as part of the official record in this case. However, it is confidential, which means it will not be made available to the public.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
Name of person you want to be protected from )

Case Number \_\_\_\_\_

## EX PARTE SEXUAL ASSAULT ORDER OF PROTECTION

### PETITIONER NAME

First Middle Last

### RESPONDENT NAME

First Middle Last

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

### PETITIONER IDENTIFIERS

Date of Birth of Petitioner

Race

Sex

### RESPONDENT IDENTIFIERS

SEX	RACE	DOB	HT	WT
EYES		HAIR		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
EMPLOYMENT				

Additional Information (for example, other names used, tattoos, scars):

\_\_\_\_\_  
\_\_\_\_\_

When Does This **ORDER EXPIRE**:

**This Order shall be in effect until further Order of the Court.**

Based upon the verified Petition for Order of Protection on file herein and good cause appearing,  
**IT IS ORDERED, ADJUDGED, AND DECREED:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☐ Respondent is ordered to have **no contact with Petitioner**. No contact with Petitioner is allowed anywhere. Both direct and indirect contact are prohibited. Examples of contact include talking in person, yelling, gesturing, talking on the phone, texting, instant messaging, emailing, leaving notes, sending letters, sending messages through other people, and sending messages through social media.

2. ☐ Respondent is ordered to stay away from Petitioner anywhere Petitioner is. Respondent is specifically ordered to stay away from the following places:

- a. ☐ Home \_\_\_\_\_
- b. ☐ School \_\_\_\_\_
- c. ☐ Business \_\_\_\_\_
- d. ☐ Place of Employment \_\_\_\_\_
- e. ☐ Other location (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. ☐ Respondent is ordered not to sexually assault, stalk, contact, harass, threaten, intimidate, or in any way interfere with any of the people protected by this Order. Respondent is ordered not to ask, direct, or hire anyone else to do these things to any of the people protected by this Order.

In addition to the Petitioner, the people protected by this Order are:

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4. ☐ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner. This restriction includes using cameras, GPS, or any other electronic system to watch the Petitioner or monitor the Petitioner's movements. This restriction also includes monitoring the Petitioner's internet or cell phone activities.

5. ☐ Respondent is ordered not to use or possess firearms or ammunition.

The Court includes this restriction because it finds that the Respondent is an intimate partner of the Petitioner under 18 USC § 921(a)(32). Specifically:

- ☐ Respondent and Petitioner are or used to be married.
- ☐ Respondent and Petitioner currently cohabitate or used to cohabitate.
- ☐ Respondent and Petitioner have one or more children together.
- ☐ Respondent and Petitioner are or used to be in a dating relationship.

6. ☐ Other requirements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **The Court Orders the Parties to take Notice of the Following:**

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to applicable protection orders to possess, ship, use or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8)

At the time this Order is entered, a certified copy will be provided to the Petitioner by the Court.

This Order shall be filed with the clerk of court. A copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides of the existence of this Order. The Order shall be personally served upon the Respondent.

The Court shall set a hearing on this matter. Notice of the Hearing shall be personally served upon the Respondent. If the Respondent fails to appear at the hearing, this Court may award any or all of the relief requested by the Petitioner.

Case Number \_\_\_\_\_

This Order applies to Respondent immediately upon service.

**WARNING TO RESPONDENT:** The Petitioner cannot give you legal permission to violate this Order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this warning. If you want to modify or dismiss the Order, you must ask the Court. Only the Court can change this Order.

**Willful violation of any provision of this Ex Parte Order of Protection constitutes a crime as defined by W.S. 7-3-510(c) and can result in immediate arrest. A violation of this Ex Parte Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b), may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2-506(e).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Person listed as Petitioner on the Petition )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition )

---

## ORDER TO APPEAR

---

### TO THE ABOVE-NAMED RESPONDENT:

**YOU ARE** notified that a Petition has been filed with the above-named Court seeking a Sexual Assault Order of Protection. Attached to this Order and hereby served upon you are the following documents:

- ☒ Petition  
☐ Ex Parte Temporary Order of Protection

You are further notified that a hearing concerning the Petition will be held on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. at \_\_\_\_\_ County Circuit Court, \_\_\_\_\_, \_\_\_\_\_, Wyoming.

FURTHERMORE, you are ordered to obey all terms of any attached Order.

**YOU ARE ORDERED TO APPEAR AT THIS HEARING. YOUR FAILURE TO APPEAR OR VIOLATION OF THE ATTACHED ORDER MAY RESULT IN YOUR IMMEDIATE ARREST.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

---

JUDGE/MAGISTRATE/CLERK

STATE OF WYOMING ) IN THE CIRCUIT COURT  
 ) ss  
COUNTY OF \_\_\_\_\_ ) \_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, ) Case Number \_\_\_\_\_  
Name of person filing for protection order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
Name of person you want to be protected from )

## SEXUAL ASSAULT ORDER OF PROTECTION

### PETITIONER NAME

First	Middle	Last	Date of Birth of Petitioner	Race	Sex
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### PETITIONER IDENTIFIERS

### RESPONDENT NAME

First	Middle	Last
<input type="text"/>	<input type="text"/>	<input type="text"/>

### RESPONDENT IDENTIFIERS

Respondent's Physical Address:

Respondent's Mailing Address:

### CAUTION:

Firearms Involved

☐

Firearms on  
Property

☐

SEX	RACE	DOB	HT	WT
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
EYES		HAIR		
<input type="text"/>		<input type="text"/>		
Drivers License NUMBER		Drivers License STATE	Drivers License Exp. Date	
<input type="text"/>		<input type="text"/>	<input type="text"/>	
VEHICLE MAKE/MODEL		COLOR	LICENSE PLATE State and Number	
<input type="text"/>		<input type="text"/>	<input type="text"/>	
EMPLOYMENT				
<input type="text"/>				

Additional Information (for example, other names used,  
tattoos, scars):



When Does This **ORDER EXPIRE**:

**This Order shall be in effect until and will expire at 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended by order of the Court.**

THIS MATTER was heard on \_\_\_\_\_, 20\_\_\_\_\_. These parties were present:

**PETITIONER**

\_\_\_\_\_ **Appeared in person**

\_\_\_\_\_ **Appeared remotely**

**RESPONDENT**

\_\_\_\_\_ **Appeared in person**

\_\_\_\_\_ **Appeared remotely**

\_\_\_\_\_ **Did not appear and was  
given proper notice**

\_\_\_\_\_ Attorney

\_\_\_\_\_ Attorney

**THE COURT FINDS:**

- ☐ This Court has jurisdiction over the parties and subject matter of this action.
- ☐ The parties stipulate to the Court's exercising jurisdiction in this case and the subject matter of this action.
- ☐ After hearing the testimony of the parties and their witnesses, the Court finds by a preponderance of the evidence that the Respondent's conduct constitutes sexual assault, and that an Order of Protection should be entered.

**IT IS ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:**

**The Respondent must follow every requirement below that has a mark next to its number.**

1. ☒ Respondent is ordered not to commit any additional acts of sexual assault involving Petitioner or any other person. Respondent is ordered not to harass, threaten, intimidate, or in any way interfere with Petitioner.
2. ☒ Respondent is ordered to have **no contact with Petitioner**. No contact with Petitioner is allowed anywhere. Both direct and indirect contact are prohibited. Examples of contact include talking in person, yelling, gesturing, talking on the phone, texting, instant messaging, emailing, leaving notes, sending letters, sending messages through other people, and sending messages through social media.
3. ☒ Respondent is ordered to provide the Court with a current mailing address. While this Order is in effect, Respondent must promptly inform the Court in writing if that mailing

address changes. Mailing of appropriate documents (for example: modification, termination, or extension of this Order) to the most recent mailing address provided to the Court by Respondent shall be considered service upon Respondent.

4. ☐ Respondent is ordered to stay away from Petitioner anywhere Petitioner is. Respondent is specifically ordered to stay away from the following places:

- a. ☐ Home \_\_\_\_\_
- b. ☐ School \_\_\_\_\_
- c. ☐ Business \_\_\_\_\_
- d. ☐ Place of Employment \_\_\_\_\_
- e. ☐ Other location (describe) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. ☐ Respondent is ordered not to sexually assault, stalk, contact, harass, threaten, intimidate, or in any way interfere with any of the people protected by this Order. Respondent is ordered not to ask, direct, or hire anyone else to do these things to any of the people protected by this Order.  
In addition to the Petitioner, the people protected by this Order are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. ☐ Respondent is ordered not to surveil (spy on or watch) Petitioner. Respondent is ordered not to ask, direct, or hire anyone else to surveil (spy on or watch) Petitioner. This restriction includes using cameras, GPS, or any other electronic system to watch the Petitioner or monitor the Petitioner's movements. This restriction also includes monitoring the Petitioner's internet or cell phone activities.

7. ☐ Respondent is ordered not to use or possess firearms or ammunition.

The Court includes this restriction because it finds that the Respondent is an intimate partner of the Petitioner under 18 USC § 921(a)(32). Specifically:

- ☐ Respondent and Petitioner are or used to be married.
- ☐ Respondent and Petitioner currently cohabitate or used to cohabitate.
- ☐ Respondent and Petitioner have one or more children together.
- ☐ Respondent and Petitioner are or used to be in a dating relationship.

8. ☐ Other requirements: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### **The Court Orders the Parties to Take Notice of the Following:**

Certain provisions of the Federal Violent Crime Control and Law Enforcement Act of 1994 make it unlawful for persons subject to applicable protection orders to possess, ship, use, or transfer any firearms or ammunition. Gun Control Act, 18 U.S.C. Section 922(g)(8).

This Order shall be filed with the clerk of court and a copy shall be sent by the clerk to the county sheriff who shall, after service, notify the local law enforcement agency within the county in which the Petitioner resides. The Order shall be personally served upon the Respondent, unless the Respondent or the Respondent's attorney was present when the Order was issued.

This Order applies to the Respondent immediately upon service and shall remain in full force and effect until the expiration date of the Order or until it is modified or terminated by this Court.

Interstate violation of this order may subject the Respondent to federal criminal penalties. 18 U.S.C. §§ 2261, 2261 (A) and 2262.

This protection order is enforceable in all fifty states, the District of Columbia, tribal lands and U.S. territories, and is issued to prevent violent or threatening acts by the Respondent against the Petitioner. 18 U.S.C. § 2265.

It is a crime to use a telephone or other telecommunications device to annoy, abuse, harass, or threaten another person at the called number. 47 U.S.C. § 223 (a)(1)(C), W.S. 6-6-103.

If the Respondent named on this Order is incarcerated or imprisoned, for any reason, while the Order is in effect, the effective time of the Order will toll. The Order will be in effect longer based on the date when the Respondent is released. W.S. 7-3-510(b). The parties are encouraged to file a Notice of Incarceration or Imprisonment to notify the Court of the jail/prison time and receive an Order stating the new expiration date.

**WARNING TO RESPONDENT:** The Petitioner cannot give you legal permission to violate this order. If you go near the Petitioner or other protected persons, even with their consent, you may be arrested. You act at your own risk if you disregard this WARNING. If you want to modify or dismiss

Case Number \_\_\_\_\_

the order you must ask the Court. Only the Court can change this Order.

**Willful violation of any provision of this Order of Protection constitutes a crime as defined by W.S. 7-3-510(c) and can result in immediate arrest. A violation of this Order of Protection that constitutes the offense of stalking as defined by W.S. 6-2-506(b), may subject the Respondent to enhanced penalties for felony stalking under W.S. 6-2- 506(e).**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

BY THE COURT

\_\_\_\_\_  
JUDGE OR MAGISTRATE

**ACCEPTANCE OF SERVICE**

I, \_\_\_\_\_, Respondent in this action, voluntarily accept service of this Order of Protection, and acknowledge that I have received a true copy thereof this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
RESPONDENT

DRAFT

INSTRUCTIONS FOR  
GIVING THE COURT  
NOTICE OF INCARCERATION OR IMPRISONMENT

For help in developing a safety plan or learning about protection orders, contact your local domestic violence program. You can call the **Wyoming Coalition Against Domestic Violence and Sexual Assault at (307) 755-0992** or the **Wyoming Division of Victim's Services at (888) 996-8816** or the **National Domestic Violence Hotline at (800) 799-SAFE (7233) or (512) 453-8117** (multi-lingual advocates are available); **TTY: (800) 787-3224**.

You can also get information from the Wyoming Coalition Against Domestic Violence and Sexual Assault website: **<https://www.wyomingdvsa.org/programs>**

READ THESE INSTRUCTIONS CAREFULLY.

**If all of the following information is true, you might choose to file this form.**

- There is a current Sexual Assault Order of Protection that was issued by a Wyoming court or is registered with a Wyoming court.

Important Note: It does not matter if you are the Petitioner named on the Order of Protection. This Notice can be filed by the Petitioner **OR** by anyone else who has information about the Respondent.

- The person the protection order is against (the Respondent) is in jail or prison, or recently was in jail or prison.

Important Note: It does not matter why the Respondent went to jail/prison. You can use this form even if the jail/prison time did not have anything to do with you, the Petitioner, or the protection order.

**Why would you choose to file this form?**

According to Wyoming law (Wyoming Statute 7-3-510(b)), a Sexual Assault Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

Tolling happens automatically, but the Order the Court issued won't show the new expiration date. The Court needs to know the Respondent went to jail/prison. You can use this Notice of Incarceration or Imprisonment to let the Court know about that.

Important Note: **Tolling** the Order is different from getting the Order **Extended**. If the Petitioner wants to ask the Court to extend the Order, the Petitioner can use the Motion to Extend Order of Protection. Only use this Notice of Incarceration or Imprisonment if the Respondent went to jail/prison while the Order of Protection was in effect.

## The top of the page on a Notice of Incarceration or Imprisonment.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be at the top of the first page of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent.

The person who received the protection order is the **Petitioner**.

The person the protection order is against is the **Respondent**.

You might not be either of those people, and that is okay. If you are not the Petitioner or the Respondent, your name does not go here at the top of the page.

There is also a blank for the Case Number. The Case Number will be at the top of the first page of the Order of Protection. The Case Number may include letters. If you do not know the Case Number, leave this blank.

Next, you'll see the title of the document: Notice of Incarceration or Imprisonment.

After the title, there is a section with just one blank. This section makes it easy for the judge to read the statute, and it lets the judge know that you believe the statute applies to this situation. Write your name in the blank after the word "I" so the judge will know you are the person giving this information to the Court.

Next, you'll see the line **I ask this Court to take notice of the following**. After this sentence, you will need to fill in as much information as you have. The information you give here will help the Court figure out if the statute does apply to this situation and, if so, what the new expiration date will be for the Order of Protection.

- You can find the issue date for the Order of Protection by looking at the file stamp at the top of the first page of the Order. If you do not know the issue date, leave this empty.
- The expiration date will be clearly stated somewhere in the Order, probably on the first or second page. If you do not know the expiration date, leave this empty.
- If you know when the Respondent went to jail/prison, write the date in the blank.
  - If you know the date is correct, place a mark by "This is an exact date."
  - If you're giving your best guess about the date, mark "This is an approximate date."
  - If you do not know when the Respondent went to jail/prison, you can leave the blank empty and mark "I do not know the date."
- Fill in as much information as you know about where the jail or prison is located.

Next, there will be a section with lots of check boxes. Check as many as you need to check to give the Court all the information you have about the Respondent's incarceration/imprisonment.

When you get to the end of the form, fill in the date, month, and year.

Review your answers carefully before you sign. By signing the form, you are telling the

Court that you believe everything you wrote on the form is true. You will sign on the line labelled Signature of Person Submitting the Notice.

On the next line, print your name neatly.

The final line is for you to give the Court information about how to contact you, in case the judge has questions. Provide information that you are comfortable sharing. **The Respondent will see this information. Do not provide information that is confidential (secret).**

## Important Things You Need to Know

### How do I find out the location and dates of the Respondent's time in jail/prison?

Getting information on where and when a person is incarcerated or imprisoned can be difficult. This form **does not require** you to have this information. For help getting information about the Respondent's incarceration/imprisonment, you can try contacting:

- Victim Assistance providers in your county
  - <https://dvs.wyo.gov/victim-service-providers>
- Wyoming Coalition Against Domestic Violence and Sexual Assault
  - (307) 755-0992
- Wyoming Division of Victim's Services
  - (888) 996-8816

### What will happen after I file this form?

After you file this Notice, the Court will determine whether the law about tolling applies to this situation. If it does apply, the judge will use the law to figure out the new expiration date for the Order of Protection.

The Court will issue an Order that states the new expiration date. The Petitioner should always carry the Order Setting New Expiration Date **and** the original Order of Protection. This will make it easier for police or sheriff's officers to enforce the Order if they are called for help. It is also a good idea for the Petitioner to keep pictures that show every page of the Order Setting New Expiration Date **and** the original Order of Protection.



STATE OF WYOMING

)  
) ss  
)

IN THE CIRCUIT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
vs. )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

---

## NOTICE OF INCARCERATION OR IMPRISONMENT

---

I, \_\_\_\_\_, state that the Respondent in this matter is or has been incarcerated or imprisoned. The period of incarceration/imprisonment coincided with the effective period of a Sexual Assault Order of Protection issued by this Court. That Order of Protection, currently in effect, is mandatorily tolled under W.S. 7-3-510(b), which reads in pertinent part:

If a party subject to an order of protection is sentenced and incarcerated or becomes imprisoned, the running of the time remaining for the order of protection shall be tolled during the term of incarceration or imprisonment. The conditions and provisions of an order of protection shall remain in effect during any period of tolling under this subsection. Upon release from incarceration or imprisonment the effective period of the order of protection shall be the amount of time remaining as of the first day of the term of incarceration or imprisonment or one (1) year from the date of release, whichever is greater.

### I ask this Court to take notice of the following:

A Sexual Assault Order of Protection was issued on \_\_\_\_\_, 20\_\_.

The expiration date stated on the Order of Protection is \_\_\_\_\_, 20\_\_.

The Respondent first became incarcerated/imprisoned on \_\_\_\_\_, 20\_\_.

☐ This is an exact date. ☐ This is an approximate date. ☐ I do not know the date.

Location of incarceration/imprisonment:

City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

(In the list below, check all that apply.)

☐ The Respondent is scheduled to be released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent was released on \_\_\_\_\_, 20\_\_\_\_.  
☐ This is an exact date.    ☐ This is an approximate date.    ☐ I do not know the date.

☐ The Respondent is still incarcerated/imprisoned.

☐ I do not know whether the Respondent has been released.

☐ I have attached papers with information about the Respondent's incarceration/imprisonment.

☐ I do not have papers with information about the Respondent's incarceration/imprisonment,  
but I found out about it from: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Person Submitting the Notice

\_\_\_\_\_  
Name (printed) of Person Submitting the Notice

The Court can contact me at: \_\_\_\_\_  
\_\_\_\_\_  
(address, phone number, or email)

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order )

Case Number \_\_\_\_\_

---

## ORDER SETTING NEW EXPIRATION DATE ON ORDER OF PROTECTION DUE TO TOLLING

---

Upon receiving notice of Respondent's incarceration and upon consideration of the notice, the Court, in accordance with Wyoming Statute, hereby sets a new expiration date on the Order of Protection issued in the above-captioned case. This new expiration date is authorized under the tolling provision in the Wyoming Statute, which mandates the tolling of orders of protection under specific circumstances.

### THE COURT FINDS:

The Order of Protection mandatorily tolled under

- ☐ W.S. 35-21-106(b) pertaining to Domestic Violence.  
☐ W.S. 7-3-510(b) pertaining to Sexual Assault and Stalking.

The Respondent was incarcerated or imprisoned on \_\_\_\_\_, 20\_\_\_\_ and released on \_\_\_\_\_, 20\_\_\_\_.

As of the first day of the term of incarceration/imprisonment, the Order of Protection had \_\_\_\_\_ days remaining in its effective period.

The appropriate expiration date for the Order of Protection is

- ☐ 365 days from the Respondent's date of release.  
☐ \_\_\_\_\_ days from the Respondent's date of release.

**The Respondent has twenty days from the date this Order is served or received to file an Objection or Request for a Hearing, otherwise this Order shall remain in full force and effect.**

The Respondent has the right to contest this new expiration date. To do so, the Respondent must file a written request for a hearing with this court. If such a request is made, a hearing will promptly be scheduled. At the hearing, the Respondent may present testimony or evidence regarding the dates of incarceration and the calculation of the new expiration date.

The Respondent is advised that tolling occurs even if the incarceration did not relate in any way to the order of protection or to the Petitioner.

**IT IS ORDERED AS FOLLOWS:**

1. The Order of Protection entered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, will continue to be in effect until 12:01 a.m. on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, unless extended or terminated by order of the Court.
2. All provisions and conditions of the original Order of Protection remain in full force and effect during this period.
3. The clerk of court shall deliver copies of this order as well as copies of the original Order of Protection to the sheriff and the local law enforcement agencies.
4. Willful violation of any provision of the Order of Protection constitutes a crime as defined by W.S. 6-4-404.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Person listed as Petitioner on the Petition )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition )

---

## ORDER DENYING ORDER OF PROTECTION

---

A hearing in this case was held on \_\_\_\_\_, 20\_\_\_\_. After hearing the testimony and evidence presented, the Court denies the Petition for an Order of Protection. The Order of Protection is denied because the Court finds insufficient evidence was presented.

If an Ex Parte Order was entered, it is hereby vacated.

**IT IS SO ORDERED.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )

Case Number \_\_\_\_\_

vs. )

Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

---

## ORDER DISMISSING THE EX PARTE ORDER OF PROTECTION AND THIS ACTION

---

**IT IS ORDERED** that the Ex Parte Order of Protection filed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ is vacated and this action is dismissed for the following reasons:

- ☐ 1. The Petitioner failed to appear for the hearing.
- ☐ 2. The Petitioner requested that this action be dismissed.
- ☐ 3. Other: \_\_\_\_\_

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

This guide is designed to help you make decisions for yourself. It is not legal advice.  
Court Clerks cannot give you legal advice or explain the information in this guide.  
If you want to talk with a lawyer, you can contact the Wyoming State Bar for a list of attorneys.

## ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know

There is a lot of information here. It will be helpful to read it carefully.

Here are a few very important things you need to know right away:

- ⊗ If you are the Respondent on an Order of Protection or an Ex Parte Order of Protection, the law requires you to follow all of the rules and restrictions in the Order.
- ⊗ If you break any of the rules or restrictions, you might get arrested. Under some circumstances, you could face felony criminal charges for breaking the rules or restrictions.
- ⊗ It is common to feel angry about the rules and restrictions. You might feel that they are unfair. Your feelings do not give you an excuse to break the rules and restrictions.

The information on this sheet does not assume you are guilty of doing what the Petitioner claims. It also does not assume you are innocent. The information on this sheet is here to help you:

- ☐ Understand what an Order of Protection is.
- ☐ Understand what an Ex Parte Order of Protection is.
- ☐ Understand what happens at hearings.
- ☐ Understand what you can do to communicate with the Court.

### Important Things You Need to Know

#### Why am I called a Respondent?

Somebody asked the Court for an Order of Protection. The person who asked is called the Petitioner.

If the Petitioner asked for an Order of Protection that will restrict you, you are called the Respondent. The word "Respondent" means you are the person who will *respond* to the claims in the petition.

#### Is an Order of Protection the same thing as a restraining order?

An Order of Protection might also be called a restraining order, protection order, or protective order. In Wyoming, the formal name is Order of Protection.

Are there different kinds of Orders of Protection?

Yes.

In Wyoming, a person can file a Petition to ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. The Petition you were served will probably tell you near the top of the first page which kind it is.

Is this a criminal matter?

An Order of Protection and the Petition that is used to ask for one are parts of a **civil case**. A civil case is not a criminal case. But it is important to understand that **there might also be a criminal case** related to this situation.

If there is a criminal case, lawyers for the government may bring charges against you. The Petitioner cannot charge you with a crime.

Could I go to jail?

Yes.

Violating an Order of Protection – that means breaking the rules or restrictions – **is** a crime. If you violate the Order of Protection, you might get arrested.

What happens if the Petitioner asks me to break the rules and restrictions?

You can get in trouble anyway.

The Court created the rules and restrictions in the Order, and the Court is in charge of them. If you break the rules because the Petitioner asked you to do it, you are still violating the Order and you might get arrested.

What do I do if the information in the Petition is wrong?

Because a Petition was filed, the Court will schedule a hearing (meeting) so that you and the Petitioner can tell the judge what happened. At the hearing, the Petitioner will have a chance to tell their side of the situation, and you will have a chance to tell your side.

If the personal information about you (for example, your weight or age) is incorrect in the Petition, you might choose to file a form called “Optional Notice of Respondent Information.” The form tells the Court that you plan to take part in any hearings that are held, and it gives you the chance to submit your personal information. The form is optional – you do not have to file it.

It is important to understand that the form cannot be used to argue against the Petitioner’s allegations (claims) about your relationship and actions. To tell the judge your view about what happened, you must take part in the hearing.

Do I have to take part in the hearing?

Maybe.

If the Petitioner asked the Court for a *Stalking* Order of Protection or a *Sexual Assault* Order of Protection, you may be given an **Order to Appear** or a **Summons** that warns you you could be arrested if you do not go to the hearing. If you received an Order to Appear, you are required to take part in the hearing.

If the Petitioner asked the Court for a *Domestic Violence* Order of Protection, you may be given a **Notice of Hearing** or a **Summons** that tells you when the hearing will happen but



does not require you to take part. If you were not ordered to appear, you are not required to take part in the hearing.

Important Note: The Court Clerk is **not allowed** to give you advice on whether you should take part in the hearing.

Whether you were ordered to appear or not, there may be many good reasons to take part in the hearing. Read the next section for more information about this.

#### Is it important to take part in the hearing?

Yes.

You might be required to take part. Read the section above for more information about that. Even if you are not required to take part in the hearing, there may be many good reasons to do it.

If you want to tell the judge your side of what happened, you must take part in the hearing. The hearing is also your chance to tell the judge what you think about the “request for relief” that the Petitioner put in the Petition. The request for relief is the part of the Petition where the Petitioner asked the judge to make certain restrictions and rules that you must follow. During the hearing, you can tell the judge if some of those rules feel too difficult or unfair to you. That will be important information for the judge to consider.

Important Note: If you do not take part in the hearing, the judge is allowed to make any or all of the rules that the Petitioner asked for, and is not required to give you another chance to tell your side of the situation.

#### What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can talk about what happened, you may take them with you to give testimony at the hearing. If you have evidence about what happened, you may take it to the hearing and present it to the judge. Remember, if there is something you want the judge to know about your case, you must take part in the hearing and share your information with the judge.

After considering your side of the situation and the Petitioner’s side, the judge will make decisions about whether to give the Petitioner an Order of Protection, what restrictions and rules to include in it, and how long it will last.

#### What evidence can I use at the hearing?

Your evidence might include photographs, text messages, medical records, or other documents that explain your relationship with the Petitioner and what happened.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to the file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of storage device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk *before* the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.

### What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give to the Petitioner soon after the Petition is filed. An Ex Parte Order will last for a short time (usually a few days).

The judge must hold a hearing before deciding whether to replace the Ex Parte Order with an Order that lasts longer. See the information above to learn more about hearings.

Important Note: An Ex Parte Order is a special kind of order that the judge is allowed to issue **before** hearing both sides of the situation. It might feel unfair to you, but an Ex Parte Order is real and the law requires you to follow any rules stated in the Ex Parte Order.

### What should I do with the Ex Parte Order?

It is a good idea to keep the Ex Parte Order with you. You might want to keep pictures of each page on your phone. This can be helpful if you need to check whether something you want to do is allowed or restricted under the Ex Parte Order.

### Do I have to follow the rules in the Ex Parte Order?

Yes.

Wyoming Statutes (laws) allow judges to issue Ex Parte Orders of Protection. Police officers and sheriffs are required to enforce them. If you do not follow the rules in the Ex Parte Order, you can be arrested.

In addition to the rules, the Ex Parte Order gives you warnings (also called “notices”).

They are in the section that says “The Court orders the parties to take notice of the following.” It is important to read that section carefully and make sure you understand it.

### Is it against the rules to have someone else talk to the Petitioner for me?

Read the Order carefully.

Most Orders of Protection include a rule that says you are not allowed to contact the Petitioner in any way. The Order may use words such as “sending messages through other people” or “communication through third persons.” (A “third person” or “third party” is everyone besides you and the Petitioner.)

Rules like these tell you that you are **not allowed** to ask or instruct or pay someone else to communicate with the Petitioner.

### If there is already an Ex Parte Order, does a hearing really matter?

Yes.

The Ex Parte Order only lasts for a short time. The judge will use the information from the hearing to decide whether to issue an Order of Protection that will last longer. The Ex Parte Order does not mean the judge has already decided to issue a longer Order.

After the hearing, the judge might issue an Order of Protection. If the judge decides not to, the Ex Parte Order will expire and no new Order will replace it.

### Does the Ex Parte Order still count after the judge issues an Order of Protection?

After the hearing, the judge might issue an Order of Protection. The Order of Protection *replaces* the Ex Parte Order. The Order of Protection will last longer and may have more

information or restrictions than the Ex Parte Order had. You must follow all the rules and restrictions in the Order of Protection. If you do not, you can be arrested.

The Order will also have a section that says “The Court orders the parties to take notice of the following.” It is important to read that section carefully and make sure you understand it.

The Court did not issue an Ex Parte Order before the hearing. Is the judge allowed to issue a long Order of Protection anyway?

Yes.

Even if the Court did not issue an Ex Parte Order before the hearing, a judge can decide to issue an Order of Protection. The judge will consider the information you share during the hearing and the information the Petitioner shares. The judge will make a decision based on all the information the Court has received and may choose to issue an Order of Protection. It does not matter whether there was an Ex Parte Order first.

What can I do if I disagree with the decisions the judge made?

The hearing on the Petition will be your opportunity to explain your view directly to the judge. It is important to take part in the hearing, and it is important to be prepared to explain your side of the situation calmly and honestly.

In addition to the hearing, you can ask the Court to do something differently by filing a specific kind of document called a “motion.” Forms for motions are available on the Wyoming Judicial Branch website.

# INSTRUCTIONS FOR OPTIONAL NOTICE OF RESPONDENT INFORMATION

Read these instructions carefully.

This form is optional. You are not required to use it.

Whether you choose to use this form or not, lots of helpful information is available in a guide called *ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know*. You can find that guide on the forms pages of the Wyoming Judicial Branch website.

## Before You Get Started

This form, the Optional Notice of Respondent Information, can be used by a person who was named as the Respondent in a Petition for Order of Protection. This means that someone has asked the Court for an Order of Protection against you.

If you have been served with a Petition for Order of Protection – that means if the Court had a Petition delivered or given to you – you can use this form to tell the Court some basic information about yourself.

It is important to remember that the Court will hold a hearing (a meeting with the judge), and that is when you will have the chance to tell the judge your side of the story. This optional form is only used to tell the Court a few pieces of basic information.

This form is optional. That means you are not required to fill it out or file it with the Court. You will decide whether to use this form or not.

If you want to fill out this form, the instructions below will help.

## The top of the page on the Optional Notice of Respondent Information.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition you received.

The next blanks are for the name of the Petitioner and the name of the Respondent. If you are named as the Respondent on the Petition, you are the **Respondent**. Write your name on the Respondent line. On the Petitioner line, write the name of the person who is listed as Petitioner on the Petition.

The next blank is for the Case Number. Copy the number that is written on the Petition. (The number may include letters.)

**Section 1 is for information about the Petition you received.**

In the blanks, write the date the Petition was filed. That date will be on a stamp near the top of the first page of the Petition.

**Sections 2, 3, and 4 are statements you will be making.**

If you choose to sign and file this form, you will be telling the Court that you are the Respondent. That is statement # 2.

In statement # 3, you will be telling the Court that you plan to take part in all of the hearings (meetings) that are about the Petition and about an Order of Protection.

Important Note: Even if you do not file this form, the Court will notify you about all of the hearings. That means the Court will tell you in advance when and where a hearing will happen. You will be given the chance to take part. In some situations, you will be required to take part.

Statement # 4 tells the Court that the form is not an admission. That means you are **not admitting** anything. When you go to the hearing about the Petition, you may choose to talk to the judge about what happened, and about which parts of the Petition are true and which parts are not true. This form is not used to admit or deny what the Petitioner wrote.

Do not change any of the words in Sections 2, 3, and 4. Do not add anything to those statements.

**Section 5 is for information about you.**

The Petitioner wrote personal information about you in the Petition. It is possible that the Petitioner wrote a lot of information or not very much at all. It is possible that some of the information the Petitioner wrote was inaccurate.

In Section 5 of this form, you can tell the Court accurate information about yourself. Giving the Court accurate information about you might help prevent confusing situations for you and your friends, family, roommates, or coworkers.

**Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.  
Sign your name on the signature line.

By signing the form, you are telling the Court that everything the form says is true.  
Review the information carefully before you sign the form.

## Important Things You Need to Know

### What do I do after I fill out the form?

If you choose to, you will file the form with the Clerk of Circuit Court in the county named at the top of the Petition for Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

### Is an Order of Protection the same thing as a restraining order?

An Order of Protection might also be called a restraining order, protection order, or protective order. In Wyoming, the formal name is Order of Protection.

### What do I do if the information in the Petition is wrong?

Because a Petition was filed, the Court will schedule a hearing (meeting) so that you and the Petitioner can tell the judge what happened. At the hearing, the Petitioner will have a chance to tell their side of the situation, and you will have a chance to tell your side.

### What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give to the Petitioner soon after the Petition is filed. An Ex Parte Order will last for a short time (usually a few days).

The judge must hold a hearing before deciding whether to replace the Ex Parte Order with an Order that lasts longer.

Important Note: An Ex Parte Order is a special kind of order that the judge is allowed to issue **before** hearing both sides of the situation. It might feel unfair to you, but an Ex Parte Order is real and the law requires you to follow any rules stated in the Ex Parte Order.

### Is this a criminal matter?

An Order of Protection and the Petition that is used to ask for one are parts of a **civil case**. A civil case is not a criminal case. But it is important to understand that **there might also be a criminal case** related to this situation.

If there is a criminal case, lawyers for the government may bring charges against you. The Petitioner cannot charge you with a crime.

### Could I go to jail?

Yes.

Violating an Order of Protection – that means breaking the rules or restrictions – **is** a crime. If you violate the Order of Protection, you might get arrested.

For more information on Orders of Protection, on what happens at hearings, and on how you can communicate with the Court, read *ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know*. You can find that guide on the forms pages of the Wyoming Judicial Branch website.

STATE OF WYOMING ) IN THE CIRCUIT COURT  
 ) ss  
COUNTY OF \_\_\_\_\_ ) \_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , ) Case Number \_\_\_\_\_  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

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**OPTIONAL  
NOTICE OF RESPONDENT INFORMATION**

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1. A Petition for Order of Protection was filed on \_\_\_\_\_, 20\_\_.
2. I am the Respondent named in the Petition.
3. I intend to participate fully in all proceedings related to the Petition and related to any Order of Protection the Court may issue as a result of the Petition.
4. This Notice is **not** an admission of any information or allegations contained in the Petition.
5. For the convenience of the Court, I submit the following personal information about myself:

\_\_\_\_\_  
Address

\_\_\_\_\_  
Mailing Address (if different)

\_\_\_\_\_  
City & State

\_\_\_\_\_  
Telephone Number

DATE OF BIRTH \_\_\_\_\_ RACE \_\_\_\_\_ GENDER \_\_\_\_\_

HEIGHT \_\_\_\_\_ WEIGHT \_\_\_\_\_ EYE COLOR \_\_\_\_\_ HAIR COLOR \_\_\_\_\_

Does the Respondent usually wear GLASSES? \_\_\_\_\_

Does the Respondent usually have FACIAL HAIR? \_\_\_\_\_

EMPLOYER \_\_\_\_\_

PLACE OF EMPLOYMENT Address \_\_\_\_\_

DRIVER'S LICENSE State of Issue \_\_\_\_\_

VEHICLE Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_

Case Number \_\_\_\_\_

STATE and COUNTRY OF BIRTH \_\_\_\_\_

OTHER NAMES USED BY THE RESPONDENT \_\_\_\_\_

DATED \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Respondent

DRAFT



INSTRUCTIONS FOR  
MOTION TO MODIFY AN ORDER OF PROTECTION,  
MOTION TO TERMINATE AN ORDER OF PROTECTION,  
MOTION TO EXTEND AN ORDER OF PROTECTION  
IN WYOMING

Read these instructions carefully.

These Instructions can be used for three different kinds of Motions. If you are not the Petitioner or the Respondent on a current Order of Protection, you cannot use this form.

**Before You Get Started**

This form might seem complicated at first, but these Instructions can help you make sense of it.

This form will be used to ask the Court to do something. There are three different things you can use this form for, but **you can only make one request per form**. If you want to ask for two different things, you will need to file two different versions of this form.

This form can be used to ask the Court to **Modify** the Order of Protection. This means you want the Court to change some of the rules or restrictions in the Order.

Or:

This form can be used to ask the Court to **Terminate** the Order of Protection. This means you want the Court to end the rules and restrictions in the Order before its expiration date.

Or:

This form can be used to ask the Court to **Extend** the Order of Protection. This means you want the Court to make the rules and restrictions in the Order last longer than its expiration date.

No matter which of these things you want to ask for, you will fill out the top of the form the same way. Start with the instructions for “top of the page.”

**The top of the page on this Motion.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Order of Protection. (The number may include letters.)

Next you will see the title of the Motion. It is written between the two long bars on the page. The title tells the Court that this is a Motion about an Order of Protection. Use the check boxes to tell the Court whether you want to Modify, Terminate, or Extend the Order. **Only check one box.**

Now you will move on to Section 1.

### **Section 1 is for basic information.**

Mark the check box next to either Petitioner or Respondent to tell the Court who you are.

In the blanks, write the date the Order of Protection was entered. This date will be written above the judge's signature on the last page of the Order.

If you want the Court to Modify (change) the Order, move on to Section 2 now.

If you want the Court to Terminate (end) the Order, move on to Section 3 now.

If you want the Court to Extend the Order (make it last longer), move on to Section 4 now.

### **Section 2 is about Modifying the Order of Protection.**

If you want the Court to change the Order of Protection, fill out this section.

Mark the box next to Modify.

In the first set of blank lines, tell the Court what changes you want. Be clear and specific. On these blank lines, you are only listing the changes. Do not explain your reasons here.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

In the second set of blank lines, tell the Court why you want those changes. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining the changes you want and your reasons, go to the end

of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 3 or Section 4.

### **Section 3 is about Terminating the Order of Protection.**

If you want the Court to end the Order of Protection, fill out this section.

Mark the box next to Terminate.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to end before its expiration date. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 4.

### **Section 4 is about Extending the Order of Protection.**

If you want the Court to make the Order of Protection last longer, fill out this section.

Mark the box next to Extend.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to last longer than its expiration date. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 3.

### **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

## Important Things You Need to Know

### What do I do after I fill out the form?

You must file the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

### Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing, or the judge might choose not to.

Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

### Can I use this form for any Order of Protection?

Yes.

In Wyoming, a person can ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. You can use this form to make a Motion about the Order of Protection, no matter which kind it is.

Important Note: If the Order of Protection has already expired, you cannot use this form. More information about *when* you can use this form is below.

### When can I use this form?

You can file a **Motion to Modify** when you have specific reasons to ask for changes in the Order of Protection.

You can file a **Motion to Terminate** when you have specific reasons to ask for the rules and restrictions to end.

You can file a **Motion to Extend** when the Order of Protection is getting close to its expiration date and you have specific reasons to ask for the Order to last longer. It is helpful to file the Motion to Extend at least ten days before your Order expires.

### Are **Extending** and **Tolling** the same thing?

No.

According to Wyoming law, an Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned.

This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

It's important to know that tolling is different from getting the Order extended.

If you want an Order of Protection to last longer because the Respondent got out of jail/prison (or will be getting out soon), you can file a Notice of Incarceration or Imprisonment to let the Court know about that. You can get a form for that Notice from the Clerk of Court's office. Important Note: It doesn't matter why the Respondent went to

jail/prison. You can use the Notice of Incarceration or Imprisonment even if the jail/prison time did not have anything to do with the Order of Protection.  
If you want the Order of Protection to last longer for other reasons, you can file a Motion to Extend.

DRAFT

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order )

Case Number \_\_\_\_\_

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## MOTION TO

(Check the box next to what you are asking the Court to do.)

- ☐ **MODIFY (Change the Order)**  
☐ **TERMINATE (End the Order)**  
☐ **EXTEND (Make the Order last longer)**

## ORDER OF PROTECTION

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1. I am the ☐ Petitioner ☐ Respondent in this case. An Order of Protection in this case was entered on \_\_\_\_\_, 20\_\_\_\_. I am making the following request:

2. ☐ **Modify (Change the Order).**

I am asking the Court to make the following changes to the Order of Protection:  
(Describe what you want the Court to change in the Order of Protection. Be specific.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

I am asking the Court to make those changes to the Order of Protection for the following reasons:

(Explain why you are asking for the changes you listed above. Be specific about your reasons.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

3. ☐ **Terminate (End the Order).**

I am asking the Court to end the Order of Protection for the following reasons:

(Explain why you want the Court to end the Order of Protection. Be specific about your reasons.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

4. ☐ **Extend (Make the Order last longer).**

I am asking the Court to make the Order of Protection last longer for the following reasons:  
(Explain why you want the Order of Protection to last longer. Be specific about your reasons.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
☐ Signature of PETITIONER  
☐ Signature of RESPONDENT



INSTRUCTIONS FOR  
RESPONSE TO MOTION  
TO MODIFY OR TERMINATE OR EXTEND  
AN ORDER OF PROTECTION  
IN WYOMING

Read these instructions carefully.

These Instructions can be used for three different kinds of Responses. If you are not the Petitioner or the Respondent on a current Order of Protection, you cannot use this form.

**Before You Get Started**

This form might seem complicated at first, but these Instructions can help you make sense of it.

You are one party to an Order of Protection – either the Petitioner or the Respondent. The other party asked the Court to do something. The other party did that by filing a Motion.

The Motion might ask the Court to **Modify** the Order of Protection. This means the other party wants the Court to change some of the rules or restrictions in the Order.

The Motion might ask the Court to **Terminate** the Order of Protection. This means the other party wants the Court to end the rules and restrictions in the Order before its expiration date.

The Motion might ask the Court to **Extend** the Order of Protection. This means the other party wants the Court to make the rules and restrictions in the Order last longer than its expiration date.

It is important to have the Motion with you when you fill out the Response form. Read the Motion carefully and make sure you understand what the other party asked for.

No matter which of these things the other party asked for, you can use this Response form to tell the Court your view. Start with the instructions for “top of the page.”

**The top of the page on this Response.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Order of Protection. (The number may include letters.)

Next you will see the title of the Response. It is written between the two long bars on the page. The title tells the Court that this is a Response to a Motion about an Order of Protection. Use the check boxes to tell the Court what the other party asked for. The Motion you received from the other party will have a title at the top telling you what the Motion is asking for. You will check the same box on your Response form.

### **Section 1 is for basic information.**

Mark the check box next to either Petitioner or Respondent to tell the Court who you are.

In the blanks, write the date the Motion was filed. This date will be on a stamp at the top of the first page of the Motion.

If the other party asked the Court to Modify (change) the Order, move on to Section 2 now.

If the other party asked the Court to Terminate (end) the Order, move on to Section 3 now.

If the other party asked the Court to Extend the Order (make it last longer), move on to Section 4 now.

### **Section 2 is about Modifying the Order of Protection.**

If the other party asked the Court to change the Order of Protection, fill out this section.

Read the options next to the three check boxes. Mark the box that tells the Court your opinion. (Only mark one box.) Make sure you understand what the other party asked for before you choose a box.

If you agree with what the other party asked for, go to the end of the form and the "Signature Section" part of the Instructions.

If you disagree with what the other party asked for, fill in the first set of blank lines. Be clear and specific.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

If you are not asking the Court to make changes, go to the end of the form and the "Signature Section" part of the Instructions.

If you are asking the Court to make changes, fill in the second set of blank lines. Be clear and specific.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 3 or Section 4.

### **Section 3 is about Terminating the Order of Protection.**

If the other party asked the Court to end the Order of Protection, fill out this section.

Read the options next to the two check boxes. Mark the box that tells the Court your opinion. (Only mark one box.)

If you agree with what the other party asked for, go to the end of the form and the “Signature Section” part of the Instructions.

If you disagree with what the other party asked for, fill in the blank lines. Be clear and specific.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 4.

### **Section 4 is about Extending the Order of Protection.**

If the other party asked the Court to make the Order of Protection last longer, fill out this section.

Read the options next to the two check boxes. Mark the box that tells the Court your opinion. (Only mark one box.)

If you agree with what the other party asked for, go to the end of the form and the “Signature Section” part of the Instructions.

If you disagree with what the other party asked for, fill in the blank lines. Be clear and specific.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 3.

### **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

### **Important Things You Need to Know**

#### **What do I do after I fill out the form?**

You must file the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk’s office is at the court.

#### **How will I know what is happening with the case?**

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk’s office.

#### **Will there be a hearing about the Motion and Response?**

Maybe.

The judge might choose to schedule a hearing, or the judge might choose not to.

Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

#### **If there is a hearing, do I have to go?**

Taking part in the hearing is important because it will be your opportunity to explain your view to the judge. The judge might ask you questions before deciding what to do.

If you do not take part in the hearing, the judge may be allowed to make a decision about the Motion without hearing any more explanations from you.

How will I know if the Court did what the other party asked for?

The Court will issue an Order about the other party's Motion.

It might be an Order Dismissing the Motion, an Order Denying the Motion, or an Order Granting the Motion.

Orders Dismissing or Denying the Motion mean the Court will not do what the other party asked for. It is important to understand that those Orders do not mean the Court agrees with you. There are many reasons a judge might dismiss or deny a Motion. In many situations, the other party may be allowed to file a new Motion and ask again. If that happens, you will have a chance to file a new Response.

An Order Granting the Motion means the Court is at least partially doing what the other party asked for. If the Court sends you an Order Granting the Motion, read it carefully and make sure you understand what the judge did. It might not be exactly the same as what the other party asked for.

If the Court does not Extend the Order of Protection, does it end?

If the Court Dismisses or Denies a Motion to Extend, the Order of Protection will still last until its expiration date. Police Officers and Sheriffs will still enforce the rules and restrictions in the Order of Protection until it expires. The Respondent can still be arrested for violating the Order of Protection.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## RESPONSE TO MOTION TO

(Check the box next to the type of motion the other party filed.)

- ☐ **MODIFY (Change the Order)**  
☐ **TERMINATE (End the Order)**  
☐ **EXTEND (Make the Order last longer)**

## ORDER OF PROTECTION

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1. I am the ☐ Petitioner ☐ Respondent in this case. A Motion was filed in this case on \_\_\_\_\_, 20\_\_\_\_. The following is my response to the information stated in the Motion.

2. **Modify (If the other party is asking to change the Order, complete this section.)**

- ☐ I agree with the changes the other party is requesting to the Order.  
☐ I disagree with the changes the other party is requesting, and I want the current Order to stay the same.  
☐ I disagree with the changes the other party is requesting. I am asking the Court to make the following changes to the Order instead:

(If you disagree with the changes the other party is requesting, explain why you disagree. If you disagree and want different changes, explain why you disagree and describe what you would like the Court to change. Be specific.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

I am asking the Court to make those changes to the Order of Protection for the following reasons:

(Explain why you are asking for the changes you listed above. Be specific about your reasons.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

**3. Terminate (If the other party is asking to end the Order, complete this section.)**

- ☐ I agree with the request the other party has made to end the Order of Protection.
- ☐ I disagree with the request the other party has made to end the Order of Protection, and I want the current Order to stay in place.

(If you disagree with the request to end the Order of Protection, explain why you disagree. Be specific about your reasons.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

4. **Extend (If the other party is asking for the Order to last longer, complete this section.)**

- ☐ I agree with the request the other party has made to extend the Order of Protection, and I also want it to last longer.
- ☐ I disagree with the request the other party has made to extend the Order of Protection, and I want the Order to expire on its expiration date.

(If you disagree with the request the other party has made to extend the Order, explain why you disagree.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

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☐ Signature of PETITIONER

☐ Signature of RESPONDENT



# INSTRUCTIONS FOR MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Petition for Order of Protection, you cannot use this form.

## **Before You Get Started**

This form will be used to ask the Court to dismiss a Petition for Order of Protection.

If the Petition is dismissed, the Court will stop working on this case. Any Ex Parte Order of Protection that has been issued for this case will expire, and the Court will not issue a new or longer Order.

It is important to think carefully before filing a Motion to Dismiss. An Order of Protection can help keep both a Petitioner and a Respondent safe. If the Court grants this Motion – that means if the Court agrees to dismiss the Petition – there will not be an Order of Protection.

**Important Note:** The Motion to Dismiss is used for the **civil case** between the Petitioner and the Respondent. There might also be a **criminal case** against the Petitioner or the Respondent. If there is a criminal case, this Motion may not necessarily have any effect on it.

## **The top of the page on this Motion to Dismiss.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition or Ex Parte Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Petition or Ex Parte Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Petition or Ex Parte Order of Protection. (The number may include letters.)

Next you will see the title of the Motion. It is written between the two long bars on the page. The title tells the Court that this is a Motion to Dismiss Petition for Order of

Protection.

### **After the Title.**

In the section after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date when the Petition was filed. That date will be on a stamp near the top of the first page of the Petition.

**Important Note:** In the same sentence where you write the date, you will see the words “dismissed without prejudice.” If the Court agrees to dismiss the Petition *without prejudice* that means the Petitioner will be allowed to file a new Petition about the same situation. The Petitioner might or might not choose to do that, but it can be important to keep that option open.

Next, you will see a series of long blanks. In these blank lines, write your reasons for asking the Court to dismiss the Petition. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you are asking for dismissal.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

### **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

### **Important Things You Need to Know**

#### What do I do after I fill out the form?

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk’s office is at the court.

How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

Can I use this form for any kind of Petition for Order of Protection?

Yes.

In Wyoming, a person can ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. You can use this form to make a Motion about the Petition, no matter which kind of Order of Protection was asked for.

Important Note: If there is already an Order of Protection, you cannot use this form. In that case, you might choose to file a Motion to Terminate the Order of Protection. There is more information about that kind of Motion below.

Important Note: If there is an Ex Parte Order of Protection, you can still use this form. More information about *when* you can use this form is below.

When can I use this form?

You can file a **Motion to Dismiss Petition** if a Petition has already been filed and an Order of Protection has not been issued. Usually, that is a short amount of time.

If an Ex Parte Order of Protection has been issued, you can still use this form.

If there has already been a hearing and a longer Order of Protection was issued, you cannot use this form. In that case, you might choose to file a Motion to Terminate the Order of Protection. There is more information about that kind of Motion below.

Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

What is a Motion to Terminate?

A Motion to Terminate is a document that asks the Court to end an Order of Protection before its expiration date. A Motion to Terminate can be filed by a Respondent or a Petitioner. You can get a form for a Motion to Terminate from the Wyoming Judicial Branch website.

How will I know if the Court dismissed the Petition?

The Court will issue an Order about the Motion.

- The Court might issue an Order Dismissing the Motion or an Order Denying the Motion. Orders Dismissing or Denying the Motion mean the Court will not dismiss the Petition. It is important to understand that there are many reasons a judge might dismiss or deny a Motion. It does not mean the judge likes one person more than the other.
- The Court might issue an Order Granting the Motion or an order called "Dismissal of the Ex Parte Order of Protection and This Action."

These Orders mean the Court is going to dismiss the Petition. If the Court sends you one

of these Orders, read it carefully and make sure you understand what it says. If there is an Ex Parte Order of Protection, pay careful attention to what the new Order says about it. (If it says the Ex Parte Order is “vacated”, that means it has ended.) If a hearing has been set, pay careful attention to what the new Order says about the hearing.

If the Court did not do what I asked for, can I file another Motion?

Yes.

There is not very much time during which you can file a Motion to Dismiss Petition. See the section above called “When can I use this form?”.

There are other kinds of Motions you can use to ask the Court to do something specific in your case. You can find forms for other Motions on the Wyoming Judicial Branch website.

DRAFT

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION

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I am the ☐ Petitioner ☐ Respondent in this case. I am asking that the Petition for Order of Protection that was filed on \_\_\_\_\_, 20\_\_\_\_ be dismissed without prejudice. I request that this case be dismissed for the following reasons:

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

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☐ PETITIONER  
☐ RESPONDENT

# INSTRUCTIONS FOR RESPONSE TO MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Petition for Order of Protection, you cannot use this form.

## Before You Get Started

This form will be used if the other party (either the Petitioner or the Respondent) asked the Court to dismiss a Petition for Order of Protection.

If the Petition is dismissed, the Court will stop working on this case. Any Ex Parte Order of Protection that has been issued for this case will expire, and the Court will not issue a new or longer Order.

It is important to think carefully before responding to a Motion to Dismiss. An Order of Protection can help keep both a Petitioner and a Respondent safe. If the Court grants the Motion filed by the other party – that means if the Court agrees to dismiss the Petition – there will not be an Order of Protection.

Important Note: The Motion to Dismiss is used for the **civil case** between the Petitioner and the Respondent. There might also be a **criminal case** against the Petitioner or the Respondent. If there is a criminal case, the Motion and Response may not necessarily have any effect on it.

It will be helpful to have a copy of the Motion to Dismiss with you when you fill out the Response.

## The top of the page on the Response to Motion to Dismiss.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition or Ex Parte Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Petition or Ex Parte Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Petition

or Ex Parte Order of Protection. (The number may include letters.)

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Response to Motion to Dismiss Petition for Order of Protection.

### **Section 1 is for basic information.**

In Section 1, which appears right after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date when the Motion to Dismiss Petition was filed. That date will be on a stamp near the top of the first page of the Motion you received.

### **Section 2 is where you tell your opinion.**

You will see two sentences with check boxes next to them. Read them carefully, then mark the box for the one you choose. Check only one box.

If you agree with the other party's request – that means you want the Petition to be dismissed – go to the end of the form and the "Signature Section" part of the Instructions.

If you disagree, and you want the Court to move ahead with the case, go to the series of long blank lines. In these blank lines, write your reasons for asking the Court **NOT** to dismiss the Petition. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you think it is important to move ahead with the case. You might choose to respond specifically to things the other party wrote in the Motion to help the Court understand why you disagree.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the "Signature Section" part of the Instructions.

### **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

## Important Things You Need to Know

### What do I do after I fill out the form?

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

### How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

### Will there be a hearing about the Motion to Dismiss and my Response?

Maybe.

The judge might choose to schedule a hearing (meeting), or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

### How will I know if the Court dismissed the Petition?

The Court will issue an Order about the Motion.

- The Court might issue an Order Dismissing the Motion or an Order Denying the Motion. Orders Dismissing or Denying the Motion mean the Court will not dismiss the Petition. It is important to understand that there are many reasons a judge might dismiss or deny a Motion. It does not mean the judge likes one person more than the other.
- The Court might issue an Order Granting the Motion or an order called "Dismissal of the Ex Parte Order of Protection and This Action."

These Orders mean the Court is going to dismiss the Petition. If the Court sends you one of these Orders, read it carefully and make sure you understand what it says. If there is an Ex Parte Order of Protection, pay careful attention to what the new Order says about it. (If it says the Ex Parte Order is "vacated", that means it has ended.) If a hearing has been set, pay careful attention to what the new Order says about the hearing.

### What does "dismissed without prejudice" mean?

If the Court dismisses the Petition *without prejudice* that means the person who asked for an Order of Protection (the Petitioner) will be allowed to file a new Petition about the same situation. The Petitioner might or might not choose to do that, but it can be important to keep that option open.



STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

---

## RESPONSE TO MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION

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1. I am the ☐ Petitioner ☐ Respondent in this case. A Motion to Dismiss Petition for Order of Protection was filed in this case on \_\_\_\_\_, 20\_\_\_\_. The following is my response to the Motion to Dismiss.

2. ☐ I agree with the request the other party made to dismiss the Petition.  
☐ I disagree with the request the other party made.

(If you disagree with the request to dismiss the Petition, explain why you disagree. Be specific.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

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☐ PETITIONER  
☐ RESPONDENT

# INSTRUCTIONS FOR MOTION AND AFFIDAVIT FOR ORDER TO SHOW CAUSE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner on a current Order of Protection.

## Before You Get Started

This form will be used to ask the Court to issue an Order to Show Cause. You might choose to file this form if the Respondent (the person the protection order is against) has been breaking the rules that are listed in the Order of Protection.

The title might be confusing, but these instructions can help you understand how to fill out the form. (You can learn more about the role of this form by reading the section below called What does “show cause” mean?)

Here is what you need to know to get started:

- If the Respondent has been breaking the rules in your Order of Protection, you can file a **Motion and Affidavit for Order to Show Cause**.
- A judge will read what you wrote on the form.
- If the judge thinks the Respondent might be breaking rules, the judge will issue an **Order to Show Cause**. In the Order, a hearing (meeting) will be scheduled, and the Respondent will be required to go to the Court and explain their side of the situation.

It will be helpful to have a copy of the Order of Protection with you when you fill out this form. It also might be helpful to have a calendar.

## The top of the page on this Motion and Affidavit.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Order of Protection.

The next blank is for the Case Number. Copy the number that is written on the Order of Protection. (The number may include letters.)

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Motion and Affidavit for Order to Show Cause.

## **After the Title.**

You will see the line “The Petitioner being duly sworn upon oath deposes and says.” These words are used because this form is a special kind of legal document called an Affidavit. You will need to sign this form in front of the Clerk or a notary (there is more information about that below), and that is when you will “swear an oath” that everything you wrote on this form is true.

## **Section 1 is about you.**

This is a statement to let the Court know you are the Petitioner. Do not write anything in this section.

## **Section 2 is about the Order of Protection.**

In the short blanks, write the date when the Order of Protection was issued. That date will be near the judge’s signature at the end of the Order.

## **Section 3 is about what the Respondent did.**

In the long blank lines, explain what the Respondent did that breaks the rules listed in the Order of Protection. Explain clearly and give the judge enough information to understand the situation you are explaining. If the Respondent broke the rules on certain days, include the dates in your explanation.

## **Section 4 is your request.**

This is a statement that tells the Court what you are asking for. You are asking the Court to issue a document called an Order to Show Cause. In that Order, a hearing will be scheduled, and the Respondent will be required to go to the Court and explain their side of the situation. Do not write anything in this section.

The space after this section is labelled “intentionally left blank” because nothing is supposed to be written there. The empty space is there so that all of the parts in the signature section will be together on the second page.

## **Signature Section – Important!**

Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or the Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both.

Review your answers carefully before you sign the Petition.

## Important Things You Need to Know

### What do I do after I fill out the form?

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

### How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

### Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

### What does "show cause" mean?

The words "show cause" can be confusing, and Courts use them in two different ways. A Court might tell a Respondent to "show cause why you failed to comply with the order." Or a Court might tell a Respondent to "show cause why you should not be held in contempt." These two things are a little bit different, but, in general, an Order to Show Cause means the Respondent has a chance to explain why they should not be in trouble for violating the Order of Protection. After the Respondent explains, the judge will decide whether the Respondent is in trouble.

Some people may refer to a show cause action as a "contempt hearing." Contempt is the word Courts use when someone is in trouble for breaking the rules in an Order (violating the Order).

### If the Court does schedule a hearing, do I have to take part?

Yes.

The judge will read what you wrote on the form and decide whether to issue an Order to Show Cause. If the judge does issue the Order you are asking for, there will be a hearing. You must participate in the hearing and present your evidence about the Respondent violating the rules.

### What will happen if the judge decides the Respondent did break the rules?

The judge will decide what consequences the Respondent faces.

A judge *can* send someone to jail for being in contempt, but it is important for you to understand that judges often choose other kinds of consequences. Some examples are: warning the Respondent, making the Respondent pay a fine, and making the rules harder to break. The judge will decide the consequences, and you and the Respondent will both be expected to accept them.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## MOTION AND AFFIDAVIT FOR ORDER TO SHOW CAUSE

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The Petitioner being duly sworn upon oath deposes and says:

1. I am the Petitioner in this action.
2. An Order of Protection was issued by this Court on \_\_\_\_\_, 20\_\_\_\_.
3. The Respondent violated the Order of Protection by:  
(Be specific.) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. I request the Court issue an Order to require the Respondent to appear for a Show Cause Hearing and respond to the assertions in the paragraph above.

[ INTENTIONALLY LEFT BLANK ]

Case Number \_\_\_\_\_

DATED \_\_\_\_\_, 20\_\_\_\_.

PETITIONER

(Print Name)

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_)

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness my hand and official seal.

CLERK OF COURT/NOTARIAL OFFICER

My commission expires: \_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## ORDER TO SHOW CAUSE

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This matter came before the Court upon Petitioner's Motion and Affidavit for Order to Show Cause, and the Court finds as follows:

Based on the records and proceedings in this matter, Respondent \_\_\_\_\_ is **ORDERED** to appear before this court, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ a.m./p.m, to explain why Respondent should not be found in contempt of court for violating the Order of Protection dated \_\_\_\_\_, 20\_\_\_\_. Respondent should bring to the hearing any documentation or witnesses which Respondent wishes to be considered.

**IT IS FURTHER ORDERED** that a copy of this Order to Show Cause be served, together with a copy of Petitioner's Motion and Affidavit for Order to Show Cause, upon the Respondent, with return of service to this court.

**IT IS FURTHER ORDERED, IF THE RESPONDENT DOES NOT APPEAR, RESPONDENT MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT MAY BE ISSUED FOR RESPONDENT'S ARREST.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE

# INSTRUCTIONS FOR MOTION FOR CONTINUANCE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Petition for Order of Protection, you cannot use this form.

## Before You Get Started

This form will be used to ask the Court to reschedule a hearing (meeting) in your Order of Protection case. You can think of the word “continuance” like “delay”. The hearing will still happen, but you are asking for it to happen on a later day.

It is important to understand that this form is for rescheduling a hearing that has already been scheduled. **You cannot use this form to ask the Court for a hearing.**

## The top of the page on this Motion for Continuance.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition or Ex Parte Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Petition or Ex Parte Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Petition or Ex Parte Order of Protection. (The number may include letters.)

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Motion for Continuance.

## After the Title.

In the section after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date that the hearing is currently scheduled for. That date will be stated clearly on a document you received from the Court. The document might be called **Notice Setting Hearing** or **Summons** or **Order to Appear**. Be sure to write the correct date on your form so the Court will know which hearing you want to reschedule.



Next, you will see a series of long blank lines. In these blank lines, write your reasons for asking the Court to reschedule the hearing. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you are asking for a continuance.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

### **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form. Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

### **Important Things You Need to Know**

#### **What do I do after I fill out the form?**

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk’s office is at the court.

#### **How will I know what is happening with the case?**

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk’s office.

#### **Will there be a hearing about my Motion?**

Maybe.

The judge might choose to schedule a hearing (meeting), or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

#### **How will I know if the Court rescheduled the hearing?**

If the Court decides to reschedule the hearing, the Clerk will send you a document with the new date on it. It will be called something like Order Resetting Hearing or Order Granting Continuance. Pay careful attention to all of the documents you receive from the

Court.

Important Note: If the Court sends you an Order Denying Motion for Continuance, that means the Court has decided not to reschedule the hearing. If that happens, you will be responsible for attending the hearing at the date and time it was originally scheduled for.

What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can support what you want to tell the judge, you may take them with you to give testimony at the hearing. If you have evidence you want the judge to know about, you may take it to the hearing and present it to the judge.

What evidence can I use at the hearing?

Depending on what your hearing is about, your evidence might include photographs, videos, texts, or documents.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk before the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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**MOTION FOR CONTINUANCE**  
(asking the Court to reschedule a hearing)

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I am the ☐ Petitioner ☐ Respondent in this case. A hearing in this matter is scheduled for \_\_\_\_\_, 20\_\_\_\_. I am asking the Court to reschedule the hearing to a later date for the following reasons:

(Explain why you want the hearing to be rescheduled. Be specific.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

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☐ PETITIONER  
☐ RESPONDENT

# INSTRUCTIONS FOR RESPONSE TO MOTION FOR CONTINUANCE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Order of Protection or Petition for Order of Protection, you cannot use this form.

## **Before You Get Started**

This form will be used if the other party (either the Petitioner or the Respondent) asked the Court to reschedule (delay) a hearing.

If the Court agrees to reschedule the hearing, it will happen on some day after the day it is currently scheduled for. The Court will decide the new day and time.

It can be helpful to let the Court know if you also want the hearing to be delayed or if you do not. You can use this form to give the Court that information.

It will be helpful to have a copy of the Motion for Continuance with you when you fill out the Response.

## **The top of the page on the Response to Motion for Continuance.**

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition or Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Petition or Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Petition or Order of Protection. (The number may include letters.)

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Response to Motion for Continuance.

## **Section 1 is for basic information.**

In Section 1, which appears after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date when the Motion for Continuance was filed. That date will be on a stamp near the top of the first page of the Motion you received.

## **Section 2 is where you tell your opinion.**

You will see two sentences with check boxes next to them. Read them carefully, then mark the box for the one you choose. Check only one box.

If you agree with the other party's request – that means you want the hearing to be rescheduled – go to the end of the form and the "Signature Section" part of the Instructions.

If you disagree, and you want the hearing to happen on the day and time it is already scheduled for, go to the series of long blank lines. In these blank lines, write your reasons for asking the Court **NOT** to delay the hearing. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you do not want the hearing to be rescheduled. You might choose to respond specifically to things the other party wrote in the Motion to help the Court understand why you disagree.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the "Signature Section" part of the Instructions.

## **Signature Section – Important!**

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

## **Important Things You Need to Know**

### **What do I do after I fill out the form?**

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

Will there be a hearing about the Motion for Continuance and my Response?

Maybe.

The judge might choose to schedule a hearing about the other party's request for delay, or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing about the Motion is scheduled.

Important Note: If there is a hearing about the Motion for Continuance, it will not be the same thing as the hearing that is already scheduled.

How will I know if the Court dismissed the Petition?

If the Court grants the other party's Motion for Continuance, the Court will send you a new Order with the **new date and time** for your hearing.

If the Court does not agree to reschedule the hearing, the Court will send you an Order Denying Motion for Continuance. If the Court **denies** the Motion, the hearing will happen on the date and time it is already scheduled for.

It is important to make sure you understand whether the hearing has been rescheduled or not. If you do not take part in the hearing when it happens, you might not get another chance.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT

\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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## RESPONSE TO MOTION FOR CONTINUANCE

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1. I am the ☐ Petitioner ☐ Respondent in this case. A Motion for Continuance was filed in this case on \_\_\_\_\_, 20\_\_\_\_. The following is my response to the Motion for Continuance.

2. ☐ I agree with the request the other party made to reschedule the hearing.  
☐ I disagree with the request the other party made.

(If you disagree with the request to reschedule the hearing, explain why you disagree. Be specific.)

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☐ Check this box if you are adding more sheets of paper for this explanation.

DATED \_\_\_\_\_, 20\_\_\_\_.

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☐ PETITIONER  
☐ RESPONDENT

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE CIRCUIT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_ , )  
Person listed as Petitioner on the Petition and Order )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ . )  
Person listed as Respondent on the Petition and Order)

Case Number \_\_\_\_\_

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**ORDER ON MOTION FOR \_\_\_\_\_**  
(insert name of Motion)

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THIS MATTER, having come before the Court on ☐ Petitioner's ☐ Respondent's  
Motion for \_\_\_\_\_; and the Court having considered the same and being  
otherwise fully advised, hereby FINDS AS FOLLOWS: \_\_\_\_\_

**IT IS THEREFORE ORDERED:**

THE MOTION IS ☐ Denied ☐ Granted ☐ Other \_\_\_\_\_

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE OR MAGISTRATE



**Rule. \_\_\_\_\_ Remote proceedings.**

**1. Intent and Purpose.**

- a. The intent of this rule is to promote greater consistency in the practice and procedures relating to remote appearances and proceedings. Unless otherwise ordered, to the extent feasible, courts may permit parties to appear remotely at conferences, hearings, and proceedings consistent with applicable Wyoming court Rules and the Wyoming Rules of Evidence.
- b. At the discretion of the presiding judicial officer, proceedings may be undertaken by way of remote hearing either telephonically or by using video conferencing technology. The precise method in which a remote hearing will be conducted remains within the discretion of the judicial officer presiding over the individual case, and within the bounds of and limitations imposed by constitutional requirements, applicable law, rules, and practice procedures.

**2. Application.**

- a. Nothing contained in this rule limits any requirement or right established by constitution, statute, or case law to an appearance in one manner, either remote or in person, to the exclusion of the other.
- b. Nothing in this rule modifies current rules, statutes, or case law regarding confidentiality or access to confidential proceedings.
- c. Nothing contained in this rule limits or restricts a party from appearing in person at any proceeding.

**3. Definitions.** As used in this rule:

- a. "Evidentiary hearing or trial" is any proceeding at which oral testimony may be provided and exhibits offered.
- b. "Oral testimony" is a spoken statement provided under oath and subject to examination.
- c. "Proceeding" means a conference, hearing, or any other matter before the court, including an evidentiary hearing or trial.
- d. "Remote appearance" or "appear remotely" means the appearance of a party, counsel, or witness at a proceeding through the use of remote technology.
- e. "Remote proceeding" means a proceeding conducted in whole or in part through the use of remote technology.
- f. "Remote technology" means technology that provides for the transmission of video, images, and audio signals. This phrase is meant to be interpreted broadly and includes transmission by a computer, tablet, cellphone with video capability, or other electronic or communications device.

**4. Court discretion to require in-person appearance.**

- a. Notwithstanding other provisions contained in this rule, and except as otherwise required by law, the court may require a party to appear in person at a proceeding in any of the following circumstances:
  - i. If the court determines, in its discretion, that an in-person appearance would materially assist in the determination of the proceeding, the administration of justice, or in the effective management or resolution of the case; or
  - ii. If the court does not possess the appropriate technology to conduct the proceeding remotely, or if the quality of the technology prevents the effective management or resolution of the proceeding.
- b. If, at any time during a remote proceeding, the court determines that an in-person appearance is necessary, the court may continue the matter and require such an appearance.
- c. If a remote proceeding is disrupted due to audio or video technical difficulties, the presiding judicial officer may delay, postpone, or require an in-person appearance. If the court deems it unfair to any party to continue the remote proceeding on account of a technical failure, the court may postpone or terminate the proceedings at any time and take such other actions as may be necessary to ensure the fairness and integrity of the proceedings.

**5. Equipment and technology.**

- a. Remote proceeding participants are expected to be familiar with the remote technology platform to be utilized for a remote proceeding and to have tested their equipment, including their cameras and microphones, before the start of the proceeding.
- b. Counsel and any self-represented party will be provided with the applicable court initiated remote hearing hyper-link and call-in information prior to the start of a remote proceeding. Counsel shall be responsible for providing the hyper-link and telephone call-in information to their team members, clients, and witnesses at anticipated remote hearings.

**6. Hearing Participants.**

- a. Unless otherwise ordered by the presiding judicial officer, prior to any remote appearance, the parties shall file or submit to the court or appropriate court designated personnel, a list containing the names, telephone numbers, and email addresses of the attorneys, parties and witnesses who are anticipated to attend the remote proceeding. Court personnel may also ask parties directly for email or phone contact information to ensure remote hearing details are adequately provided. The list of hearing participants shall be provided as follows:

- i. For remote proceedings scheduled more than three days prior to a hearing, the parties shall file or submit the information required by this subdivision as required by the court and no less than three court days prior to the hearing.
  - ii. For remote proceedings scheduled less than three days prior to a hearing, the parties shall file the information as required by the court and no less than 24 hours prior to the time set for the hearing.
- b. All remote proceeding participants must use their real names and not aliases, while online to ensure a participant will not be prevented from entering the remote hearing.
- c. Any person who is not anticipated to testify may attend any remote proceeding via telephone or cellphone technology without the requirement of attending through the use of video technology.
- d. The parties shall be responsible for timely informing the court if any witness or participant is unable to participate by video. In such event, the court shall provide instructions for participation by telephone if a witness or party does not have access to the required video conferencing platform utilized for the hearing.
- e. On the day of a remote proceeding, it is the responsibility of counsel to ensure that their respective clients and witnesses are available and ready to proceed at the appointed time and are aware of the requirements of this rule.
- f. Where a witness attends the remote proceeding, the witness will be sworn or affirmed by the court reporter, clerk, or the court prior to commencement of their testimony. In addition, unless otherwise ordered by the court:
  - i. Other than counsel representing a party or witness, the witness is to be alone, in a secure room with the doors closed. A record shall be made by the judicial officer of those conditions.
  - ii. Participants should wear appropriate attire and present themselves as if appearing in a physical courtroom.
  - iii. Participants are to ensure that there will be no interruptions or distractions for the duration of their appearance at the remote hearing.
- g. **Witness Advisory on Recording:** Counsel will instruct all witnesses prior to their testimony that any recording of the remote proceedings by any individual other than the official court reporter or official court recording system is strictly prohibited.
- h. **Prohibition on Communications:** Counsel shall instruct all witnesses prior to their testimony that written or oral communications of any kind, via electronic means or otherwise, between a witness or party and counsel for the witness during remote hearing testimony of the witness is strictly prohibited. Communications between the witness and counsel shall be restricted as if the remote proceeding were being conducted in person.

- i. **Prohibition on Use of Documents:** Counsel will instruct all witnesses prior to their testimony that they are not permitted to read or refer to any exhibit, image, document, or other writing during remote proceeding testimony other than exhibits, images, documents or other writing provided to them by counsel in the course of direct or cross examination.

## 7. Exhibits.

- a. Unless otherwise ordered by the court, exhibits anticipated to be offered by a party in their case in chief shall be exchanged and likewise be submitted to the court at least one court day in advance of a remote proceeding.
- b. Unless otherwise ordered by the court, the options for pre-submitting proposed exhibits to the court are as follows:
  - i. If allowed by the court, the parties may transmit proposed exhibits to the clerk of court or appropriate designated court personnel to an email address dedicated to such a purpose. Unless authorized by the court in advance, multiple individual emails containing exhibits designated for use at a remote proceeding which are to be submitted by a party are not permitted.
  - ii. If permission is granted by the court, a party may submit proposed exhibits via a file-sharing program or virtual dropbox.
  - iii. Time permitting, the court may direct exhibits be mailed or dropped in a physical drop box in advance of the remote proceeding.
  - iv. The court may allow untimely submitted exhibits to be utilized at the hearing, as allowed by the Wyoming Rules of Evidence. At the court's discretion, the court may consider allowing a party to transmit an exhibit to the court and adverse party during the hearing via email, or other method approved by the court.
  - v. Upon conclusion of the remote proceeding, the court shall not be obligated to maintain or preserve any proposed exhibits that were not made part of the court record and may delete them from an e-mail inbox, virtual drop box or other virtual storage media at the court staff convenience.
- c. Any exhibit which will be presented during a hearing shall redact confidential information as required by law or rule.
- d. The parties shall confer and make a good faith effort to stipulate in advance regarding admissibility of exhibits which will be offered into evidence without objection and to the redaction of such exhibits as necessary.
- e. All exhibits of more than one (1) page must be "Bates Stamped" or similarly sequentially numbered to prevent any confusion as to which page of the exhibit is being referenced.

- f. Unless otherwise ordered, all exhibits must be marked for identification prior to the remote proceeding. The exhibits for Plaintiff/Petitioner shall be marked with numbers and the exhibits for Defendant/Respondent shall be marked with letters.
  - g. Exhibits may be displayed by use of a remote hearing platform screen-sharing function. Parties shall familiarize themselves with the remote proceeding platform's screen and document-sharing function to be prepared to display and publish exhibits remotely.
  - h. The parties shall be responsible to provide any witness who may be testifying via remote technology with copies of exhibits prior to any remote proceeding.
  - i. **Physical Exhibits.**
    - i. If an exhibit to be presented is something other than a document, audio file, video, or photograph, it must be submitted to the court no less than one court day prior to the remote proceeding.
    - ii. The parties and prospective witnesses shall have an opportunity to view and photograph the physical exhibit prior to the remote proceeding.
    - iii. Prior to the remote proceeding, counsel must meet and confer and make a good faith effort to agree on the procedure for presentation of the physical exhibits that will be offered into evidence without objection.
    - iv. Counsel may stipulate or the court may order that a photograph or video of the physical exhibit may be used during the remote proceeding.
  - j. **Alteration of Exhibits:** In the event an exhibit is altered in some manner during the remote proceeding, the exhibit will be saved at the time of the alteration and exchanged with the court and all counsel in "actual size" as soon as practicable following the alteration of the exhibit. The exhibit will be exchanged in the identical orientation, scale, and color format as altered during the remote proceeding.
  - k. **Return of Exhibits:** Exhibits offered or received into evidence shall be retained or returned pursuant to the court's current procedures for retention/return of exhibits.
8. **No Colloquies.** During remote proceedings, only one participant may speak at a time. Participants shall avoid speaking over one another and colloquies between counsel shall be avoided. Non-speaking participants should activate the mute microphone function of the remote proceeding platform utilized.
9. **Objection to remote proceedings.** A party may object, stating the reasons why a remote appearance or remote testimony should not be allowed in an evidentiary hearing, by serving and filing their objection to remote proceedings no later than five business days prior to the start of the proceeding except as set forth in subparagraph (a) below. Service of objections shall be made both via U.S. Mail and email:
- a. By noon the day before the hearing if the notice of setting was issued fewer than five (5) days before the hearing date.

b. *Court determination on objection.* In determining whether to conduct an evidentiary hearing or trial in whole or in part through the use of remote technology over objection, the court shall consider the following:

- i. Any prejudice which may be suffered by the objecting party;
- ii. The burden imposed upon the non-objecting party;
- iii. Any impact of applicable constitutional, statutory, common law, or court rule upon the rights of a party;
- iv. Any limited access to technology, or transportation asserted by a party or witness;
- v. Any undue burden upon the witness or party; and
- vi. Any other circumstance the court determines is material.

10. **Vendor or platform.** A court, by mandate of the Wyoming Supreme Court, or by local rule or order, may designate the vendors or platform(s) that must be used for remote appearances on its website.

11. **Court information on remote appearances.** A court must publish notice online or issue an order that provides a party with information explaining how to appear remotely at proceedings in that particular court. The notice or order should include information regarding types of proceedings, or types of cases in which the court authorizes remote appearances, the technological capability to allow remote appearances, and the vendors or platforms that must be used, including whether there are limitations to using them concurrently.

## Attachment M

### **RULE 30.1. Remote Depositions.**

1. The following Protocols shall apply to all Remote Depositions, unless otherwise stipulated to by the parties or as otherwise ordered by the court:
  - a. Remote Depositions. Depositions conducted in a manner that allows the deponent and all other persons entitled and required to attend a deposition the opportunity to participate in person without being physically present at the same location as all deposition participants (“Remote Deposition”) may be conducted in any civil case.
  - b. Unless specifically stated otherwise herein, any Remote Deposition taken pursuant to this Rule must comply with the requirements of W.R.C.P. 30.
  - c. A Remote Deposition will be deemed to have been taken before an appropriate officer provided the court reporter attends by the same remote means as the other participants and is able to hear and communicate with all other attendees. The witness may be sworn in remotely with the same effect as an oath administered in person.
  - d. At least seven (7) days prior to the Remote Deposition, the party noticing the deposition must identify the company or court reporter that will host and record the Remote Deposition (the “Remote Deposition Vendor”). The notice must also contain a general description of how those attending may access the remote connection and platform utilized.
    - i. The party noticing the deposition must provide the witness and all other attendees detailed instructions that explain how to participate in the Remote Deposition. These instructions must be provided to the parties within the Remote Deposition Notice.
    - ii. To avoid technological issues, the parties shall meet and confer in advance of the Remote Deposition to discuss protocols applicable to the Remote Deposition, including but not limited to sign-in information, vendor identification, the identities of all individuals who are expected to attend, exhibit sharing, and audio and visual concerns, if any. Unless the parties agree otherwise, a Remote Deposition Vendor shall have adequate security measures to ensure the confidentiality of the Remote Deposition, video and audio feeds, and exhibits. These security measures shall include password protection and tools for the court reporter to admit only those individuals authorized to attend the Remote Deposition.
    - iii. Unless the parties agree otherwise, at least twenty-four (24) hours prior to the Remote Deposition, counsel, the witness, and the Remote Deposition Vendor shall conduct a test of the system, equipment, and internet connection that will be used to conduct the Remote Deposition (the “Remote Deposition Technology”).
    - iv. At the commencement of the Remote Deposition, the witness must advise the court reporter of his or her physical location. If the witness appears via remote video platform, the witness should endeavor to participate in the deposition from a quiet, well-lit, indoor location, while seated in front of a neutral background, and must face the camera. Other than the application required to conduct the deposition, the witness shall not have any other applications open or running on any electronic device.

- v. If the witness intends to appear in a Remote Deposition via telephonic means (and not by video), the party noticing the deposition shall assure that the location of the witness's appearance is covered by a reliable connection.
- vi. The microphones and video feeds for a Remote Deposition examining attorney, witness and court reporter shall remain "on" while the deposition is on the record.
- vii. At the request of the examining attorney or self-represented party, a split screen may be utilized to record and display an exhibit while the witness is being deposed.
- viii. The Remote Deposition Technology shall show in real-time a list of all persons attending the Remote Deposition. The participating attorneys may, at their option, be visible to all other participants during the deposition.
  - 1. All individuals participating in or observing the Remote Deposition must announce themselves for the record.
  - 2. The Remote Deposition Vendor, court reporter and videographer, the witness's counsel, and any party or attorney and representatives of a party are the only individuals permitted to be in the same physical location as the witness during a Remote Deposition. Unless the notice provides otherwise, or unless the parties so stipulate, no other individuals are permitted to be in the same room as the witness during a Remote Deposition.
  - 3. If a party's or witness's attorney intends to attend the Remote Deposition in the same physical location as the witness, that attorney shall provide notice to all other parties at least twenty-four (24) hours in advance of the Remote Deposition.
  - 4. At the commencement of a Remote Deposition, the witness shall be informed by counsel or the court reporter to inform those in attendance of any person, other than the witness's counsel, that enters the room where the witness is physically located.
- ix. A videographer employed by the Remote Deposition Vendor may record the witness's deposition testimony by reasonable technological means, including remote video capture/recording. The video recording of the deposition may only be suspended during the deposition upon stipulation by counsel conducting and defending the deposition.
  - 1. Unless the parties agree otherwise, the Remote Deposition shall only be recorded by the court reporter, videographer and/or Remote Deposition Vendor.
  - 2. Unless all parties agree or the court orders otherwise, during the Remote Deposition, the operator/videographer will video record the witness only.
  - 3. The videographer must only record:
    - a. The audio and video of the witness's testimony.
    - b. The video of any documents being displayed or annotated for the witness during the deposition; and
    - c. The audio of the questioning and defending attorneys.



- e. A Remote Deposition conducted in accordance with this Rule will not be a basis for excluding the Remote Deposition at trial and shall have the same effect as a video deposition that was recorded in-person at the same physical location as the deponent.
- f. Any document that may be used as an exhibit during the Remote Deposition shall be transmitted by the examining attorney to all Remote Deposition participants:
  - i. (i) in sealed envelopes in advance of the Remote Deposition;
  - ii. (ii) in real time or in advance electronically through either the court reporter or the Remote Deposition Vendor's Remote Deposition platform, secure file transfer, or email, before or during the course of the Remote Deposition;
  - iii. (iii) A combination of subsections (i) and (ii) of this paragraph; or
  - iv. (iv) by an alternative means agreed to in advance by the parties.
  - v. (v) If documents that may be used as exhibits are transmitted to Remote Deposition Participants in sealed envelopes pursuant to subparagraph (i), the deposition participants will not open the sealed envelopes or otherwise access such documents unless and until specifically requested by the examining attorney. All sealed envelopes must be opened only during the Remote Deposition. The witness shall not review documents during the deposition, other than those marked by the examining attorney as exhibits or otherwise used by the examining attorney, without notifying and with the consent of the examining attorney.
- g. During the Remote Deposition examination, no person is permitted to communicate with the witness by any means not recorded in the same manner as the deposition itself. All private chat features on the remote connection being utilized shall be disabled. All applications on the witnesses' device, other than the applications being utilized to conduct the deposition, shall be closed. No witness shall communicate with any person (verbally, in writing, or by conduct) while on the record at the deposition in a manner that the examining attorney cannot personally observe through the videoconference technology. However, the witness's counsel may communicate with the witness telephonically or by other electronic means (including, but not limited to, the use of the remote connection software) during Remote Deposition breaks, consistent with the Wyoming Rule of Civil Procedure and the Wyoming Rules of Evidence.
- h. During Remote Deposition breaks, the parties may use any confidential breakout room feature provided by the Remote Deposition Vendor, which simulates a live breakout room through videoconference. Conversations in the breakout rooms shall not be recorded. The breakout rooms shall be established by the Remote Deposition Vendor prior to the deposition and controlled by the Remote Deposition Vendor.
- i. Any pauses, lags, and/or disruptions in technology, including but not limited to interruptions in internet connection, will not result in waiver of objections by any party. If a technical issue prevents any person from being able to see or hear one or more of the other persons clearly or to access published exhibits, the person encountering such technical issue shall promptly notify the other participants.
- j. Nothing in this Rule prevents a party from moving for a protective order under W.R.C.P. 26(c) to request a given deposition proceed in person.

- k. Nothing contained in this Rule precludes counsel for a witness from being in the same room as the witness.
- l. Any Protective Order entered in the action shall apply to any confidential testimony and/or documents used as exhibits during the taking of any Remote Deposition to the same extent it would to an in-person deposition.
- m. The parties may agree on *ad hoc* modifications to this procedure in order to accommodate the needs of a particular witness and/or to resolve any issues that may arise with respect to a particular deposition. Such modifications may be stipulated to in writing or memorialized on the record at a deposition.
- n. If there are issues with connectivity with a Deposition Participant, or if these Remote Deposition Protocols cannot be resolved consensually, subject to the court's availability, the parties may seek an expedited telephonic hearing with the court.

DRAFT

## Attachment N

### **RULES FOR THE UNIFORM SYSTEM OF ACCOUNTING AND CASE FILES FOR CIRCUIT COURTS**

#### Section

1. Definitions
2. Authority and Purpose
3. Case Files
4. Case Filings
5. Accounting System
6. Access to the Case Management System
7. Assessments
8. Receipts
9. Disbursements
10. Voiding Receipts, Disbursements, Checks
11. Individual Cash Drawer Balancing
12. Petty Cash Held for Making Change
13. Security of Money Held Overnight
14. Combined Cash Drawer Report and Deposits
15. Daily and Monthly Balancing
16. End-of-Month Disbursements
17. Bank Statement and Reconciliation
18. Documents to Maintain
19. Unclaimed Property
20. Jury Account
21. Juror Fees
22. Examination Procedures
23. Satellite Courts

#### **Section 1. Definitions**

**Access Level** – Refers to the role assigned to an employee in the case management system. Roles include the following:

Entry Level - Create cases, receipt payments, and generate, but not edit, documents related to a case. Limitations pertaining to some aspects of case management, specifically, Batch process, access to sealed cases and access to confidential party records.

General Level - Includes all permissions that are available to the Entry Level Clerk in addition to, sealed cases and documents, delete documents, receipting, cash drawer balancing, and overdue processing.

**Advanced** - This role is intended for a senior clerk. Permissions in addition to Entry & General levels: add & view deposit entries, view voided receipts, End of Day, some accounting, ability to process Inactivity, batch hearing scheduling and reassignments.

**Superuser** - This security role builds on the Entry Level, General, and Advanced clerk roles. Additional Permissions include: Document Templates (creating, maintaining, setting up in FCE), Agent Entry (Bonding, Process Servers, Other Sentence Providers), Create/Edit Courtroom Processing Macros, Enter/view Sealed Search Warrants, Expunging Records, Edit Default Agreement to Pay Setup, Edit Check Printing Setup, View the Check Register (Reprint and Void Checks), Delete from the Checks to Print Screen, View Disbursement Detail, Void Disbursements, Case Minute Setup, Judge Note Template Setup, Reminder Security Setup, Ad Hoc Reporting.

**Chief Clerk** - A Chief Clerk with full permissions. Additional Permissions include: Override (Case Drawer Over/Short, Check Hold Period, Void Deposit), Agent Entry (Interpreters), View Setup Tables, Create Case Labels, Change Case Numbers (End of Year Activity), Judge Conflict Setup.

**Cash Balance** - This role only allows for the balancing of all Cash Drawers to assist with End of Day Processing.

**Search Role** - This role contains only those permissions needed to run a search for public (no sealed, no confidential parties).

**Administrative Office of the Courts (AOC)** –The office within the Judicial Branch charged with providing the administrative functions for the Branch, including fiscal, applications, legal, technical, and other administrative support.

**Assessment** – The amount payable by a court patron due to a court order, rule, statute, or other legal process.

**Automated Clearing House (ACH)** –An electronic fund transfer made between banks and credit unions, used for many types of fund transfer transactions. Credit card payments are processed through the ACH system.

**Case Management System** – The system used by the courts to manage the documentation and processing of cases flowing through the circuit courts.

**Cash Drawer** – The collection of money received throughout a day and processed in the case management system.

**Cash Drawer Balance** – The process of reconciling the daily Cash Drawer to the Case Management System.

**Deemed Abandoned** – In accordance with W.S. 34-24-101 and 34-24-110, any check disbursed and returned as undeliverable or payment received from unknown sources without reference to a specific case, shall be deemed abandoned or unclaimed after six (6) months when:

1. It is held, issued or owing by a holder;
2. The identity, status or present location of the apparent owner is unknown; and
3. The property cannot be paid, distributed or given to the apparent owner after the dormancy period of six (6) months.

**End of Month Balancing Spreadsheet** – The spreadsheet created by the AOC to assist with reconciling the monthly receipts and disbursements.

**End of Month Reports** – The collection of reports used to balance the End of Month Balancing Spreadsheet verifying case payments balance with the General Ledger.

**General Ledger** – The accounts used within the Case Management System to record the various receipts and disbursements processed on case filings.

**Jury Management System** – The system used by the courts to manage citizens who have been selected for potential jury duty, citizens who have served on a jury, and payments made as a result of being physically called to report for jury duty.

**Memo Adjustment** – A temporary note explaining why the bank reconciliation is out of balance, requiring further action for the clerk to resolve.

**Overage** – The amount of physical monies in the Cash Drawer in excess of the amount receipted for the day according to the Case Management System.

**Primary Circuit Court** – The home court where a Judge is assigned to preside.

**Processed** – Documents that have been entered into the Case Management System.

**Restitution** – A type of Assessment a judge may require on a case, paid to the victim of the crime.

**Satellite Court** – A remote location for a Primary Court.

**Shortage** - The amount of physical monies in the Cash Drawer less than the amount received for the day according to the Case Management System.

**Unprocessed** – Documents related to cases which have not yet been entered into the Case Management System.

**Voucher** – The form used to record a payment to be made to another party, which includes name and address of the payee, as well as the date, amount and a description of the payment.

## **Section 2. Authority and Purpose.**

The Wyoming Supreme Court adopts the following rules pursuant to Wyo.Stat.Ann. §§ 5-9-101 through 5-9-154. These rules are adopted to establish a uniform and proper system of accounting for all money received and disbursed, and to ensure the safe handling of funds in the Wyoming circuit courts.

## **Section 3. Case Files.**

- (a) Each court shall maintain four separate case types, criminal (CR), citation (CT), civil (CV), and domestic relations (DR). The case files and records shall be uniform in format as established by the Case Management System provided by the Wyoming Supreme Court.
- (b) Abstracts for citations shall be printed on disposed cases seen by the Judge.
- (c) All filed documents must be scanned into the Case Management System.

## **Section 4. Case Filing.**

Case files should be filed in an organized manner that provides for efficient input, retention, and retrieval of records. Clerks must determine the best way to organize their filing system based on available office space.

## **Section 5. Accounting System.**

The accounting system shall be integrated with the Case Management System provided by the Wyoming Supreme Court and each court shall use the Case Management System to its full capacity to include documenting, scanning, receipting, and disbursing.

## **Section 6. Access to the Case Management System.**

The accounting information available in the Case Management System is relied upon to provide the history of financial transactions. Therefore, the system access must be limited to authorized and necessary personnel only. Specifically:

- (a) Access:
  - 1. The Case Management System shall have multiple Access Levels, which shall provide limitations to accounting functionality to different users. Unless otherwise approved by the AOC, each court will only

have one Chief Clerk Access Level and may only have up to two Superusers Access Levels. The Supreme Court shall maintain a record of the different Access Levels and the type of permissions granted at each level.

2. All clerks shall be assigned a unique user ID and be granted the most restrictive Access Level that allows performance of their job responsibilities, as determined by the chief clerk. No clerk shall use another clerk's user ID to access or process activity in the Case Management System.

(b) Access Review:

1. Each quarter, the chief clerk shall review the active users of the Case Management System for his/her court and determine if the users and their assigned Access Level are appropriate. The chief clerk will document this review by signing and dating the active users report. This report must be made available electronically for the AOC. Any required changes will be submitted in a Help Desk ticket for the AOC to update.
2. Each quarter, the State Court Administrator (SCA), or designee(s) will review the active users of the Case Management System for all non-clerk level access roles and determine if the users and their assigned Access Level are appropriate, as they relate to accounting processes. The SCA, or designee(s), will document this review by signing and dating the active users report. This report must be made available electronically for AOC. Any required changes will be submitted in a Help Desk ticket for the AOC to update.

**Section 7. Assessments.**

Assessments in the Case Management System must match the original documentation, such as a civil judgment, judgment and sentence, citation, etc. Any adjustments made to the Assessment must be supported by an amended document, garnishment paperwork, letter of satisfaction, overpayment policy, or detailed comments in the Case Management System.

**Section 8. Receipts.**

- (a) Money received by the court shall be entered into the Case Management System by the end of the following business day. An exception to this rule exists in situations where one check is received for multiple cases that cannot all be processed same day.
- (b) A receipt must be generated within the case management system for all monies paid into the court. Each receipt will be pre-numbered in numerical sequence by the system. The receipt shall be printed and given to any payor making payment in person or by cash (Wyo.Stat.Ann. § 5-9-144).
- (c) Each clerk shall have and be responsible for his/her individual Cash Drawer. All funds received and processed in the Case Management System

by a clerk must be kept in his/her Cash Drawer and shall not be commingled with other funds until the daily deposit is being processed.

- (d) All checks shall be endorsed immediately upon receipt.
- (e) If the Case Management System is not functional, a hand-written receipt shall be prepared in duplicate with one copy given to the payor and the other kept as a court copy in the receipt book. The monies receipted on the hand-written receipt shall be entered in the Case Management System as soon it is functional. The case management system receipt number shall be cross-referenced on the hand-written receipt.
- (f) All case related payments shall be receipted and entered on the appropriate case within the Case Management System when applicable. If payments cannot be receipted on a case or party when received, the money shall be transferred to the appropriate case or party as soon as practicable.
- (g) Only one payment method shall be entered on a receipt. If a patron pays with multiple payment methods, the court shall issue separate receipts for each payment method.
- (h) Only one case shall be entered on a receipt. If a patron pays with one payment method for multiple cases, the court shall issue separate receipts for each case.
- (i) If a payor makes a payment in cash and requests a refund, the cash shall not be returned to the payor once processed in the Case Management System. If a refund is warranted, the court shall disburse the funds by check through the Case Management System.
- (j) If a check or money order is received and must be returned without being receipted, a case note shall be entered detailing the check or money order details (payor, date, amount), and the reason for the return.
- (k) Clerks shall not accept or receipt pre-judgment money into the Case Management System, unless ordered by the court.

#### **Section 9. Disbursements.**

- (a) All money disbursed from the Case Management System shall be disbursed from a case when applicable.
- (b) Payments to other parties in accordance with case Assessments shall be made by check to the appropriate party. Each check shall identify the case number within the Case Management System and each case shall identify the disbursement.
- (c) When a payment method is check, the related disbursement shall be held for fourteen (14) days to ensure the court receives the funds prior to disbursement.
- (d) The court shall not hold funds due to be disbursed if there is no fiscal requirement or legal obligation to hold them.

#### **Section 10. Voiding Receipts, Disbursements, Checks.**



- (a) When a receipt or disbursement is entered incorrectly in the Case Management System and must be voided and re-entered correctly, the voided document shall include a comment in the Case Management System with enough information to help justify and explain the reason for the void.
- (b) A voided check must be made unusable – either by writing or stamping void on the check or cutting out the signature block – and maintained in the court.
- (c) If a check is lost, an affidavit of lost check (see Appendix A) shall be completed by the payee and maintained in the court.

#### **Section 11. Individual Cash Drawer Balancing.**

Prior to leaving for the day, the clerk shall perform a Cash Drawer Balance by completing the cash balance report (see Appendix B) in the case management system. This cash balance report compares the money collected to the amount receipted in the Case Management System for the day. The cash balance report must be completed for each clerk who receipted funds that business day.

- (a) The receipted amounts and the physical monies should agree by payment method and in total.
- (b) If a second clerk is present, the second clerk must review the cash balance report and recount the monies to ensure its accuracy. The clerk reviewing must initial and date the report as evidence of this review.
- (c) If there is a difference, the court must make every effort to identify the cause of the difference. If the difference is not identified and corrected, the clerk must submit a help desk ticket.

#### **Section 12. Petty Cash Held for Making Change.**

Any petty cash held in the court for making change must be counted and verified daily. A balance log must be kept showing the clerk who verified the balance.

#### **Section 13. Security of Money Held Overnight.**

- (a) Cash stored overnight shall be secured in a safe. Other payment methods stored overnight shall be secured in a safe if practical. As safes are not large enough to store Unprocessed filings, courts should ensure that checks received by mail but not yet Processed by the end of the day are reasonably secure from theft.
- (b) Access to the safe contents should be limited to those personnel designated by the Judge but should not include all employees except in courts or satellite courts with three or fewer clerks, including the chief clerk.

#### **Section 14. Combined Cash Drawer Report and Deposits.**

Each court shall open an account in an approved state depository in which all money receipted shall be promptly deposited the following business day. Cash, checks, and money order deposits shall be generated separately from electronic

payment transactions. These deposits must also be separately identifiable in the Case Management System.

When completing the deposit for cash, checks, and money orders, the clerk must use the following processes:

- (a) A clerk must process the combined cash balance report to include all the monies receipted to the individual Cash Drawers for the previous day.
- (b) A clerk must process the deposit in the case management system, verifying the physical monies in hand agree to the deposit, both by payment method and in total. The receipts as shown on the combined cash balance report must equal the deposit.
- (c) The combined cash balance report shall be retained. If there are no overages or shortages, then the individual cash balance reports do not need to be retained.
- (d) The deposits must be generated and taken to the bank each business day.
- (e) The bank receipt for the deposit must be maintained with the Case Management System's deposit slip.

When completing the deposit for electronic payment transactions, the clerk must use the following processes:

- (f) The deposits must be processed each business day.
- (g) Each ACH court deposit report must be processed separately on its own deposit in the Case Management System.

The Case Management System deposits, combine cash balance reports, and ACH reports must be saved in an organized manner and electronically accessible by the AOC.

#### **Section 15. Daily and Monthly Balancing.**

Money received as bonds, restitution, civil judgments, garnishments, trust, or unapplied must be reconciled and separately identified as to each payor and case at the close of each day and month during the fiscal year. To facilitate monthly balancing, clerks shall timely print the End-of-Month Reports from the case management system and shall complete the End-of-Month Balancing Spreadsheet. These reports must be saved in a manner electronically accessible by the AOC.

#### **Section 16. End-of-Month Disbursements.**

- (a) All fine, cost, and fee receipts shall be disbursed to the proper entity, no later than the tenth (10<sup>th</sup>) day of the month following the month in which the money was received. (Wyo.Stat.Ann. §§ 5-9-146). If this deadline cannot be met, it is the chief clerk's responsibility to notify the AOC.
- (b) The disbursements shall be made by check in the amount due to each respective office.

- (c) Receipts from the county treasurer, and state deposit form for the state treasurer disbursements made by check, shall be retained for audit purposes.

#### **Section 17. Bank Statement and Reconciliation.**

It shall be the responsibility of the chief clerk to ensure the bank statement is reconciled to the General Ledger no later than the fifteenth (15<sup>th</sup>) day after the end of the month being reconciled. When a Memo Adjustment exists, the clerk shall make every effort to resolve the issue timely. The reconciliation and related end of month reports shall be reviewed by the Administrative Judge in each court.

#### **Section 18. Documents to Maintain.**

The AOC shall provide a list of accounting documents and detail how those documents shall be maintained – either physically, electronically, or both. Documents required to be kept electronically must be retained in the court's common balancing reports folder. The physical documents must be maintained in an organized manner and in accordance with the AOC's retention schedule.

#### **Section 19. Unclaimed Property.**

- (a) Any checks issued by the court, or payments received from an unknown source without reference to a specific case and Deemed Abandoned, shall be handled in accordance with unclaimed property procedures established by the State Treasurer's Office.
- (b) Each unclaimed property must be sent to the state of the party's address.
- (c) Restitution disbursements returned in the mail as undeliverable will be processed per W.S. 7-9-108(c) and sent to the Division of Victim's Services.

#### **Section 20. Jury Account.**

With approval from the AOC and state treasurer, a jury account may be created and shall be used strictly for the payment of meals and refreshments for jurors. When requesting reimbursement for this account, the clerk shall provide an itemized receipt with the payment voucher.

#### **Section 21. Juror Fees.**

- (a) The clerk shall generate a Voucher for each juror using the Jury Management System.
- (b) The clerk must verify the mileage submitted by the juror to be reimbursed in accordance with W.S. 1-11-202 using an internet mapping site (i.e., Google Maps), prior to submitting the invoice for payment.
- (c) The juror Voucher shall be approved by the clerk and the judge who presided over the trial prior to submission.
- (d) The juror Voucher shall be submitted to the AOC for payment.

#### **Section 22. Examination Procedures.**

- (a) The accounts of each circuit court will be examined by designated staff of the AOC in accordance with rules, policies and procedures recommended by the Audit Committee and adopted by the Wyoming Supreme Court or the Wyoming Judicial Council as appropriate.
- (b) The examination shall consist of both financial and select court processes review. The examination shall include verifications of bank account reconciliations.

**Section 23. Satellite Courts.**

- (a) Bank statements shall be reconciled monthly, and a copy of the bank statement and reconciliation filed with the Primary Circuit Court and reviewed by the chief clerk or designee.
- (b) The Satellite Court shall report their monthly activities to the primary circuit court on the date determined by the circuit court Judge(s).

Attachment O

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 2013

IN THE SUPREME COURT  
STATE OF WYOMING  
FILED

In the Matter of the Amendment )  
of the Accounting System Rules )  
for Circuit Courts )

APR 1 2014

*Carol Thompson*  
CAROL THOMPSON, CLERK

**ORDER AMENDING ACCOUNTING SYSTEM RULES FOR  
CIRCUIT COURTS**

This matter came before the Court upon the recommendation of the Board of Judicial Policy and Administration (Board). The Board reviewed the attached amendments to the Accounting System Rules for Circuit Courts and recommended that those amendments be adopted by this Court. After reviewing the amendments, the Court deems it necessary and proper to adopt the amendments to the Accounting System Rules for Circuit Courts. It is, therefore,

**ORDERED** that the amendments to the Accounting System Rules for Circuit Courts, a copy of which is attached hereto, be, and hereby are, adopted and shall be effective immediately. It is further

**ORDERED** that a copy of this order and the attached amended Accounting System Rules for Circuit Courts shall be provided to the various Circuit Courts throughout the state as well as published on-line on this Court's website, <http://www.courts.state.wy.us>. The amended rules shall thereafter be spread at length upon the journal of this Court.

DATED this 1<sup>st</sup> day of April, 2014.

**BY THE COURT:**

*Marilyn S. Kite*

**MARILYN S. KITE**  
Chief Justice

## ACCOUNTING SYSTEM RULES FOR CIRCUIT COURTS

### Section 1. Authority.

The Wyoming Supreme Court adopts the following rules pursuant to Wyo.Stat. Ann. §§ 5-9-101 through 5-9-153~~154~~. These new rules are adopted to establish a uniform and proper accounting system for all money received and disbursed by circuit courts.

### Section 2. Dockets.

- (a) Each court shall maintain three separate dockets, one for all criminal cases other than citations, one for small claims cases, and one for civil cases other than small claims cases. The docket books and records shall be uniform in format as established by the computer system approved by the Wyoming Supreme Court.
- (b) ~~Dockets~~ Case histories, except for citations, shall be printed from the computer system and filed with each closed case. ~~Abstracts shall be printed for all citations.~~

### Section 3. Index.

Each court shall keep an alphabetical index under the names of the parties in civil and small claims cases and defendants in criminal matters with a reference to the case file number. The computer system can be used to maintain the alphabetical list.

### Section 4. Accounting System.

The accounting procedures included in the ~~FULLCOURT software~~ case management system shall be the authorized system used by the courts. Each court must use the computer system provided by the Supreme Court to its full capacity. All criminal cases and citations will use the criminal portion of the computer system including case management, receipting, disbursements, and trial balance. Civil and small claims cases will use the full capacity of the civil portion of the computer system, unless a waiver is obtained from the Supreme Court Administrator. If a waiver is requested, the court must provide a description of the proposed system for approval.

### Section 5. Cash Receipts.

~~A cash receipt must be issued by each court for all moneys paid to the court. Each receipt will be in duplicate and pre-numbered in numerical sequence by the computer software program used for receipt generation. The original shall be given to the payer who is making payment by cash or in person, otherwise the original shall be attached to the court file along with the second copy. A receipt will be electronically generated within the case management system for all moneys paid into the court. Each receipt will be pre-numbered in numerical sequence by the system. The receipt shall be printed and given to any payer who is making payment in person. If the computer system is not functional, a hand written receipt will be prepared in duplicate with one copy given to the payer. A new receipt shall be issued as soon as the system is functional. The new receipt number shall be cross-referenced on the second copy of the hand receipt. The new computer receipt shall also be attached to the court file.~~

## Section 6. Deposits.

- (a) All money received by each court in its official capacity, shall be kept separate and not commingled with any personal funds. To that end, each court will open a special account denominated "criminal account" in an officially designated bank in which all money received in all criminal cases will be promptly deposited. The total cash receipts as shown on the daily ledger and the total deposits must balance. Money received as bail, bonds, or restitution must be reconciled and separately identified as to each payer and case at the close of each month during the fiscal year.
- (b) Money received in civil matters by a court shall not be deposited in the same bank account as that received in criminal matters (Wyo.Stat.Ann. § 5-9-149). The court shall open a separate bank account denominated "civil account," in which all money received in all civil matters will be promptly deposited. The total cash receipts as shown on the daily ledgers and the total daily bank deposits must balance. Payments to third parties are to be issued by checks from this account, per the terms of the judgments. The balance of moneys received on judgments must be reconciled and separately identified as to each payer at the close of each month during the fiscal year.
- ~~(e) Money received by each court, as bail, bonds or restitution in criminal matters shall be kept in a separate bank account denominated "criminal trust account" (or "criminal bond") account. The total bonds received by the court as shown on the daily ledger and the total deposits to the criminal trust/bond account must balance. The balance in this bank account must be reconciled and separately identified as to each payer and case at the close of each month during the fiscal year.~~
- ~~(d)(c)~~ Money paid into court pursuant to the provisions of the Family Violence Act may be kept in a separate bank account denominated "family violence act account." The total cash receipts as shown on the daily ledgers and the total deposits made under this account must balance.
- ~~(e)(d)~~ Deposits of fines, costs and forfeitures paid to courts may be deposited in interest bearing accounts (Wyo.Stat.Ann. § 5-9-149). Interest earned on deposits of fines and forfeitures in such accounts shall be forwarded monthly to the county treasurer and credited to the county public school fund. Interest earned on all other deposits in such accounts shall be forwarded to the state treasurer quarterly and credited to the victim's compensation account.
- ~~(f) Money received by each court, as payments for third parties in civil judgments must be deposited into an account denominated "civil trust account." Payments to third parties are to be issued by checks from this account, per the terms of the judgments. The balance in this bank account must be reconciled and separately identified as to each payer at the close of each month during the fiscal year.~~

## Section 7. Disbursements.

Disbursements shall be made, by check, to the party concerned. Each check will identify the case number, and be cross-referenced on the docket.

## Section 8. Bank Statement.

It shall be the responsibility of the chief clerk to ~~determine~~ensure that the bank statements are reconciled each month with the checkbook, trial balance, and the docket or ledger and reviewed by the Judge. The balance, if any, shown on the checkbook shall be identified by docket or ledger case number. The bank statements, canceled checks, daily and monthly receipts listing, monthly disbursements listing, and monthly trial balance shall be retained for future reference and examination or audit. Receipts from the county treasurer and transmittal forms to the state treasurer for remittances made by check shall be retained for audit purposes.

#### **Section 9. Reporting.**

- (a) All fines, forfeitures, and other penalties shall be remitted by the circuit court to the county treasurer, and all fees, costs and other receipts shall be transmitted to the state treasurer, no later than the tenth day of the month following the month in which the money was received. (Wyo.Stat.Ann. §§ 5-9-146 and 18-3-814). If the report is going to be late, it is the responsibility of the chief clerk to notify the Supreme Court's Court Services Officer.
- (b) The remittances to the county treasurer and state treasurer shall be by check in the amount due each respective office. Monthly reporting forms for each checking account shall be kept on a day-to-day basis, and maintained in the office for audit purposes.
- (c) Annual reports, which will be a compilation of monthly reports, shall be made to the Wyoming Supreme Court,<sup>s</sup> internal auditors, on a form approved by the Supreme Court's Court Services Officer after consultation with the State Auditor's Office Comprehensive Annual Financial Report (CAFR) group.
- (d) ~~Any check written by a court that is outstanding for more than one year shall be voided in the court's checkbook(s). Procedures for handling these stale-dated checks will conform to the unclaimed property procedures then currently in effect and established by the State Treasurer's Office.~~ Any stale-dated checks issued by a court shall be handled in accordance with unclaimed property procedures established by the State Treasurer's Office.

#### **Section 10. Petty Cash Funds.**

After approval by the Supreme Court and state treasurer, the account shall be used strictly for the payment of meals and refreshments for jurors.

#### **Section 11. Juror Fees.**

- (a) Each juror shall be provided a Wyoming On-Line Financial System (WOLFS) 109 form, Request for Taxpayer Identification Number & Certification, and a WOLFS 102 form, Payment Voucher Vendor Signature form. These forms must specify the case number, the date the jury duty occurred and in the case of travel, mileage to and from the location of court business. The Taxpayer Identification form shall be sent directly to the State Auditor's Office and the Payment Voucher shall be approved in the lower right corner by the judge and forwarded to the Supreme Court's Court Services Office for processing.
- (b) Juror fee vouchers that have not been presented to the Supreme Court's Court Services Office for payment within one year of issuance shall be denied.



- (c) Witness fees shall be paid by county voucher or state voucher, as appropriate.

**Section 12. Penalties.**

Reference to the following penalty sections relevant to circuit court judges is not all-inclusive but should be noted by those concerned: Wyo.Stat.Ann. §§ 5-9-145, 5-9-148, 5-9-152, 6-5-111, 6-10-108, ~~9-1-510~~, and 18-3-814.

**Section 13. Examinations procedures.**

- (a) The accounts of each circuit court will be examined under the direction of the Wyoming Supreme Court Chief Justice.
- (b) The examination shall consist of both financial and legal compliance audits. The auditor's examination shall include verifications of bank account reconciliations.
- (c) Case files shall be reviewed for criminal, citations, small claims and civil cases to determine if the files include: receipts, completed dockets, garnishment papers and judgment action or amount, release of garnishment, filing fees, summons, and satisfaction of payment where each is appropriate.

**Section 14. Satellite Courts.**

- (a) In circuit courts where satellite courts are maintained, those satellite courts shall receipt all money received as provided in Section 5 of these rules, and disburse all money as provided in Section 7.
- (b) The satellite court shall have at least one bank account, or more as approved by the circuit court judge(s). Bank statements shall be reconciled monthly and a copy of the bank statement(s) and ~~reconcilement~~ reconciliation(s) filed with the primary circuit court.
- (c) The satellite court shall report their monthly activities to the primary circuit court on the date determined by the circuit court judge(s).

## Attachment P

### **Rules and Procedures Governing the Equal Justice Wyoming Advisory Committee**

#### **Rule 1. EJW Mission and Statutory Direction.**

The mission of Equal Justice Wyoming (“EJW”) is to promote and improve access to justice throughout Wyoming in accordance with the directives and intent of the Wyoming Civil Legal Services Act of 2010. Wyo. Stat. Ann. §§ 2-2-401, 5-2-121 through -122, 5-2-202, 5-2-205 through -206, 5-6-108, 5-6-204, 5-6-303, 5-9-135, 5-9-144, 6-10-102 through -103 (the “Act”). The purpose of the Act is to create and maintain comprehensive civil legal services for low- and moderate-income people in Wyoming. Wyo. Stat. Ann. § 5-2-122(a).

In 2011, the Supreme Court created EJW as a court entity. That same year, the Court established the Equal Justice Wyoming’s Board of Commissioners (“EJW Board”) and promulgated the “Rules and Regulations for Equal Justice Wyoming.” Since 2011, the Court has appointed members of the EJW Board from across the state to ensure that the entire state is represented, and the Board has served as the governing body of EJW. Following the direction of the Wyoming Judicial Council (“WJC”), the structure of EJW and the EJW Board are changing. EJW and its staff will become part of the Administrative Office of the Courts (“AOC”) and the EJW Board will become an Advisory Committee to the WJC. The WJC is revising EJW’s Rules and Regulations.

#### **Rule 2. EJW Advisory Committee Membership & Meetings.**

1. Membership. The Advisory Committee will include no more than twelve volunteer members to include members from diverse judicial districts around the State of Wyoming who represent low- and moderate-income clients or who have other experience with legal services issues in Wyoming. The State Court Administrator will designate an individual from the Administrative Office of the Courts to staff the Advisory Committee.
  - a. Advisory Committee members are appointed by and serve at the pleasure of the Wyoming Judicial Council (“WJC”).
  - b. The State Court Administrator shall be a permanent non-voting member of the Advisory Committee.
  - c. It is recommended that the Advisory Committee include at least one, but not more than two District Court Judges and at least one, but not more than two Circuit Court Judges, with one of the judges from each conference

representing a more-populous district and the other representing a rural district.

- d. Membership terms will be two years. Initial terms will be staggered for each of the stakeholder groups represented to ensure continuity.
  - e. Members may serve consecutive terms.
  - f. At the initial meeting, the Advisory Committee shall elect a chairperson. The Advisory Committee shall also elect a chairperson when there is turnover in that position.
2. Meetings. The Advisory Committee will meet at least quarterly or more frequently as needed upon the request of a member or upon suggestion of staff. No action of the Committee may be taken without a quorum of members. A quorum constitutes a majority of the members.
  3. Voting. Voting shall take place in a meeting of the Committee or via email if necessary.

### **Rule 3. Roles & Responsibilities.**

1. The Advisory Committee will respond to requests from the WJC. Examples of the requests and topics may include:
  - a. EJW Grants. The Advisory Committee shall provide recommendations for awarding biennial grants to civil legal service providers from Wyoming's Civil Legal Services Fund ("Fund"). *See, e.g.,* Wyo. Stat. Ann. § 5-2-122(a)(viii).
  - b. Grantee Performance. The WJC may ask the Advisory Committee to assess the performance of entities receiving grants under the Fund.
  - c. EJW Project Development. AOC staff may consult with the Advisory Committee on project development issues such as, but not limited to, EJW's attorney volunteer programs and the adequacy of services in rural areas.
  - d. EJW Collaboration with Equal Justice Wyoming Foundation. Equal Justice Wyoming Foundation ("EJWF") is a 501(c)(3)-qualified Wyoming nonprofit corporation. EJWF advances access to justice and civil legal services through fundraising and other supportive activities. EJWF is separate from EJW. The Advisory Committee may assist AOC staff communication and collaboration with EJWF. AOC staff will continue to work on EJWF projects, under the EJW/EJWF agreement first entered in 2016.
  - e. Confidentiality. The WJC may ask the EJW Advisory Committee to make recommendations concerning the storage and accessibility of confidential client information collected by EJW.

- f. Advisory Committee members shall be responsible for:
- i. Reviewing information provided in preparation for Advisory Committee meetings;
  - ii. Communicating Advisory Committee decisions to their respective stakeholder groups;
  - iii. Collecting information and concerns from their stakeholder groups to help establish educational priorities; and
  - iv. Presenting Advisory Committee recommendations to the Wyoming Judicial Council, when necessary.
2. The AOC staff to the Advisory Committee will be responsible for:
- a. Facilitating Advisory Committee meetings;
  - b. Developing and distributing meeting agendas no later than one week prior to scheduled Advisory Committee meetings, absent extenuating circumstances;
  - c. Implementing decisions of the Advisory Committee and the Wyoming Judicial Council related to the Advisory Committee's purpose;
  - d. Compiling and distributing meeting minutes; and
  - e. Monitoring activities related to the Advisory Committee's purpose and reporting back to the Advisory Committee.

Adopted this \_\_\_\_ day of June, 2024.

BY THE WYOMING JUDICIAL COUNCIL:

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Kate M. Fox, Chief Justice  
Chair, Wyoming Judicial Council

## Attachment Q

### **Preamble.**

These Rules are adopted by the Supreme Court of the State of Wyoming pursuant to the Wyoming Constitution and the 2010 Wyoming Session Laws Chapter 109, §§ 1-4 (Wyoming Civil Legal Services Act), enacted during the 2010 Legislative Budget Session (Wyo. Stat. Ann. §§ 2-2-401, 5-2-121 through 5-2-122, 5-2-202, 5-2-205 through 5-2-206, 5-6-108, 5-6-204, 5-6-303, 5-9-135, 5-9-144, 6-10-102 through 6-10-103).

### **Rule 1. Name and Purpose.**

Operated under the Administrative Office of the Courts, Equal Justice Wyoming (EJW) exists to promote access to justice throughout the State of Wyoming in accordance with the directives of the Wyoming Civil Legal Services Act. EJW was created to fund a statewide program of civil legal services to the indigent from the indigent civil legal services account.

### **Rule 2. Eligibility.**

- (a) EJW will work to assist individuals in the following, non-exclusive, circumstances:
  - (1) Cases in which an indigent individual is a defendant in a lawsuit;
  - (2) Cases in which an indigent individual is seeking to enforce a court order;
  - (3) Cases involving domestic relations and family law; and
  - (4) Matters involving general legal advice to indigent individuals.
- (b) EJW shall not assist individuals in the following circumstances:
  - (1) Cases seeking tort damages;
  - (2) Criminal defense; and
  - (3) Cases against public agencies or political subdivisions seeking to change or overturn existing rules, regulations and policies. This prohibition shall not limit the program's ability to represent indigent individuals who are seeking benefits that may be owed them by public entities.
- (c) Civil legal services funded from the indigent civil legal services account shall be provided only for individuals whose total household income does not exceed two hundred percent (200%) of the federal poverty level.

### **Rule 3. Coordination.**

- (a) EJW shall operate in coordination with other publicly or privately funded programs providing civil legal services to the indigent with a goal of

## Attachment Q

developing an integrated system for the delivery of indigent civil legal services on a statewide basis.

- (b) EJW shall coordinate with the Wyoming state bar and other entities on private attorney involvement, pro bono civil legal services and educational programs.

### **Rule 4. Single point-of-entry.**

EJW shall establish a statewide single point of entry for funding for indigent civil legal services or establish other operations that allow for simplified and easily available access to such services.

### **Rule 5. Grants.**

- (a) EJW may grant funds to existing eligible programs to assist in providing civil legal services and may be used to enhance the civil legal services that the existing programs are providing.
- (b) EJW, or alternatively, the Equal Justice Wyoming Foundation, may receive grants and donations.

### **Rule 6. Standards.**

EJW shall establish uniform standards for the delivery of civil legal services and operate programmatic and fiscal management programs to ensure accountability for all funds.

## Attachment R

### Rules and Procedures Governing the Education Committee

#### Rule 1. Purpose.

The purpose of the Education Committee is to review and recommend educational priorities to the Wyoming Judicial Council ensuring a coordinated approach to the Branch's education for judges and employees. The Committee will be responsible for selecting topics and approving the agenda for the annual Judicial Conference. The Committee members will act as representatives of their individual conferences and will assist in communicating educational projects and ideas back to the Committee members' respective conferences to receive input and feedback.

#### Rule 2. Committee Membership, Meetings, and Voting.

1. Membership. The Education Committee membership will include three circuit judges; three district court judges; and the Chief Justice of the Supreme Court or a designee. The State Court Administrator and/or Chief Education Officer will staff the Committee.
  - a. Membership terms will be two years. Initial terms will be staggered for the circuit court judges and the district court judges to ensure continuity.
  - b. Members may serve consecutive terms.
  - c. The Chief Justice or a designee shall chair the committee.
2. Meetings. The Education Committee will meet at least quarterly, but may meet more frequently as necessary upon the request of a member or upon suggestion of staff. No action of the Committee may be taken without a quorum of the Committee. Four members of the Committee shall constitute a quorum.
3. Voting. Voting shall take place in a meeting of the Committee or via email if necessary.

#### Rule 3. Roles and Responsibilities.

1. The Committee staff will be responsible for:
  - a. Facilitating Committee meetings;
  - b. Developing and distributing meeting agendas no later than one week prior to scheduled Committee meetings, absent extenuating circumstances;
  - c. Implementing decisions of the Committee and the Wyoming Judicial Council related to the education of the Branch;
  - d. Compiling and distributing meeting minutes; and
  - e. Monitoring educational activities and reporting back to the Committee.
2. The Committee members will be responsible for:

- a. Reviewing information provided in preparation for Committee meetings;
- b. Communicating Committee decisions to their respective conferences;
- c. Collecting information and concerns from conferences to help establish educational priorities;
- d. Presenting Committee recommendations to the Wyoming Judicial Council when necessary;
- e. Creating educational opportunities for the Judicial Branch based on Wyoming Judicial Council priorities;
- f. Attending judicial conference meetings when necessary, and when possible; and
- g. Participating or assisting in locating presenters for judicial branch educational initiatives.

Adopted this --- day of -----, 2024.

BY THE WYOMING JUDICIAL COUNCIL:

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Kate M. Fox, Chief Justice  
Chair, Wyoming Judicial Council





# Wyoming Judicial Branch

## Cybersecurity Awareness Training Policy

<b>Policy Approver(s)</b>	Wyoming Judicial Council
<b>Storage Location</b>	\\wscfs01\Shares\WSC\Court Administration Policies and Protocols
<b>Effective Date</b>	XXX
<b>Review Period</b>	Annually

### I. PURPOSE

The purpose of this policy is to establish the framework for security awareness and training within Wyoming Judicial Branch. It aims to ensure all users are adequately trained and aware of their responsibilities in maintaining the security of the Branch's information technology systems.

### II. DEFINITIONS

- A. "Information Technology Systems" means the combination of hardware, software, and networks that are used to store, retrieve, transmit, and manipulate data.

### III. APPLICATION

This policy applies to all Justices, Judges, employees, and contractors of the WJB involved in the management, operation, and use of information technology systems.

### IV. INFORMATION STATEMENT

The Wyoming Judicial Branch recognizes that effective security is not solely a technical matter but also a product of informed and vigilant judicial officers and personnel.

### V. RESPONSIBILITIES

- A. Justices, Judges, and employees: Timely participate in all security training and awareness programs and apply learned practices in their daily activities.
- B. Chief Technology Officer or their designee: Schedules training sessions, selects topics and monitors compliance.

### VI. TRAINING SCHEDULE AND TOPICS

The training approach of the Branch is structured around bi-monthly training videos, each focusing on a different aspect of information technology security. This schedule ensures continuous education and awareness among all personnel.

- A. Training Schedule:** Bi-monthly Training Videos: Justices, Judges, and employees are required to view a training video every other month. These sessions are designed to be engaging and informative, fitting into the regular work schedule without being overly time-consuming.
- B. Overview of Training Topics:** The topics for these training videos encompass a wide range of security-related subjects. This includes foundational concepts in cybersecurity, such as recognizing and responding to phishing attacks, password security best practices, navigating online threats, and understanding the importance of physical security measures.

## **VII. COMPLIANCE:**

The completion of each video will be tracked by the IT Division to ensure compliance with this policy.

## **VIII. POLICY EXCEPTIONS**

Requests for exceptions to this policy shall be reviewed by the Technology Committee.

## **IX. POLICY REVIEW AND UPDATE**

This policy will be reviewed annually or as needed in response to significant changes in the technology environment or operational needs. Revisions will be made to ensure continual alignment with industry best practices and regulatory requirements.

**Approved By:**

Kate M. Fox, Chief Justice  
Chair, Wyoming Judicial Council

Date



# Wyoming Judicial Branch Administrative Office of the Courts

## Courtroom Technology Policy

<b>Policy Approver(s)</b>	Wyoming Judicial Council
<b>Effective Date</b>	XXX
<b>Review Period</b>	Every Three (3) Years

### I. PURPOSE

This policy establishes a comprehensive set of courtroom technology standards for courtrooms and jury rooms within the Wyoming Judicial Branch (WJB).

**NOTE:** Not all equipment listed may be necessary in all locations to provide adequate courtroom technology functionality. Courtroom shape, size and layout will be used to determine the appropriate equipment.

### II. APPLICATION

- A. This policy applies to all WJB district, chancery, and circuit court courtrooms. NOTE: This policy does not apply to the Wyoming Supreme Court courtroom.
- B. All existing equipment will be grandfathered. Should equipment which does not meet the specifications outlined in the policy fail, it will not be repaired or replaced.
- C. Equipment or software not provided by the IT Division will not be supported.

### III. COURTROOM AUDIO

#### A. Microphones

- 1. Up to fourteen (14) Microphones:
  - a. One (1) wired gooseneck microphone for the judge;
  - b. One (1) wired gooseneck microphone for the clerk;
  - c. One (1) wired gooseneck microphone for the witness;
  - d. Two (2) wired gooseneck microphones at each of the counsel tables (up to four (4) tables);

- e. One (1) wired or wireless gooseneck microphone at the podium; and
- f. Two (2) wireless (lapel or handheld) microphones.

**B. Speakers**

- 1. The number of speakers and amplifiers will be determined for each location. Six to ten (6-10) zones will be provided for full coverage. The zones will include the judge, witness, clerk, court reporter (district court only), counsel table areas, gallery, and the media/cry rooms if applicable.

**C. Other**

- 1. One (1) audio streaming device;
- 2. One (1) headset connection for court reporter desk (district court only);
- 3. One (1) telephone conferencing (phone line to be provided by the county);
- 4. Liberty recording connection; and
- 5. Assisted Listening devices:
  - a. Six (6) for general use;
  - b. Six (6) for side-bar; and
  - c. One (1) for the court reporter (district court only).

**IV. COURTROOM VIDEO**

**A. Monitors**

- 1. Up to eight (8) 22" monitors:
  - a. One (1) for the judge;
  - b. One (1) for the clerk;
  - c. One (1) for the witness;
  - d. One (1) at each of the counsel tables (up to four (4) tables); and
  - e. One (1) for the court reporter (district court only).
- 2. Up to three (3) large monitors (40" to 90") to as assessed to provide adequate courtroom technology functionality and coverage for:
  - a. Jury box; and
  - b. Gallery.

**B. Video Conferencing**

- 1. One (1) dedicated courtroom video conferencing computer;
- 2. Two (2) PTZ Cameras.

**C. HDMI Connections**

3. Up to six (6) HDMI Connections:
  - a. One (1) for the judge;
  - b. One (1) for the lectern; and
  - c. One (1) at each of the counsel tables (up to four (4) tables).

**D. Annotation Device**

1. One (1) annotation screen at witness stand.
  - Option 1 Include for all courtrooms.
  - Option 2 Include for DC courtrooms only.
  - Option 3 Remove from policy.

**E. Other**

1. Apple TV.

**V. JURY ROOM AUDIO**

**A. Assisted Listening devices:**

1. Six (6) for general use;

**B. One (1) boundary microphone.**

**VI. JURY ROOM VIDEO**

**A. Video Presentation:**

1. One (1) 50” Monitor

**VII. EXCEPTION REQUESTS**

Courtroom Technology exception requests must be submitted through the WJB Help Desk and will be approved or rejected by the Technology Committee.

**Approved By:**

\_\_\_\_\_  
**Kate M. Fox, Chair**  
**Wyoming Judicial Council**

\_\_\_\_\_  
**Date**

## Attachment V

### IT evaluation on the Inclusion of Annotation Screens in the Witness Box

- **Cost Implications:**

Annotation screens are a substantial financial investment, costing \$8,500 per courtroom, with an additional installation cost of \$5,800. The total cost per courtroom is nearly \$14,300. Implementing this technology in all our courtrooms would amount to approximately \$1,058,200. Equipping only half of the courtrooms would still cost around \$529,100. Additionally, these systems typically need to be replaced every seven years, further increasing long-term costs. This ongoing expense must be considered in our budget planning.

- **Maintenance Challenges**

The complexity of maintaining annotation screens cannot be overlooked. These devices require regular updates, troubleshooting, and potential repairs, all of which demand technical expertise and additional resources. The maintenance burden could detract from other critical IT responsibilities, stretching the capabilities of our support teams and possibly leading to downtime that disrupts court proceedings.

- **Operational Complexity and Training Needs**

Introducing new technology into the courtroom necessitates training for all users, including judges, court staff, attorneys, and witnesses. The learning curve associated with annotation screens could lead to initial inefficiencies and slowdowns in court processes. Ensuring that all parties are comfortable and proficient with the technology would require ongoing training efforts and support. Given our limited IT staff, providing continuous training and support would place an additional strain on our already stretched resources.

- **Alternative Solutions**

Allowing attorneys to bring their own technology, such as tablets or laptops with annotation capabilities, can provide flexibility and reduce the need for courtroom-installed devices. Many modern tablets and laptops are equipped with stylus support and annotation software, enabling attorneys or their witnesses to present and annotate exhibits effectively without requiring the court to invest in and maintain these technologies.

## Attachment W

- Having annotation devices for the witness stand will help with, among other things, the efficient presentation of evidence, a better record on appeal, and help ensure security in the courtroom. Currently, if a party publishes an exhibit to the jury and then wishes to have the witness identify specific parts of the exhibit, the witness must come down from the stand and point to where on an exhibit the party wishes to focus the jury's attention. This can cause the following problems:
  - Placement of the jury's screen. In Natrona County, all our large display screens are directly in front of the jury box near the ceiling. There is very little room for a witness to get between the jury box and the screen to direct the jury's attention to a particular area of an exhibit. Relying on a party representative to use their cursor, or, in some cases, the old ELMO systems, to assist the witness in directing the jury's attention while the witness remains in the box comes with its own problems. Some parties find it objectionable that a party rep is "directing" the witness's attention to a particular area with their cursor and thus "leading them along." Concerning using the old ELMO systems, not every court has one to use. It's my understanding that the old ELMO system we have in Natrona County was salvaged after it was "replaced" by the Surface Hubs.
  - Security issues. Having a witness step off the stand and come very close to the jurors is a potential security issue. It is one more person who is standing up, near the jury, and in some cases depending on the layout of the courtroom, opposing counsel, the judge, the staff attorney, and the court reporter. This creates an additional variable for court security to be cognizant of if an issue arises and the witness who is testifying becomes violent; since the witness is now standing near potential targets, it reduces the time court security has to restrain the witness if necessary before anyone is injured.
  - Display issues. In some cases, the party has the witness simply point with their finger. In other cases, the party has the witness use a laser pointer. In still other cases, the party uses, in 2024, a yardstick. Whatever a witness decides to use to direct the jury's attention, there are many instances where the testimony is something like, "over here," "in this area," "right there," or something similar to identify where the witness wishes to have the jury focus its attention. This creates issues when a person is reading the transcript on appeal. Having an annotation device would solve this issue since the witness can highlight, circle, underline, etc., on the exhibit and then the party questioning the witness can have that annotated picture admitted as an exhibit and included in the ROA.
  - Microphone issues. The witness must use one of the two wireless microphones we have when they step off the witness stand. One is a gooseneck, handheld microphone that isn't the easiest to walk around with and try to point at a screen. The other microphone is a lapel microphone which, I have witnessed multiple times, users have a difficult time properly placing on their coat/shirt so that the jury can hear them. This then requires wasted time waiting to get the microphones working properly.

- Court Reporter issues. Having a witness step off the witness stand and use one of our wireless microphones can and has made it more difficult for the court reporter to hear them and, in some cases, see their face depending on where the jury display screen is located.
- Training issues should be minimal
  - I disagree that the training needs will be burdensome. As with all courtroom technology, the user is expected to come to the courtroom and familiarize themselves with the technology available before trial. This was the practice when Surface Hubs were first introduced in 2017/2018. It is not, and never has been, the responsibility of chambers or the IT staff to train attorneys, parties, or witnesses on the use of courtroom technology. If a party does not properly familiarize themselves with the technology available before trial and then has issues with it during trial, the vast majority of (if not all) judges require the party to move on.
  - Since the judge will not be expected to train users on the equipment, the training from IT to chambers likely will only involve how to display the screen to the jury (something judges are already familiar with) and how to save/print a marked up exhibit that has been admitted (assuming that function will not be the responsibility of the party wishing to admit the annotated exhibit).
- The lack of viable, alternative solutions
  - Most trials are criminal trials. Consequently, the majority of parties are state or county agencies (i.e., district/county attorneys and the public defender's office). It is highly unlikely that these agencies will have the funds to purchase the necessary hardware/software to allow the annotation feature that we need. Speaking from personal experience, I was issued one laptop as a state employee. The laptop, which I had to use during a trial, was fairly old and it was a good day if I could open it without issue since the top was cracked. I believe many public employees face similar issues with the technology that they are issued.
  - Moreover, with the continued rise in self-represented litigants, it is unlikely they would have the ability to bring their own hardware/software that could accomplish the function we need with annotation devices.
  - While there are companies that can provide courtroom technology services, these companies can be expensive. The only time I've ever seen a party afford and use their services (and, to be fair, it was nice to have and helped substantially with the presentation of evidence to the jury), that party was a bank.
  - Finally, while a party, be it private, an executive agency, or a pro se litigant, surely benefits from having an annotation device in the courtroom, so too does the Judicial Branch. Annotation devices assist with the efficient presentation of evidence, enhance the jury's experience during trial, and protect the record on appeal.
- Funding
  - To the extent the expected cost of these devices and their installation in all courtrooms is an impediment, discussions could be had with judges who would like to have them about using some of that court's budget to cover the cost. If this proposal causes concern about budgeting for replacements, then perhaps a judge



could cover the initial installation cost through their court's budget bringing down the initial upfront cost. Moreover, I am unaware of a push from the circuit courts about having these devices in their courtrooms and their representative on the technology committee did not appear in favor of adding them to courtrooms. Thus, it is also possible that these annotation devices could be a feature in district court which would substantially reduce the cost. In short, there are potential solutions to reducing the cost to IT's budget to ensure the courts, litigants, and juries have the equipment necessary to carry out the Judiciary's function.

## Attachment X

### **Pros of Allowing Courts to Purchase Their Own Courtroom Technology**

- Customization: Courts can tailor technology to their specific needs and preferences.
- Additional Capabilities: Additional equipment could provide enhanced functionality and better support for complex cases.
- Increased Satisfaction: Judges and court staff may feel more satisfied and empowered with equipment that meets their specific needs.

### **Cons of Allowing Courts to Purchase Their Own Courtroom Technology**

- Inconsistent Experience: Different courts may have varying levels of technology, leading to inconsistent user experiences.
- Increased Support and Maintenance: Limited IT staff may face challenges in maintaining and supporting a wider variety of equipment.
- Training Challenges: More diverse equipment can complicate training and reduce overall effectiveness.
- Cost Variability: Costs can become unpredictable and potentially higher when individual courts purchase their own equipment.
- Increased Costs for Maintenance and Replacement: Diverse equipment leads to more complex maintenance needs and higher costs for replacing a wider variety of equipment types, reducing overall cost efficiency.
- Responsibility for Additional Costs: If a court goes beyond the standard, determining who covers the increased costs for equipment and maintenance can be challenging, potentially leading to budgetary disputes and financial strain.