

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 an adult who is disabled, vulnerable, or otherwise unable, 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 if you are filing on behalf of an adult who is disabled, vulnerable, or otherwise unable to file. (You must have legal authority to act on that person’s behalf.) 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:

- Dates of Birth. Each place you list a birth date, leave only the year visible. If you wrote Jan. 16, 1988, it will look like [REDACTED], 1988. Or 1-16-88 will be [REDACTED]-88.
- 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]. Do not redact the name if the child is the Petitioner.

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.

Does the Respondent still have to follow the Order if it is being appealed or reviewed?

Yes.

The Order of Protection is still in effect and must be followed during an appeal or review.

Important Note: If the Court issues a **stay** – which means putting the Order on hold – then the Respondent does not have to follow the Order. But a stay is a separate decision made by the Court, and it does not happen automatically during an appeal or review.

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)

PETITION FOR DOMESTIC VIOLENCE ORDER OF PROTECTION

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 8, 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 an adult who is disabled, vulnerable, or otherwise unable, 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.

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> <div>Child Support, Custody, or Divorce</div> <div>Criminal Case</div> <div>Order of Protection</div> <div>Other</div> </div>	
Did the judge make an Order? <input type="checkbox"/> Yes <input type="checkbox"/> No	

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: <input type="checkbox"/> Child Support, Custody, or Divorce <input type="checkbox"/> Criminal Case <input type="checkbox"/> Order of Protection <input type="checkbox"/> Other	
Did the judge make an Order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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: <input type="checkbox"/> Child Support, Custody, or Divorce <input type="checkbox"/> Criminal Case <input type="checkbox"/> Order of Protection <input type="checkbox"/> Other	
Did the judge make an Order?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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: <input type="checkbox"/> Child Support, Custody, or Divorce <input type="checkbox"/> Criminal Case <input type="checkbox"/> Order of Protection <input type="checkbox"/> Other	
Did the judge make an Order? <input type="checkbox"/> Yes <input type="checkbox"/> No	

4. This Petition is filed pursuant to Wyoming's Domestic Violence Protection Act, W.S. 35-21-101 to 112.

5. I, the above-named Petitioner, am a resident of _____ County, State of _____.

The acts of domestic abuse set forth in paragraph 9 below took place at the following location(s) (write the city, county, and state):

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: Leave blank if address is confidential.

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: Leave blank if address is confidential.

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: Leave blank if address is confidential.

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: Leave blank if address is confidential.

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.

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.

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

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.

- 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):

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:

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: _____

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:

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 represent me under Wyoming Statute 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

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

PETITIONER IDENTIFIERS

Date of Birth of Petitioner Race Sex

RESPONDENT NAME

First Middle Last

RESPONDENT IDENTIFIERS

Respondent's Physical Address:

Respondent's Mailing Address:

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				

CAUTION:

Firearms Involved

☐

Firearms on
Property

☐

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:

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):

(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:

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 may 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) IN THE CIRCUIT COURT
) ss
COUNTY OF _____) _____ JUDICIAL DISTRICT

Petitioner: _____ ,) Case Number _____
Person listed as Petitioner on the Petition)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition)

SUMMONS

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 Summons 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:

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				

CAUTION:

Firearms Involved

☐

Firearms on
Property

☐

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:

- ☐ 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:

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:**

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:

12. ☐ While this Order is in effect, the Petitioner is Granted 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).)

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 3rd party _____ (name) on _____, 20____,
between _____ a.m./p.m. and _____ a.m./p.m.

☐ The 3rd 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 may 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 in person or by remote means when the Order was granted.

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)(ii). 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)(ii): "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 paragraph. 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."

The Order of Protection remains in effect and must be followed during an appeal or review. The only exception is if the Court issues a stay to put the Order on hold while the appeal or review is ongoing.

W.S. 35-21-106(f): "An order of protection granted under this act shall remain effective during the pendency of any appeal or review of the order of protection or any decision to modify or extend the order of protection, unless a court orders a stay during the pendency of the appeal or review."

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.

Case Number _____

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

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 FOR TRANSFER OF MOBILE NUMBER USE AND FINANCIAL RESPONSIBILITY

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) IN THE CIRCUIT COURT
) ss
COUNTY OF _____) _____ JUDICIAL DISTRICT

Petitioner: _____ ,) Case Number _____
Person listed as Petitioner on the Petition)
)
vs.)
)
Respondent: _____ .)
Person listed as Respondent on the Petition)

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

RETURN

STATE OF WYOMING)
) ss TO BE USED BY WYOMING SHERIFF, UNDER
COUNTY OF _____) 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

Case Number: _____

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)(ii)), 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

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)(ii), 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 paragraph. 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)

☐ A Wyoming Judicial Branch Court Navigator helped with this form.

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)(ii) pertaining to Domestic Violence.
- ☐ W.S. 7-3-510(b)(ii) 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