

Packet 1

Divorce  
(With Minor Children)

Forms and Procedures

For Wyoming

PLAINTIFF

2011

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\*All underlined forms are required in a divorce with children action where the parties agree.

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## OVERVIEW

People who appear for themselves without an attorney are considered to be “self-represented” and are also known as “pro se” litigants. This packet is often referred to as the “**pro se divorce packet.**” Although there has been a recent surge of pro se litigation in our courts, there are additional barriers that people without an attorney will inevitably face, especially in the area of family law/domestic relations. The difficulties increase when there are children, disagreements about property, financial interests, violence, harassment or coercion. Many areas of family law are very diverse and complicated, and some courts in the State of Wyoming require certain things that others courts do not. That is why it is impractical to include all legal remedies available to people in a divorce action in a single packet. **Therefore, this packet will be most beneficial for people involved in an uncontested divorce (i.e., you both agree on the issues).** There are other remedies available, including temporary orders on child custody, support, alimony and restraining orders that are not included in this packet and may be best pursued with the assistance of an attorney. The Citizen’s Access to Courts Committee is aware of the barriers that exist for low income people in our legal system and have created the forms in a manner that they believe will benefit the majority of people who represent themselves while also understanding that people with complex or emergency circumstances may continue to find themselves better served by getting an attorney. We hope you find this packet and the resources that it contains helpful.

### DOMESTIC/FAMILY VIOLENCE:

If you or your children have been a victim of family (domestic) violence, there are concerns above and beyond the normal concerns. It is recommended that you obtain a lawyer to help you. There may be assistance available even if you cannot afford an attorney. Contact the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-800-990-3877), Wyoming Legal Services (1-800-442-6170) or the Wyoming State Bar (1-307-632-9061) [www.wyomingbar.org](http://www.wyomingbar.org). If you have concerns about confidential information such as addresses and/or social security numbers, please consult an attorney and do not attempt to do this on your own. You should also know that Protection Orders and Stalking Orders are available free of charge at the circuit court clerk’s office. Please call the Wyoming Coalition Against Domestic Violence & Sexual Assault for assistance in obtaining domestic violence protection or stalking orders (1-800-990-3877). If you have ever obtained a protection order involving your spouse, you should include this information in the *Complaint for Divorce* or *Counterclaim* under the “Other Proceedings” section.

- This information packet is intended to provide general information to help you complete the forms and to take the steps the law requires for you to obtain a divorce. There is no guarantee these forms are still accurate and/or current. The information in this packet is not intended to replace an attorney.
- If you represent yourself, **YOU PROCEED AT YOUR OWN RISK.** You must decide which forms apply to your situation.
- **DO NOT USE** each and every form, as some forms say opposite things.
- For each form you decide to use, make sure you fill it out completely and correctly.

- NO ONE in the Judge's office or the Clerk of District Court's office can help complete these forms. Questions or problems may require the help of an attorney.

Where you are requested to provide information, use the blank spaces by either typing or printing with blue or black ink. You must print clearly. **If the judge cannot read what you write, the Judge will return the documents. DO NOT SIGN YOUR NAME WHERE THE JUDGE OR CLERK SHOULD SIGN.**

**LAWS: IF YOU DO THIS YOURSELF**, you must follow the law as if you were a lawyer. It is your responsibility to properly prepare and file the necessary documents. **The Judge will not sign orders or decrees that are incorrect or incomplete, nor will the Judge give you legal advice or make corrections for you.**

You should read Title 20 of the Wyoming Statutes (the divorce laws), and you should also read the Wyoming Rules of Civil Procedure. Most of the District Courts in the State of Wyoming have a courthouse library or county library where these laws and rules can be read. You may also look up these laws and rules on the internet at: [www.courts.state.wy.us](http://www.courts.state.wy.us) and clicking on "law library". Some courts have special forms they want you to use in addition to the forms contained in this packet. Check with the clerk before you file your documents.

**Clerks Cannot Help You Fill Out the Forms.** Employees in the Clerk of District Court's office and in the Judge's office cannot help you or advise you; if you represent yourself, you are on your own.

**The Judge Cannot Talk to You, Answer Your Questions or Assist You.** **Ex parte** communication is communication with the Judge with only one party present. Judges are not allowed to engage in ex parte communication except in very limited circumstances, so, absent specific authorization to the contrary, you should not try to speak with or write to the Judge in your case unless the other **party** is present or has been properly notified. If you have something you need to tell the Judge, you must ask for a **hearing** and give **notice** to the other party or file a written statement in the Court file and send a copy of the written statement to the other party.

**Situations that Need an Attorney.** Federal law may impact your division of retirement benefits, your provisions regarding employer-provided health insurance, or your provisions regarding other benefits which arise out of the employment of either party and your settlement terms may not be honored by the employer or the plan administrator of the employee benefits plan if your divorce decree is not properly completed. In addition, in the division or retirement benefits, there may be tax consequences which you may not anticipate. If your divorce involves issues like these, see an attorney to discuss tax consequences or the terms of a "qualified domestic relations order" (QDRO), or, if dealing with insurance issues, a "qualified medical child support order". In addition to the above situations, you should consult an attorney if:

- You are a victim of domestic/family violence.
- The other party hires an attorney

- You or the other party are contemplating filing bankruptcy
- You or the other party expect to receive money because of a personal injury
- You or the other party own a business
- You or the other party have significant assets or debts

**Truthfulness.** It is absolutely essential that you be completely honest and accurate in completing all forms. There are penalties for attempting to mislead the Court. You should read Wyoming Rules of Civil Procedure, Rule 11 (representations to the court) and Wyoming Statute § 6-5-301 (perjury).

**Unauthorized Practice of Law Notice.** The purpose of this packet is to assist those persons who are doing their own divorce. It may be an unauthorized practice of law for a person who is not a licensed attorney to assist others in obtaining a divorce. Such practice could subject a guilty party to punishment for contempt of court.

**You are reminded that if you choose to continue without an attorney, you are expected to know what to do and how to do it.** The Wyoming Supreme Court has said: “A *pro se* litigant (one without an attorney) will be granted no greater right than any other litigant and he must expect and receive...the same treatment as if represented by an attorney...” **In other words, if you do not have an attorney you will be held to the same standards as a person with an attorney.**

## FAMILY LAW INFORMATION AND INSTRUCTIONS

**CONFIDENTIALITY:** If you have concerns about confidential information such as addresses and/or social security numbers, please consult an attorney and do not attempt to do this on your own. You should also know that Domestic Violence Protection Orders or Stalking Orders are available free of charge at the circuit court clerks' offices. You may request assistance in obtaining Domestic Violence Protection or Stalking Orders from your local domestic violence or sexual assault program or you may call the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-800-990-3877). There are also private attorneys that are willing to assist clients in these matters. If you have ever obtained a Domestic Violence Protection Order, this information should be indicated in the *Complaint for Divorce* or the *Counterclaim*. A Domestic Violence Protection Order generally will be in effect for up to three (3) months and any provision included in that order (such as child custody and/or support) will end when the order expires.

**Read through the following information and instructions before completing the forms to ensure that you qualify to file a divorce in Wyoming. To file a complaint you must live in Wyoming for at least sixty (60) days before you file.**

**Step 1. Getting Started.** The following forms are required in all uncontested divorce cases. It is recommended that you complete all of these forms before you file the *Complaint for Divorce* so that they will be ready to be filed at the appropriate time:

1. Vital Statistics form
2. Complaint for Divorce (with Children)
3. Summons
4. Acknowledgement and Acceptance of Service
5. Confidential Financial Affidavit
6. Affidavit for Divorce Without Appearance of Parties
7. Confidential Statement of the Parties for Child Support Order
8. Decree of Divorce (with Children)
9. Order for Income Withholding
10. Income Withholding for Support (or, you can open a case with your local child support enforcement agency)

\*If you are getting divorced in Laramie County, a Supplemental Order is also required.

\*\*Other forms may be required depending on the Court and on your situation. If additional forms are needed, they will be discussed below where applicable.

**Step 2. File your divorce case.** A divorce case begins with the filing of a *Complaint for Divorce*. A *Complaint for Divorce* is a written request to the court for a divorce. The person who originally asks for this legal action is called the **plaintiff** and remains the plaintiff throughout the case.

**Notarizing Signatures.** You will need to sign the *Complaint for Divorce* and have it notarized. Notarial Officers may administer the oath and witness your signature, or in many cases, Clerks of Court will be willing to administer the necessary oath. Each Clerk's office has their own policy so check with them first before seeking notarization of your signature on the forms.

The *Complaint for Divorce* is given to the **Clerk of the District Court**, whose office is usually located in the county courthouse or a branch of the county courthouse. A list of the Clerk of District Court for each Judicial District is included in the packet. You will file your case in the District Court in the county where either you or your spouse resides. A case number, also called a **civil action number**, is assigned and an official court file is opened. Delivering the *Complaint for Divorce* to the clerk's office is called **filing** a case. A **filing fee** is required. Ask the Clerk what the amount of the filing fee is and what forms of payment are accepted.

**Case Number:** When you start a lawsuit by filing the paperwork with the Clerk of the District Court, a case number will be assigned by the Clerk. You must include that case number on all further paperwork in the "**caption**". The caption is the top section of a pleading, motion, and complaint stating the name of the plaintiff, the defendant, the District Court the case is filed in and the case number.

At the time you file the *Complaint for Divorce*, you will also need to provide the Clerk with the **Vital Statistics form**. Fill out all portions of this form EXCEPT the "Decree" section, which will be completed by the Clerk when your divorce is final. You will also need to have the Clerk sign (a/k/a "issue") the **Summons**.

Take the original and two (2) copies of each document to the Clerk's office. The Clerk will give you copies of each document back after stamping them with the date they were filed. This is called a "file stamp". You should keep one copy of each document for your records. The other set of documents will need to be served upon the defendant.

**RECAP for Step 2:** To start your divorce case, you will need to file the following documents with the Clerk of the District Court's office located in the county courthouse in the county where either you or your spouse resides:

- A. **Vital Statistics form**.
  - a. Fill out all portions, EXCEPT the "Decree" section, which will be completed by the Clerk when your divorce is final);
- B. **Complaint for Divorce (with Children)**; and
- C. **Summons** (If the defendant has already signed the *Acknowledgement and Acceptance of Service*, you may file it now and you can then skip to **Step 4 or Step 6** depending on your situation)
- D. Pay the **filing fee**
- E. Take the original and two (2) copies of each document to the Clerk's office.
  - a. The Clerk will give you both copies back after file-stamping them
  - b. You should keep one copy for your records.
  - c. The other set of documents will need to be served upon the defendant.

**Step 3. Serve the Defendant.** Once a case has been filed, a copy must be formally given to (a/k/a **served** on) the defendant. The person against whom the original legal action is being requested is called the **defendant**, and he or she is expected to answer the *Complaint for Divorce*. The defendant remains the defendant throughout the case. **Personal**

**service** of the *Complaint for Divorce* and *Summons* on the defendant by a **sheriff** is required for the *Complaint for Divorce* **unless** the defendant completes an ***Acknowledgment and Acceptance of Service*** form. Formal service is required for the *Complaint for Divorce* so the Court has proof that the other party actually received the papers. ***Other forms of service exist, but these are the easiest methods that meet the formal service requirement for a Complaint for Divorce. If you cannot serve the defendant by either of these methods, ask the Clerk for additional forms for alternative methods of service.***

You **MUST** give the defendant official notice that you have filed for divorce **within 90 days** from the date you filed the *Complaint for Divorce*. This is done by serving a copy of the *Summons* and *Complaint for Divorce* upon the defendant or by having the defendant sign an *Acknowledgment and Acceptance of Service* form stating a copy of those documents were received. If you do not serve the defendant within 90 days, your case can be dismissed by the Court.

A. **How to Serve the Defendant.** Choose **ONLY ONE** of the following options to serve the defendant:

#### **Option 1– Service by Sheriff**

***Summons.*** It is recommended to have a sheriff in the county where the defendant can be found serve him or her with the papers. There will be a separate **service fee** (usually thirty-five (\$35.00) dollars in Wyoming). You can contact the sheriff’s department in the county where the defendant lives to determine the fee charged by the sheriff. This is also true if your spouse is going to be served out of state. **You will need to provide the sheriff with a copy of the *Summons* and *Complaint for Divorce* to be served on the defendant.**

**Proof of Service.** The sheriff’s office will complete the last page of the *Summons* called the “***Return***” (or they may have their own form - an “***Affidavit of Service***”) and will usually file the original with the Clerk’s office and send you a copy. If you receive what looks like the original “***Return***” or “***Affidavit of Service***” from the sheriff, call the Clerk’s office to ensure the original has been filed. If it has not, then file the original with the Clerk’s office and keep a copy for yourself. This is the proof that the defendant was given proper notice.

**Note:** Once the defendant has been served, you **MUST** file the original *Summons* and *Return* (or *Affidavit of Service*) with the Clerk’s office so that the Judge knows that proper service was made.

**OR:**

**Option 2 – Acknowledgement and Acceptance of Service.** If the defendant agrees, he or she may sign a form stating that a copy of the *Summons* and *Complaint for Divorce* were received. If the defendant agrees, you will need to fill out an *Acknowledgment and Acceptance of Service* form. The defendant must sign this document in front of a notarial officer.



**Proof of Service.** Once the *Acknowledgment and Acceptance of Service* form is signed, take the original and two (2) copies of the signed form to the Clerk's office for filing. You should keep one copy for your records and provide the other copy to the defendant.

**Note:** You must file the signed *Acknowledgment and Acceptance of Service* form with the Clerk's office so that the Judge knows that proper service on the defendant was made.

**RECAP for Step 3:** You MUST give the defendant official notice that you have filed for divorce within 90 days from the date you filed the *Complaint for Divorce*. Choose one of the following methods:

**Option 1 – Service by Sheriff**

- A. Provide copy of the *Summons* and *Complaint for Divorce* to Sheriff where the defendant lives;
- B. Pay the *service fee*; and
- C. Once the defendant is served, be sure the original *Summons* and *Return or Affidavit of Service* are filed with the Clerk's office; **OR**

**Option 2 – Acknowledgement and Acceptance of Service**

- A. Provide a copy of the *Summons* and *Complaint for Divorce* to the defendant;
- B. Have the defendant sign the *Acknowledgment and Acceptance of Service* form in front of a notary; and
- C. File the original *Acknowledgment and Acceptance of Service* form with the Clerk's office.

**Step 4. Wait for the Defendant's time to Answer to expire.** Once the defendant is served, he or she has 20 days (if served in the State of Wyoming or 30 days if served out-of-state) to file an **Answer** to the *Complaint for Divorce*. You must wait for the appropriate time period to expire before you can proceed with the divorce case. You must wait the 20 days (or 30 days if served out-of-state) even if the defendant tells you that he or she is not going to file an *Answer*.

- **Computation of Time Limits.** - In computing most time limits, unless otherwise stated, the day the document is served shall not be included. The last day of the time period is included, unless it lands on a Saturday, a Sunday, or a legal holiday, or, if the Courthouse is closed then the time limit will be on the very next day that the Courthouse is open. **If you have questions about time limits you should seek the advice of an attorney.**
- While waiting, move on to **Step 5**. You can also use this time to continue to work on the other required forms to be sure they are filled out completely and correctly.

**RECAP for Step 4:** You MUST wait for the defendant's time to file an *Answer* to expire before you can proceed with your divorce case. In the meantime:

- A. Mark on the calendar when the defendant's time to *Answer* expires;
- B. Move on to **Step 5** while waiting; and
- C. Use this time to ensure the required forms are filled out completely and correctly.

**Step 5. Initial Disclosures.** The law requires certain information be made available at least thirty (30) days after the defendant is served, including a schedule of financial assets; schedule of non-financial assets; schedule of all debts owed individually or jointly; location(s) of safety deposit box(es); employment information; information regarding other income and retirement accounts; and a summary of the facts believed to support the claim of superior entitlement to custody where child custody is at issue. Both parties are required to provide this information in order to fully disclose all assets and debts of the parties. **EXCEPTON: If you and the defendant agree on all issues in your divorce and you both are signing the *Decree of Divorce*, then you do NOT need to complete the *Initial Disclosures* and you can move on to Step 6.**

Please note that “A party must make its disclosures based on the information then reasonably available to it and is not excused from making its disclosures because it has not fully completed its investigation of the case or because it challenges the sufficiency of another party’s disclosures or because another party has not made its disclosures.”

- A. **WHEN TO SERVE:** Initial Disclosures must be sent to the defendant (or his/her attorney) **WITHIN 30 DAYS AFTER THE DEFENDANT IS SERVED. Be sure to keep a copy of this document for your records.**
  
- B. **DO NOT FILE THE INITIAL DISCLOSURES WITH THE COURT.** This form is only given to the defendant (or his/her attorney).

**RECAP for Step 5:** You MUST provide your *Initial Disclosures* to the defendant within 30 days after the defendant is served with the *Summons* and *Complaint for Divorce* unless you and the defendant agree on all issues in your divorce and you both are signing the *Decree of Divorce*.

- A. Mark on the calendar the deadline to send your *Initial Disclosures*; and
- B. Send your *Initial Disclosures* to the defendant by the deadline.
- C. DO NOT file the *Initial Disclosures* with the Clerk’s office.

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**Step 6.** Once the time for the defendant to file an *Answer* has expired and, if applicable, you sent your *Initial Disclosures* to the defendant, then several options exist to move your case forward to get a *Decree of Divorce*. Pick the option that best describes your situation:

**Option A.** If the defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all of the issues of your divorce, follow **Option A** below.

**Option B.** If the defendant did not file an *Answer* or *Answer and Counterclaim*, follow **Option B** below.

**Option C.** If the defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on all of the issues of your divorce, follow **Option C**.

**Option A. The following instructions apply if the defendant filed an Answer or Answer and Counterclaim, and you both agree on all of the issues of your divorce.** If you and the defendant agree on the issues involved in your divorce, then you will need to complete the following:

A. Fill out a *Confidential Financial Affidavit* and attach all required documents (tax returns for previous two years and statement of earnings for the current year).

- Both parties are required to file a *Confidential Financial Affidavit* including the required attachments with the Court. If the defendant does NOT file a *Confidential Financial Affidavit*, you will need to complete an *Affidavit of Imputed Income* to show the Court how much money the defendant makes. This is an additional form contained in your packet.
- **Required Attachments.** The *Confidential Financial Affidavits* of the parties must be supported with documentation of both current and past earnings. Proper documentation of current earnings includes, but is not limited to, pay stubs, employer statements, or receipts and expenses if self-employed. Documentation of current earnings shall be supplemented with copies of the most recent tax return to provide verification of earnings over a longer period. Include copies of income tax returns for the previous two years and your most recent pay stub(s) to show how much you have made so far this year.

B. Fill out an *Affidavit for Divorce Without Appearance of Parties*. This form provides the admissible evidence the Court needs to enter a *Decree* without requiring the parties to attend a hearing.

C. Fill out a *Confidential Statement of the Parties for Child Support Order*. This form provides the Court with personal information (such as social security numbers and birth dates) of the parties involved in your case as required by statute, but permits the information to be located in a confidential file so that the general public does not have access to the information.

D. Fill out a *Decree of Divorce (with Children)* This form will need to be filled out completely, signed by both you and the defendant and both of your signatures notarized. Here are some helpful hints in completing the *Decree of Divorce*:

- **Custody and Visitation.** You and the defendant need to determine which custody and visitation plan will apply in your circumstances. It is unusual for the Court not to award any visitation or supervised visitation for the defendant.
- *If there is a concern that your child(ren) may be harmed by the other parent physically and/or emotionally, you should seek advice from someone familiar with parenting and child development issues. There may be an organization in your community that can help facilitate visitation between the children and you or the*

*other parent. You can also contact the facilitators of any parenting classes in your community for ideas or additional resources.*

- **Child's interests should control.** The use of a calendar for scheduling purposes is highly recommended. The parents' work schedules and the child(ren)'s school and extracurricular activities need to be considered when developing a Parenting Plan. This is especially true for those parents who do not enjoy a traditional work week. While parenting time should be an enjoyable and enriching experience to both parents and child(ren), it is an obligation and responsibility for each parent as well as a right and a privilege. Both parents must also have a good faith commitment to developing and carrying out a Parenting Plan. You need to focus on what type of parenting schedule would be in the child(ren)'s best interest.
- **ASSUMPTIONS.** There are some basic assumptions behind a shared Parenting Plan, including:
  1. Both parents are fit to care for the child(ren).
  2. Both parents desire to have an ongoing relationship with each child.
  3. Both parents are able to carry out the childcare plan.
  4. Any negotiated solution with meaningful input from the parents (and, where applicable, the child(ren)), is preferred to a Court imposed solution.
  5. It is usually in the child(ren)'s best interest for each parent to have frequent, meaningful and continuing access to the child(ren).
  6. That the child(ren) need(s) reliability, predictability and consistency on the part of each parent.
  7. That the child(ren) need(s) continuous access, direct experience and openness of communication with each parent and an absence of involvement in the mutual blaming of the parents.
- **GENERAL RULES.** Experience has dictated a number of common sense guidelines that should be followed in every case. Some of these guidelines are also supported by law. Except as otherwise ordered by the Court:
  1. Both parents are entitled to access to records and information on the medical care of the child(ren) directly from the health care provider as well as from the other parent. Each parent should notify the other promptly of any significant medical treatment.
  2. Both parents are entitled to access to all school records of the child(ren) and each should make arrangements with the school for access.
  3. Both parents are reminded that parenting time and child support, while they may be emotionally connected, are separate legal issues. Wyoming case law provides that parental access may not be denied due to the failure to pay child support. It also provides

that child support may not be withheld due to the failure of a parent to allow access.

4. Parents should share with each other their residence and work addresses and phone numbers.
5. Each parent should encourage the child(ren) to initiate telephone and/or mail contact with the other parent on a regular basis.
6. The parents should not discuss their marital problems with the child(ren). They should not try to turn the child(ren) against the other parent by discussing with the child(ren) the shortcomings of the other parent.
7. The parents should not attempt to buy the favor of the child(ren) with presents, special treatment, special privileges or promises.
8. Parents should not make their child(ren) choose between the two parents.
9. Parents should not question their child(ren) regarding the activities of the other parent.
10. Parents should not make promises that cannot be kept.
11. Parents should not fight with the other parent in the presence of their child(ren).
12. Parents should be prompt with appointments with the child(ren). It is unfair to keep a child waiting, and worse, to disappoint the child(ren) by not showing up at all. When unforeseen circumstances prevent compliance within approximately fifteen (15) minutes of the scheduled time of exchange, immediate notification should be given, if possible, and appropriate alternative arrangements should be made. Alternative arrangements may include delayed scheduling, make-up access, or skipped access. For those occasional circumstances when a parent cannot meet the prearranged schedule, that parent should be responsible for the reasonable expenses incurred for child care, unless otherwise mutually agreed upon by both parents.
13. Parents should coordinate plans regarding bedtime, discipline, homework schedule and other household rules.

- **FACTORS TO BE CONSIDERED.** The *Decree of Divorce* contains several options and ideally both parents will work together to select the proper child care plan depending upon the family circumstances. Consider:

1. The geographic location of each parent;
2. Each parent's willingness and ability to perform the child care duties associated with the child(ren), relative to the child(ren)'s stage of development such as feeding, changing, bathing, preparing the child(ren) for school, taking responsibility for the child(ren)'s homework, etc.;

3. Each parent's ability to care for the child(ren)'s needs (consider not only historical involvement but a parent's willingness and ability to learn the necessary skills, as well);
  4. The lack of hostility between the parents;
  5. The ability of both parents' work schedules and the child(ren)'s schedule to accommodate extended access;
  6. The child(ren)'s age(s) and strength of attachment to each parent;
  7. The child(ren)'s relationship with his/her friends.
- **Parenting classes.** At any time the Court may require parents to attend appropriate parenting classes, including, but not limited to, parenting classes to lessen the effects of divorce on children. Both parents are generally required to attend classes when they are ordered. If the class is ordered, you **MUST** file a **Certificate of Completion** with the Clerk's office. This certificate is provided by the class instructor.
  - **Child Support Payments.** You will need to determine the amount of child support due based upon the *Confidential Financial Affidavits* you and the defendant completed (or by the *Affidavit of Imputed Income* if the defendant did not complete his/her own *Confidential Financial Affidavit*). You may use the ***Child Support Computation Form*** as a guide to help you calculate the support due. Another option is to go online to: [www.alllaw.com/calculators/childsupport/wyoming/](http://www.alllaw.com/calculators/childsupport/wyoming/) to calculate child support.
    - **You CANNOT agree that no support will be paid.** The statutes allow for a reduced amount of support when you agree on shared physical custody and each parent keeps the child(ren) overnight for more than forty percent (40%) of the year and both parents contribute substantially to the expenses of the children in addition to the payment of child support.
    - Where the combined ***net monthly*** income of ***both*** parents is less than eight hundred and thirty three dollars (\$833.00), the non-custodial parent has to pay twenty-five percent (25%) of his/her net income, but the minimum amount of child support a person has to pay cannot be less than fifty dollars (\$50.00) per month for each family unit in which there are children to whom the noncustodial parent owes a duty of support.
    - There are **NO DEVIATIONS** from the presumed support allowed **UNLESS** the Court **CHOOSES** to deviate from the set amount because the amount was unjust or inappropriate in the particular case. The Court must include the specific reasons for deviation in the *Decree of Divorce*.
    - **NO AGREEMENTS FOR LESS THAN THE PRESUMED SUPPORT CAN BE APPROVED IF GOVERNMENT OR STATE BENEFITS (SUCH AS MEDICAID (TITLE 19), FOOD STAMPS, POWER, ETC.) ARE BEING PROVIDED ON BEHALF OF ANY**

**CHILD.** This means the Court cannot lower the amount of child support calculated by using the net income of you and the defendant even if you and the defendant agree to a lower amount of support.

- **Medical Support.** The law requires that medical support for the child(ren) be included as part of any child support order. The Court shall order either or both of the parents to provide medical support, if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available. This may include dental, optical or other health care needs for the child(ren). In addition, the Court will order that any medical expenses not covered by insurance and any deductible amount on the required insurance coverage be paid by one or both parents. If both parents are ordered to pay for expenses not covered by insurance, the Court will specify the proportion for which each parent is responsible (for example, 50 % to plaintiff and 50 % to defendant).

E. Fill out an ***Order for Income Withholding***. The Court is required by statute to enter an ***Order for Income Withholding*** in every case where child support has been ordered.

F. Fill out an ***Income Withholding for Support***. This form is required if you need to have the child support paid directly from a non-custodial parent's employer. If you need assistance in filling out this form, or if you need assistance in collecting child support, you should contact the child support enforcement agency in your district. The Clerk can provide you with the agency's contact information.

G. **Other Forms:** The Court may also require a **Certificate of Mailing** and a **Supplemental Order** depending on the county where your case is filed. Ask the Clerk if these additional forms are required.

H. **Copies and Envelopes.** Take an original and two (2) copies of each of the above documents for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the defendant). A copy of any documents that you file (other than the *Decree of Divorce*) must be sent to the defendant on the date that you filled out on the *Certificate of Service* on each document.

- If a hearing is not required by your Court, the Clerk will mail a copy of your *Decree of Divorce* if accepted by the Court.
- If a hearing is required by your Court, follow the next steps:

I. **Hearing.** In some Courts, a hearing is required before the Judge will sign the *Decree of Divorce*. If this is the case, you will need to request a hearing by completing the **Request for Setting**. If you have reached an agreement, check the box that states that the parties have reached an agreement. Indicate how much time you will need for the hearing (usually 15 minutes if there is an agreement). You will file the **Order Setting Hearing** with the Clerk's office and they will fill in the hearing date and time and mail a copy to you and the defendant.

You will need to provide an addressed, stamped envelope for you and the defendant to the Clerk. These documents are additional forms that are contained in your packet.

J. **Evidence**. At the hearing, you will need to inform the Judge that you have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, the reason(s) why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the *Decree of Divorce* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law. Following the hearing, the Judge will make any necessary changes to the *Decree of Divorce* and will sign it.

K. **When will your divorce become final?** Your divorce will not be final until the Judge signs the *Decree of Divorce* and it is filed with the Clerk. It may take several days for the Judge to sign the *Decree of Divorce*. You must verify with the Clerk that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final.

**RECAP for Option A:** If you and the defendant agree on all issues in the divorce and the defendant filed an *Answer* or *Answer and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the defendant unless otherwise stated below.

1. *Confidential Financial Affidavit*
2. *Affidavit for Divorce Without Appearance of Parties*
3. *Confidential Statement of the Parties for Child Support Order*
4. *Order for Income Withholding*
5. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
6. *Decree of Divorce (with Children)*
  - Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the defendant).
7. Complete and file any additional documents required by your Court.
8. If your Court requires a hearing before entering a *Decree of Divorce*, then, you will also need to file and do the following:
  - *Request for Setting*
  - *Order Setting Hearing*
  - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the defendant).
  - Attend the Hearing

**Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.**



**Option B. If the Defendant does not file an Answer or Answer and Counterclaim, obtain a default divorce by following these steps:**

A. **Default Divorce.** After the required waiting period has expired, you may obtain what is referred to as a divorce by default if the defendant does NOT file an *Answer* or *Answer and Counterclaim* to the *Complaint for Divorce*.

B. **Necessary forms.** Fill out and sign the *Application for Entry of Default* and *Affidavit of Plaintiff in Support of Default*. Take an original and two (2) copies of these documents to the Clerk and the blank *Entry of Default*. If your paperwork is correct, the Clerk will sign the *Entry of Default*. These are additional forms that are contained in your packet.

C. **Additional Documents.** After the *Entry of Default* is signed by the Clerk, complete **Step 6, Option A, items A through H** above. **MAKE SURE TO MARK “DEFAULT” ON DECREE.**

D. **Default Hearing.** Some Courts will not enter a *Default Decree of Divorce* unless there is a hearing. Ask the Clerk if this is required for your Court. If it is, fill out a *Request for Setting* and request 15 minutes for the hearing. You will file the *Order Setting Hearing* with the Clerk’s office and they will fill in the hearing date and time and mail a copy to you and the defendant. You will need to provide an addressed, stamped envelope for you and the defendant to the Clerk.

E. **Evidence.** At the hearing, you will need to inform the Judge that you have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, the reason(s) why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the *Decree of Divorce* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law. Following the hearing, the Judge will make any necessary changes to the *Decree of Divorce* and will sign them.

F. **When will your divorce become final?** Your divorce will not be final until the Judge signs the *Decree of Divorce* and it is filed with the Clerk. It may take several days for the Judge to sign the *Decree of Divorce*. You must verify with the Clerk that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final. The time limit to appeal a decree begins to run from the day the *Decree of Divorce* is filed with the Clerk’s office.

**RECAP for Option B:** If the defendant did NOT file an *Answer* or *Answer and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk’s office. You will need to send a copy of any filed document to the defendant unless otherwise stated below.

1. *Application for Entry of Default*
2. *Affidavit of Plaintiff in Support of Default*
3. *Entry of Default* (Clerk will sign if your paperwork is correct)

4. *Confidential Financial Affidavit*
5. *Affidavit for Divorce Without Appearance of Parties*
6. *Confidential Statement of the Parties for Child Support Order*
7. *Order for Income Withholding*
8. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
9. *Decree of Divorce (with Children)* **MAKE SURE TO MARK “DEFAULT” ON DECREE.**
  - Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the defendant).
10. Complete and file any additional documents required by your Court.
11. If your Court requires a hearing before entering a *Decree of Divorce*, then, you will also need to file and do the following:
  - *Request for Setting*
  - *Order Setting Hearing*
  - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the defendant).
  - Attend the Hearing

**Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.**

**Option C. If the defendant *Answers* or *Answers and Counterclaims*, and you and the defendant do NOT agree on all issues of your divorce, you will need to have a trial:**

A. **You must file a *Reply to the Counterclaim*.** If the defendant has filed an *Answer and Counterclaim* for a divorce, you will have a time limit (usually 20 days) to file a written response (***Reply to Counterclaim***) to the counterclaim. The original, signed copy of your reply must be filed with the Clerk and a copy must be sent to the defendant (or his/her attorney).

- **Caution:** If you do not file the original *Reply to Counterclaim* with the Clerk within the time allowed, the defendant can seek a default divorce against you and may get what he/she asked for in his/her counterclaim.

B. **Trial.** If there is no agreement, your case will have to be heard and decided by a Judge at a trial.

- **Caution:** It is strongly recommended that you hire or find an attorney to represent you at trial, though you may represent yourself. You proceed at your own risk and will be expected to know the laws.

C. **Request a trial date.** You will need to request a hearing by completing a *Request for Setting*. Write in “trial” where it asks the type of hearing. Indicate how much time you think it will take for you and the other party to present your evidence and write that in (usually one (1) to three (3) hours). You also need to decide whether or not you want a Court

reporter to record the proceeding. If you request a Court reporter, you will be responsible for paying the fees. SEE BELOW FOR DETAILS ON GETTING A COURT REPORTER. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not get a Court reporter to take down everything that is said at the trial.

- You must file the *Request for Setting* and the *Order Setting Divorce Trial and Requesting Pretrial Statements* with the Clerk's office and someone there will fill in the hearing date and time and mail a copy to you and the other party. You will need to provide an addressed, stamped envelope for you and the Defendant to the Clerk. Both the *Request for Setting* and the *Order Setting Divorce Trial and Requesting Pretrial Statements* are additional forms contained in your packet.

D. **Pretrial Disclosures.** Both parties must provide to the other party AND PROMPTLY FILE WITH THE COURT the *Pretrial Disclosures* regarding the evidence that it may present at trial. If you have questions, you should contact an attorney.

- When are the *Pretrial Disclosures* due? Unless otherwise directed by the Court, these disclosures must be made at least **30 days before trial.**
- Take the original and two (2) copies to the Clerk for filing. Keep one copy for your records and send the other copy to the defendant (or his/her attorney).

E. **Settlement before trial.** In the event that your case settles before the trial, you must present the Court with the completed and signed *Decree of Divorce* before the Court will take the trial off of the schedule. There will be no continuances or canceling of the trial date based on telephone calls. If you need a continuance, you should contact an attorney for assistance in seeking one.

F. **Court reporter.** If you wish to have a Court Reporter you are required to make a request by phone to the appropriate official court reporter at least **three (3) working days** before the matter is set for hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. Payment of the statutory reporting fee of **\$45.00** per day shall be paid to the official court reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer.

G. **Evidence and witnesses.** At the hearing, you will need to present your evidence and witnesses. If the *Order Setting Divorce Trial and Requesting Pretrial Statements* is entered (signed by the judge), you must follow the terms and provide the Court with the information requested in that document, including copies of exhibits you want to introduce at the trial and a list of your proposed witnesses and what their testimony is going to be about within the time frame ordered (usually 3 to 5 days prior to the trial). Under the law, the Judge cannot help you or assist you at trial. You are on your own without an attorney.

H. **Final Decision (Decree of Divorce).** Following the trial, the Judge will make a decision or may take the matter under advisement, meaning he or she will need to think further before making a determination. If the Judge instructs you, you must take that decision and type it into the *Decree of Divorce* incorporating the Judge's decision.

- **You are again reminded that, if you choose to continue without an attorney, you are expected to know what to do and how to do it. The judge will not guide you through the trial/hearing, tell you how to proceed or advise you on the law.**
- **You MUST also file the documents outlined in Step 6, Option A, items A and C through H above.**

I. **When will your divorce become final?** Your divorce will not be final until the judge signs the *Decree of Divorce* and it is filed with the Clerk of Court. It may take several days for the judge to sign the *Decree of Divorce*. You must verify with the Clerk's office that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final. The time limit to appeal a decree begins to run from the day the *Decree of Divorce* is filed with the Clerk's office.

**RECAP for Option C:** If the defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on the issues, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the defendant unless otherwise stated below.

1. If the defendant filed an *Answer and Counterclaim*, file a *Reply to the Counterclaim* within 20 days after you receive the *Answer and Counterclaim*.
2. Request a trial date
  - a. *Request for Setting*
  - b. *Order Setting Divorce Trial and Requiring Pretrial Statements*
  - c. Take an original and two (2) copies of the *Order Setting Divorce Trial and Requiring Pretrial Statements* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Order Setting Divorce Trial and Requiring Pretrial Statements* to you and the defendant).
3. File your *Pretrial Disclosures* and *Pretrial Memorandum*
4. At least 3 working days before the trial, request a court reporter, if desired
5. Attend the Trial
6. *Decree of Divorce (with Children)*
  - a. Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the defendant).
7. *Confidential Statement of the Parties for Child Support Order*
8. *Order for Income Withholding*
9. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
10. Complete and file any additional documents required by your Court.

**Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.**

**CHECKLIST FOR PACKET 1  
PLAINTIFF DIVORCE WITH MINOR CHILDREN**

**STEP 1.** These forms are required in all divorce cases where you and the defendant agree on all of the issues:

- Vital Statistics form
- Complaint for Divorce (with Children)
- Summons
- Acknowledgment and Acceptance of Service
- Confidential Financial Affidavit
- Affidavit for Divorce Without Appearance of Parties
- Confidential Statement of the Parties for Child Support Order
- Decree of Divorce (with Children)
- Order for Income Withholding
- Income Withholding for Support (or, you can open up a case with your local child support enforcement agency)

\*Other forms may be required based on your situation or on the Court where you are filing your divorce. If other forms are required based on your situation, they will be discussed below. You will need to check with the Clerk to determine if the Court requires further documents.

**STEP 2.** File your Divorce in the District Court where either you or your spouse resides within the State of Wyoming. Take an original and two copies with you. The Clerk will keep the original. Keep one copy for yourself. The other copy is for service upon the defendant as described in **Step 3**.

- Vital Statistics* form
- Complaint for Divorce* (with Children)
- Summons* (**Note:** If the defendant has already signed the *Acknowledgement and Acceptance of Service*, you may file it at the same time you file your other paperwork and can skip to **Step 4** or **Step 6** depending on your situation.)
- Pay filing fee (check with Clerk for amount and payment options)

**STEP 3.** Serve the Defendant (Choose 1 option below).

- Defendant signed the *Acknowledgement and Acceptance of Service* form
- File original *Acknowledgement and Acceptance of Service* form with the Court; **OR**
- Defendant was personally served by the Sheriff

- File original *Return* or *Affidavit of Service* completed by Sheriff with the Court.

- STEP 4.** Wait the required time for Defendant to file an *Answer* to the Complaint.
- 20 days have elapsed.** Defendant was personally served in the State of Wyoming or signed an *Acknowledgement and Acceptance of Service* form; **OR**
  - 30 days have elapsed.** Defendant was personally served outside the State of Wyoming; **OR**
  - Exception:** If you and the defendant agree on all issues in your divorce and you both are signing the *Decree of Divorce*, then you can move on to **Step 6.**

- STEP 5.** Complete the *Initial Disclosures*
- Send the *Initial Disclosures* to the defendant within **30 days** after the defendant was personally served by the Sheriff or signed the *Acknowledgment and Acceptance of Service* form. **DO NOT FILE** the *Initial Disclosures* with the Court.
  - Exception:** If you and the defendant agree on all issues in your divorce and you both are signing the *Decree of Divorce*, then you do NOT need to complete the *Initial Disclosures* and you can move on to **Step 6.**



**STEP 6.** There are three options to choose from on this step depending on your situation. Review each option carefully and pick the option that best describes your situation.

**Option A:** If the defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all issues, complete **Option A.**

**Option B:** If the defendant did not file an *Answer* or *Answer and Counterclaim*, complete **Option B.**

**Option C:** If the defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on all issues, complete **Option C.**

**OPTION A:** If the defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all issues, fill out and file the following documents to finish your Divorce:

- Reply to Counterclaim.** If the Defendant filed an *Answer and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the

date the defendant filed the *Answer and Counterclaim*. You do NOT need to complete this form if the defendant only filed an *Answer*.

- Confidential Financial Affidavit*
  - Attach tax returns for prior 2 years; and
  - Attach statement of earnings for the current year.
- Additional form that may be needed:
  - Affidavit of Imputed Income***. If the defendant does NOT file a *Confidential Financial Affidavit*, you will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the defendant makes. You do not need to complete this form if the defendant filed a *Confidential Financial Affidavit*.
- Affidavit for Divorce Without Appearance of Parties*
- Confidential Statement of the parties for Child Support*
- Decree of Divorce (with Children)*
- Order for Income Withholding*
- Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency).
- Copies and Envelopes:
  - Take an original and 2 copies of each form to the Clerk for filing.
  - One envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
  - One envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the defendant.
  - Mail a copy of the other forms to the defendant and keep a copy for your records.
- Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Mailing*
  - Supplemental Order* (Use in Laramie County Only)
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
- Copies and Envelopes for each additional form:
  - Take an original and 2 copies of each additional form to the Clerk for filing.
  - Mail a copy of any additional form filed with the Clerk to the defendant and keep a copy for your records.

- Hearing. Some Courts require a hearing before the Judge will sign the *Decree of Divorce*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.
  - Request for Setting*
  - Order Setting Hearing* (Judge will fill out date and time)
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.
  - Take an envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the defendant.
  - Mail a copy of the *Request for Setting* to the defendant and keep a copy for your records.
- Attend the Hearing: Inform the Judge that you have lived in Wyoming for at least 60 days before you filed the *Complaint for Divorce*, the reasons why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the Judge the *Decree of Divorce* you completed.

**Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.**

**OPTION B.** If the defendant does NOT file an *Answer*, fill out and file the following documents to finish your Divorce:

- Application for Entry of Default*
- Affidavit of Plaintiff in Support of Default*
- Take a blank *Entry of Default* for the Clerk to sign
- Confidential Financial Affidavit*
  - Attach tax returns for prior 2 years; and
  - Attach statement of earnings for the current year.
- Affidavit of Imputed Income*. You will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the defendant makes.
- Affidavit for Divorce Without Appearance of Parties*
- Confidential Statement of the parties for Child Support*
- Decree of Divorce (with Children)*
- Order for Income Withholding*
- Income Withholding for Support* (or, you may open up a case with your local child support agency)
- Copies and Envelopes.
  - Take an original and 2 copies of each form to the Clerk for filing.



- Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
- Take an envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the defendant.
- Mail a copy of the other forms to the defendant and keep a copy for your records.
  
- Additional Forms:** The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Mailing*
  - Supplemental Order* (Laramie County Only)
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
  - Copies and Envelopes for each additional form:
    - Take an original and 2 copies of each additional form to the Clerk for filing.
    - Mail a copy of any additional form filed with the Clerk to the defendant and keep a copy for your records.
  
- Hearing.** Some Courts require a hearing before the Judge will sign the *Decree of Divorce*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.
  - Request for Setting*
  - Order Setting Hearing* (Judge will fill out date and time)
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.
  - Take an envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the defendant.
  - Mail a copy of the *Request for Setting* to the defendant and keep a copy for your records.
  
- Attend the Hearing:** Inform the Judge that you have lived in Wyoming for at least 60 days before you filed the *Complaint for Divorce*, the reasons why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the Judge the *Decree of Divorce* you completed.

**Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.**

**OPTION C.** If the defendant files an *Answer* or *Answer and Counterclaim*, and you both do NOT agree on all of the issues of your divorce, fill out and file the following forms and attend the trial to finish your Divorce:

**\*Caution: It is strongly recommended that you hire or find an attorney to represent you at trial, even though you may represent yourself. You proceed at your own risk and will be expected to know the rules and laws.**

- Reply to Counterclaim.* If the defendant filed an *Answer and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the date the defendant filed the *Answer and Counterclaim*. You do not need to complete this form if the defendant only filed an *Answer*.
  - Take original and two copies to the Clerk for filing
  - Mail copy to the defendant and keep a copy for your records
  
- Request a Trial Date.
  - Request for Setting*
  - Order Setting Divorce Trial and Requesting Pretrial Statements* (Judge will fill out date and time)
  - Take original and two copies to the Clerk for filing.
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Divorce Trial and Requesting Pretrial Statements* to you.
  - Take an envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Order Setting Divorce Trial and Requesting Pretrial Statements* to the defendant.
  - Mail a copy of the *Request for Setting* to the defendant and keep a copy for your records.
  
- Pretrial Disclosures and Pretrial Memorandum*
  - File at least **30 days** before the trial date.
  - Take original and two copies to the Clerk for filing.
  - Mail copy to the defendant and keep a copy for your records.
  
- At least 3 working days before the trial, request a Court Reporter, if desired
  
- Attend the Trial: Present your evidence and witnesses.
  
- Decision by Judge: The Court will tell you at the end of the trial if it will prepare the *Decree of Divorce* or if it wants you or the other party to prepare the *Decree of Divorce* and the terms to include in it. Have a blank *Decree of Divorce* ready to fill out in case the Judge asks you to prepare the *Decree of Divorce*. This way, you can fill it out as he gives his ruling.
  
- Confidential Statement of the Parties for Child Support*
  
- Decree of Divorce (with Children)* (Unless the Court is preparing this for you)
  
- Order for Income Withholding*

- Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
- Copies and Envelopes.
  - Take an original and 2 copies of each form to the Clerk for filing.
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
  - Take an envelope addressed to the defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the defendant.
  - Mail a copy of the other forms to the defendant and keep a copy for your records.
- Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Mailing*
  - Supplemental Order* (Laramie County Only)
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
  - Copies and Envelopes for each additional form:
    - Take an original and 2 copies of each additional form to the Clerk for filing.
    - Mail a copy of any additional form filed with the Clerk to the defendant and keep a copy for your records.

**Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.**

**VITAL STATISTICS FORM**  
**State of Wyoming**  
**Department of Health**  
**ABSOLUTE DIVORCE OR ANNULMENT**

STATE FILE NUMBER \_\_\_\_\_

1. HUSBAND'S NAME <i>(First, Middle, Last)</i>			
2a. RESIDENCE-CITY, TOWN, OR LOCATION		2b. COUNTY	
2c. STATE		Birthplace (State or Foreign Country)	4. DATE OF BIRTH <i>(Month, Day, Year)</i>
5a. WIFE'S NAME <i>(First, Middle, Last)</i>		5b. MAIDEN SURNAME	
6a. RESIDENCE-CITY, TOWN, OR LOCATION		6b. COUNTY	
6c. STATE		7. BIRTHPLACE <i>(State or Foreign Country)</i>	8. DATE OF BIRTH <i>(Month, Day, Year)</i>
9a. PLACE OF THIS MARRIAGE-CITY TOWN, OR LOCATION	9b. COUNTY	9c. STATE OR FOREIGN COUNTRY	10. DATE OF THIS MARRIAGE <i>(Month, Day, Year)</i>
11. DATE COUPLE LAST RESIDED IN SAME HOUSEHOLD <i>(Month, Day, Year)</i>	12. NUMBER OF CHILDREN UNDER 18 IN THIS HOUSEHOLD AS OF THE DATE IN ITEM 11 Number _____ None <input type="checkbox"/>	13. PLAINTIFF/PETITIONER Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both <input type="checkbox"/> Other <i>(Specify)</i>	
14a. NAME OF PLAINTIFF/PETITIONER'S ATTORNEY  -----DO NOT FILL OUT BELOW THIS LINE		14b. ADDRESS <i>(Street and Number or Rural Route Number, City or Town, State, Zip Code)</i>	
15. I CERTIFY THAT THE MARRIAGE OF THE ABOVE NAMED PERSONS WAS DISSOLVED ON : <i>(Month, Day, Year)</i>	16. TYPE OF DECREE-Divorce or Annulment <i>(Specify)</i>	17. DATE RECORDED <i>(Month, Day, Year)</i> -	
18. NUMBER OF CHILDREN UNDER 18 WHOSE PHYSICAL CUSTODY WAS AWARDED TO: Husband <input type="checkbox"/> Wife <input type="checkbox"/> Joint (Husband/Wife) <input type="checkbox"/> Other <input type="checkbox"/> No Children <input type="checkbox"/>	19. COUNTY OF DECREE	20. TITLE OF COURT	
21. SIGNATURE OF CERTIFYING OFFICIAL	22. TITLE OF CERTIFYING OFFICIAL	23. DATE SIGNED <i>(Month, Day, Year)</i>	

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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**COMPLAINT FOR DIVORCE (with Children)**

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**PLAINTIFF**,  **Husband**  **Wife**, in this action for divorce, states and alleges as follows:

1. **60-DAY REQUIREMENT:** Plaintiff is a resident of the City of \_\_\_\_\_, County of \_\_\_\_\_, State of Wyoming, and has lived in the State of Wyoming for at least the past sixty (60) days without interruption. (If not, did marriage take place in Wyoming and has the plaintiff resided in this state from the time of the marriage until the filing of the complaint?  yes  no).

Length of Current Residence in Wyoming: \_\_\_\_\_ Dates: \_\_\_\_\_

2. **DATE OF MARRIAGE:** \_\_\_\_\_  
Place of marriage: \_\_\_\_\_ (City/County/State).

3. **DATE OF SEPARATION:** \_\_\_\_\_.

4. **IRRECONCILABLE DIFFERENCES:** Irreconcilable differences exist in the marriage; and

5. **AGGRIEVED PARTY:** Plaintiff is the aggrieved party in this case and should be granted a divorce from the Defendant;

6. **CHILDREN OF THE PARTIES:** The Defendant and I are the parents, either natural or adoptive, of child(ren) who are:

- Under 18 years of age; OR
- Between the ages of 18-20 and still in high school or a program equivalent to high school; OR

Prevented from supporting him/herself due to a mental, emotional or physical impairment.

**NOTE: IF NO CHILDREN FALL INTO ONE OF THE ABOVE CATEGORIES, STOP. YOU SHOULD BE USING THE PACKET AND FORMS FOR A DIVORCE WITHOUT CHILDREN.**

7. **CHILD CUSTODY JURISDICTION:** That the child(ren) named in this complaint  have  have not been in the State of Wyoming for a period of six (6) months or more immediately before filing this *Complaint*. (If not, seek the advice of a lawyer before filing)

8. **CHILD CUSTODY AND VISITATION:** Custody and visitation should be determined by this Court in this action; or, in the alternative, if the parties are able to agree on a parenting plan detailing custody and/or visitation in the best interests of the minor child(ren), then the Court should approve the parents' plan and make it part of a *Divorce Decree* in this case;

**\*\*\*\*If there is or has been domestic violence in the parties' relationship, you should seek knowledgeable advice and guidance in developing an appropriate and safe parenting plan\*\*\*\***

9. **REQUIRED INFORMATION FOR CHILDREN:** The following information is required for each child, unless you have a court order or are operating under another law allowing you to maintain confidentiality of addresses or other identifying information. If the information in paragraphs 9 through 12 is not furnished, the court, upon motion of a party or its own motion, may stay the proceeding until the information is furnished. Attach a separate sheet, if necessary.

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

10. **OTHER CASES INVOLVING CHILD(REN):** State whether you have participated as a party or witness or *in any capacity* in any other proceeding (court cases) concerning the custody, allocation of decision-making, or visitation/parenting time of any of the children listed in this *Complaint* in this *or any other state*: (If yes, please be specific regarding case number, court, state and nature of case, date of child-custody determination, if any, and child(ren)'s initials: \_\_\_\_\_

11. **OTHER PROCEEDINGS, INCLUDING PROTECTION ORDERS:** State whether you have any information of any custody proceeding that could affect the current proceeding, including proceedings for enforcement and civil and criminal proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions, and if so, identify the court, the state, the case number and the nature of the proceeding and child(ren)'s initials: \_\_\_\_\_

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12. **CUSTODY AND VISITATION RIGHTS OF OTHERS:** The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren) (names and addresses of those persons): \_\_\_\_\_

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13. **PREGNANCY:** To the best of Plaintiff's knowledge,

Wife is not pregnant, **OR**

Wife is pregnant (If pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is born) and  
The baby is due on or about \_\_\_\_\_ (date), (and, check one space below):

The Plaintiff and Defendant are the biological parents of the child, **OR**  
 Plaintiff is not the biological parent of the child, **OR**  
 Defendant is not the biological parent of the child.

14. **CHILD SUPPORT:** Child support should be ordered to be paid by:  Plaintiff **OR**  Defendant in an amount determined by the Wyoming Child Support Guidelines.

15. **MEDICAL AND HEALTH INSURANCE:** Ordering that the  Plaintiff **OR**  Defendant, **OR**  Both Parents provide medical support, which may include dental, optical or other health care needs for their dependent children if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available; and that one (1) or both parents be liable to pay any medical expenses not covered by insurance and any deductible amount on the required insurance coverage in proportion to their respective incomes or as otherwise agreed or ordered by the court;

16. If you have already come to an agreement about the child(ren), or about support, please list that information here: (NOTE: the judge may or may not approve the terms of the agreement)

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17. **PROPERTY AND DEBTS:** The Court should equitably divide the parties' property and debts, or if the parties are able to agree upon an equitable division of their property and debts, the Court should adopt the parties' agreement.

18. **SPOUSAL SUPPORT/ALIMONY:** The Court should award:

Plaintiff  Defendant  Neither party spousal support/alimony in a reasonable amount to be determined by the court; or in the alternative if the parties are able to reach an agreement that the court make the parties' agreement part of any Divorce Decree in this case. (NOTE: Alimony is not required by law and, in Wyoming, the Supreme Court has held while alimony may be appropriate in some cases, an award of property is a preferable, modern substitute for alimony).

19. **WIFE'S NAME** (This is Wife's sole decision). That the Wife:

- Wants to have her previous name of \_\_\_\_\_ restored; **OR**  
 Does not want to have her previous name restored.

20. **JURISDICTION:** That this Court is the proper Court to decide this divorce action.

**REQUESTS TO THE COURT: THE PLAINTIFF** therefore requests that the Court enter an Order:

1. **DIVORCE:** Granting the Plaintiff a divorce from the Defendant and dissolving the marriage;

2. **CUSTODY AND VISITATION:** Awarding custody and visitation of the child(ren) named in this *Complaint*, whether by birth or adoption, in the best interest of the minor child(ren) or if the parties are able to agree upon a custody and/or visitation/parenting plan that is in the child(ren)'s best interest, that the court approve the parties' agreement and make it part of any Divorce Decree in this case;

3. **Both parties have a continuing duty to inform the court of any custody or other proceeding concerning the child(ren) in this or any other state which may arise during this lawsuit;**

4. **CONFIDENTIAL FINANCIAL AFFIDAVITS:** Requiring both parties to submit current *Confidential Financial Affidavits* to establish child support;

5. **CHILD SUPPORT:** Ordering that child support will be paid by:

Plaintiff OR  Defendant in an amount determined by the court using the Wyoming Child Support Guidelines;

6. **MEDICAL AND HEALTH INSURANCE:** Ordering that the  Plaintiff OR  Defendant, OR  Plaintiff and Defendant provide medical support, which may include dental, optical or other health care needs for their dependent children if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available; and that one (1) or both parents be liable to pay any medical expenses not covered by insurance

and any deductible amount on the required insurance coverage in proportion to their respective incomes or as otherwise agreed or ordered by the court;

7. **PROPERTY AND DEBT DISTRIBUTION:** Equitably dividing the property and debts of the parties or approve an equitable division agreed upon by both Plaintiff and Defendant and submitted in writing to the Court;

8. **SPOUSAL SUPPORT (ALIMONY):** (NOTE: Alimony is not required by law and, in Wyoming, the Supreme Court has held while alimony may be appropriate in some cases, an award of property is a preferable, modern substitute for alimony);

That neither party should pay the other spousal support; OR  
 That reasonable spousal support be paid by  Plaintiff, OR  Defendant as the circumstances and facts may require;

9. **NAME CHANGE:** That the wife resume her previous name at the conclusion of this lawsuit if she wishes. **NOTE:** If you are not the wife who is requesting to have her former name restored, the court must have a written request from the wife who wants her name restored to change the name;

10. **OTHER RELIEF:** For such other and further relief as the Court deems just and equitable.

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

The Plaintiff, \_\_\_\_\_, under the penalty of perjury, verifies that she/he has read the *Complaint*, knows the contents of the *Complaint*, and that the statements in the *Complaint* are true to the best of her/his own knowledge.

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

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Witness my hand and official seal.

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

My Commission Expires:

-----Fill in, if applicable-----

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

\_\_\_\_\_  
Attorney's Name

Attorney's Address/Telephone:

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

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

**SUMMONS**

To the above named Defendant:  
Print Defendant's Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Employer Name & Address: \_\_\_\_\_

YOU ARE HEREBY SUMMONED and required to file with the Clerk and serve upon the Plaintiff or Plaintiff's attorney if s/he has one, an Answer to the Complaint for Divorce which is herewith served upon you, within 20 days after service of this Summons upon you, exclusive of the day of service. (If service upon you is made outside of the state of Wyoming, you are required to file and serve your answer to the Complaint for Divorce within 30 days after service of this Summons upon you, exclusive of the day of service.) If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint for Divorce.

Dated \_\_\_\_\_, 20\_\_\_\_\_.

(Seal of District Court)

\_\_\_\_\_  
Clerk of Court

By: \_\_\_\_\_  
Deputy Clerk \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Name

\_\_\_\_\_

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

STOP: SHERIFF WILL FILL THIS OUT (Attach to Summons)

**RETURN**

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

TO BE USED BY WYOMING SHERIFF, UNDER  
SHERIFF OR DEPUTY

I, \_\_\_\_\_, Sheriff in and for said County of \_\_\_\_\_, in the State aforesaid, do hereby certify that I received the within Summons, together with a copy of the Complaint for Divorce filed in the above entitled matter, and that I served the same in the County aforesaid on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by delivering a copy of the same, together with a copy of the Complaint for Divorce, to

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

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

Sheriff's fees:   Service,     \$ \_\_\_\_\_; Return \$ \_\_\_\_\_  
                          Mileage     \$ \_\_\_\_\_; Total    \$ \_\_\_\_\_

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

**AFFIDAVIT OF SERVICE**

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

\_\_\_\_\_, being first duly sworn, on oath deposes and says that s/he is over 18 years old and is not a party to the foregoing action or interested therein, and that s/he made service of said Summons in the County aforesaid on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by delivering a copy of the same, together with a copy of the Complaint for Divorce, to:

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

Address: \_\_\_\_\_

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

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

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

My Commission Expires:

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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**ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE**

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I, \_\_\_\_\_, hereby  
(Print Defendant's Name)  
acknowledge receipt of a copy of the *Complaint for Divorce* filed in this case and the *Summons* issued by the Clerk. I waive any requirement for other service of process (Rule 4(m)(2)(v), Wyoming Rules of Civil Procedure). I agree to answer or otherwise plead within 20 days from this date (30 days if copies of the papers were received outside of Wyoming). I understand that if I fail to file an answer or other pleadings with the Clerk of this Court and serve the same upon the Plaintiff in accordance with the Wyoming Rules of Civil Procedure within the time limits stated, I will be in default and Plaintiff may be afforded the relief demanded in the *Complaint for Divorce* without a trial or other hearing.

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

\_\_\_\_\_  
Defendant's Signature  
Defendant's Phone Number: \_\_\_\_\_  
Defendant's Address: \_\_\_\_\_  
Defendant's City/State/Zip Code: \_\_\_\_\_

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

WITNESS my hand and official seal.

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

My Commission Expires:

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Plaintiff/Plaintiff's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

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### INITIAL DISCLOSURES

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The following initial disclosures, are submitted by the Plaintiff pursuant to Wyoming Rule of Civil Procedure 26(a)(1.1). This information is required in all divorce proceedings to the extent that the information pertains to a particular claim or defense in the action. This information must be made available to the opposing party's attorney or the opposing party if he or she does not have an attorney for the divorce action within thirty (30) days after the defendant has been served with the *Complaint for Divorce*. For any of the following disclosures that do not pertain to you, write "not applicable" on the appropriate schedule.

1. A schedule of financial assets owned individually or jointly, such as savings or checking accounts, stocks, bonds, cash or cash equivalents, including the name and address of the depository, the date such account was established, the type of account, the account number, and whether the account is acknowledged to be a marital asset or asserted to be a non-marital asset and, if asserted to be a non-marital asset, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Financial Assets**.)

2. A schedule of non-financial assets, such as personal or real property (i.e. house, land, vehicles, household items, etc.) owned individually or jointly, including the purchase price and the date of purchase or acquiring the property, the present market value, any indebtedness



relating to such asset, the state of record ownership, whether purchased from marital assets or obtained by gift or inheritance, and whether acknowledged to be a marital asset or asserted to be a non-marital asset and, if asserted to be a non-marital asset, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Non-Financial Assets.**)

3. A schedule of all debts owed individually or jointly, identifying the date any obligation was incurred, the spouse in whose name the debt was incurred, the present amount of all debts and monthly payments, the use to which the money was put which caused the debt to arise, identification of any asset which serves as security for such debt, and an acknowledgement of whether each debt is a marital or non-marital debt, and if asserted to be a non-marital debt, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Debts.**)

4. A schedule of safe deposit boxes, including the name and address of the institution where the box is located, the box number, the name and address of the individual(s) who has access to the box, an inventory of the contents, and the value of the assets located therein. (See attached **Schedule of Safety Deposit Boxes.**)

5. A schedule of employment, including the name and address of your employer; gross monthly wage; payroll deduction(s), specifically identifying the type and amount; the amount of other benefits including transportation, employer contributions to health care, and employer contributions to retirement accounts; and outstanding bonuses. (See attached **Schedule of Employment.**)

6. A schedule of all other sources of income, including the name and address of the source and the amount and date the income was received. (See attached **Schedule of Other Income.**)

7. A schedule of all retirement accounts or benefits, including the name and address of the institution holding the accounts or benefits, the present value if readily ascertainable, the initial date of any account, the expected payment upon retirement and the specific retirement date, and the value of the account at the date of the marriage if the account existed prior to marriage. (See attached **Schedule of Retirement Accounts or Benefits.**)

8. If seeking custody, or a change in custody, set forth the facts believed to support your claim of superior entitlement to custody. In addition, as to a change of custody, set forth the facts comprising a substantial change in circumstances and disclose any supporting documentation. (See attached **Schedule of Custody**.)

9. **NOTE: *Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1): A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

**A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.**

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

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

### Schedule of Financial Assets

Pursuant to Wyoming Rule 26(a)(1.1)(A)  
*Required effective July 1, 2008*

<u>Type of Account:</u> Savings, Checking, Stocks, Bonds, Cash or Cash Equivalent	<u>Name of Financial Institution:</u> bank, credit union, or other financial institution	<u>Address of Financial Institution:</u>	<u>Date Account Opened</u> (Month/Day/Year)	<u>Last 4 Digits of Account No.</u>	<u>Asserted as marital or non-marital asset?</u> (If non-marital, explain legal & factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)

Additional sheets of paper are attached if needed

**Schedule of Non-Financial Assets**  
Pursuant to Wyoming Rule 26(a)(1.1)(B)  
*Required effective July 1, 2008*

<b>Item</b>	<b>Purchase Price</b>	<b>Date Acquired/ Purchased</b>	<b>Present Market Value</b>	<b>Debt Related to Asset</b>	<b>State of Record Ownership (Where item is registered or located)</b>	<b>Purchased w/ Marital Assets, Gift, or Inheritance</b>	<b>Asserted as marital or non-marital asset? (If non-marital, explain legal &amp; factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)</b>

Additional sheets of paper are attached if needed



**Schedule of Safety Deposit Boxes**  
Pursuant to Wyoming Rule 26(a)(1.1)(D)  
*Required effective July 1, 2008*

<b>Name of institution where box is located</b>	<b>Address of institution where box is located</b>	<b>Box Number</b>	<b>Name of individual(s) that have access to box</b>	<b>Address of individual(s) that have access to box</b>	<b>Contents of Box</b>	<b>Value of items in box</b>

Additional sheets of paper are attached if needed

**Schedule of Employment**

Pursuant to Wyoming Rule 26(a)(1.1)(E)

*Required effective July 1, 2008*

<b>Name of Employer</b>	<b>Address of Employer</b>	<b>Gross Monthly Wages (Before tax and payroll deductions are taken out)</b>	<b>Payroll Deductions (Specify type &amp; amount)(Examples: Social Security, taxes, retirement, health insurance)</b>	<b>Amount of other benefits, including transportation and employer contribution to health care &amp; retirement accounts</b>	<b>Outstanding Bonuses (owed to you, but not yet received)</b>

Additional sheets of paper are attached if needed



**Schedule of Other Income**  
Pursuant to Wyoming Rule 26(a)(1.1)(F)  
*Required effective July 1, 2008*

Name of all sources of other income*	Address of source of other income	Amount Received	Date Received (Month/Day/Year)

Additional sheets of paper are attached if needed

\*“Income” means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability, worker’s compensation payments, unemployment compensation, disability, annuity and retirement benefits and any other payments made by any payor.

**Schedule of Retirement Accounts or Benefits**

Pursuant to Wyoming Rule 26(a)(1.1)(G)

*Required effective July 1, 2008*

<b>Name of institution holding account</b>	<b>Address of institution where account is located</b>	<b>Present value of account</b>	<b>Date account was opened (Month/Day/Year)</b>	<b>Expected payment upon retirement &amp; specific date of retirement</b>	<b>Value of account at date of marriage</b>

Additional sheets of paper are attached if needed

**Schedule of Custody**

Pursuant to Wyoming Rule 26(a)(1.1)(H)

*Required effective July 1, 2008*

<b>Party seeking custody or a change in custody should state the facts believed to support the claim of why he or she should have custody of the children:</b>	<b>As to a change of custody, the party seeking a change of custody should state any facts that show a substantial change in circumstances and attach any documents that support the change in custody:</b>

Additional sheets of paper are attached if needed

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

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

**CONFIDENTIAL**

Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

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**CONFIDENTIAL  
FINANCIAL AFFIDAVIT  
W.S. §20-2-308**

---

A financial affidavit must be completed by each parent. You must attach copies of your tax returns and W-2 forms for the most recent two years and a copy of a cumulative earning statement for the current year. **Parents who are self-employed must supply verified income and expense statements from their business for the two most recent years.**

All financial affidavits and records required by law to be attached to the affidavit shall constitute a confidential file and are subject to inspection by persons other than the parties, their attorneys or the department of family services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act only by court order. (Wyo. Stat. § 20-2-308(d))

**THE UNDERSIGNED, (Print Name)** \_\_\_\_\_, hereby swears or affirms, under penalty of perjury, that the following answers are correct and complete.

**PERSONAL INFORMATION**

1. Your name: (First, Middle, Last) \_\_\_\_\_  
Gender:  Male  Female
2. (a) Your present address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Your home phone number: ( ) \_\_\_\_\_

A message phone number: ( ) \_\_\_\_\_

How long have you resided at this location? \_\_\_\_\_

(b) If your mailing address is different than the above address, please provide your mailing address:

\_\_\_\_\_

3. Your Social Security Number is: \_\_\_\_\_

4. Check all that apply:  Employed  Self-Employed  Both  Unemployed

**Parents who are self-employed must supply verified income and expense statements from their business for the last two years.**

5. (a) Your present employer: \_\_\_\_\_

(b) Employer's address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Employer's phone: \_\_\_\_\_

(c) Your occupation: \_\_\_\_\_

6. Your work experience for the last three years is as follows:

COMPANY AND LOCATION	DATES FROM - TO	JOB DESCRIPTION/TITLE	SALARY OR WAGE	REASON YOU LEFT

7. (a) Your education is: \_\_\_\_\_ years high school; \_\_\_\_\_ years college; \_\_\_\_\_ years trade school; \_\_\_\_\_ years other \_\_\_\_\_.

(b) List your degree(s) or certificate(s) in \_\_\_\_\_.

8. List the children you are legally responsible for supporting and *who live with you*:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

9. List any court-ordered support obligation for children who *do not* live with you:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

10. If you are the parent of any children *not named above*, list them below:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

11. If you contribute to the support of any children for whom you have no legal obligation, list below:

Child's Name	Birth Date	Social Security No.	Does this child live with you?	OTHER PARENT'S NAME AND ADDRESS	YOUR RELATIONSHIP TO THE CHILD
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

12. List all child(ren) involved in this civil matter:

Child's Name	Birth Date	Social Security No.	Does this child live with you?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

13. Do you owe back child support (arrears) in this case? If so, how much? \$\_\_\_\_\_.

14. Do you owe back child support (arrears) on any other child support obligations? If so, how much? (List **total of all support arrearages for all children, except this case**). \$\_\_\_\_\_.

15. Means tested benefits (POWER Program, Health Care Benefits under Title XIX of the Social Security Act or similar state program, General Assistance, Food Stamps, Supplemental Security Income, etc.) are being provided to your children, as follows:

CHILD'S NAME	BIRTH DATE	STATE	TYPE OF BENEFIT	AMOUNT OF BENEFIT

**INCOME & EXPENSE INFORMATION**

16. (a) List pay dates or otherwise describe pay schedule: \_\_\_\_\_  
 weekly  
 every two weeks  
 twice per month (i.e. 1<sup>st</sup> and 15<sup>th</sup> of every month)  
 monthly  
 annually

My gross income\*\* (before deductions) is: \$\_\_\_\_\_ per month. (Convert annual, bi-monthly, and weekly amounts to monthly amounts).

\*\* Gross income (includes tips, commission and bonuses). Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12.

- (b) Please list the deductions taken out of your check by your employer:  
**(Please provide copies of pay-stubs for all payroll deductions)**

Mandatory Deductions		Voluntary Deductions, Continued	
Federal Income Tax		Health, Dental, Vision Insurance	
Social Security Tax		Dues	
Medicare Tax		Bonds	
Current child support for other children		Stock Purchase Plan	
Retirement/Pension deductions (mandatory deductions only)		Flex Benefit Cafeteria Plan	
Other -		Disability Insurance	
Other -		Life Insurance	
<b>Voluntary Deductions</b>		Charity	
Bank/Credit Union (savings)		Child Care	
Bank/Credit Union (loan)		Other -	
Retirement/Deferred Compensation		Other -	
Filing Status: _____		<b>Total Monthly Deductions:</b>	
No. of Dependents Claimed: _____			\$
		<b>Total Monthly Net Income***</b>	\$

\*\*\* Net income means gross income less personal income taxes, social security deductions, cost of dependent health care coverage for all dependent children, actual payments being made under preexisting support order for current support of other children, other court-ordered support obligations currently being paid and mandatory pension deductions. Payments towards child support arrearage shall not be deducted to arrive at net income.

- (c) How many hours do you work each week?  
 Regular \_\_\_\_\_ Overtime \_\_\_\_\_ Total \_\_\_\_\_  
 Is the overtime listed above expected to continue on a consistent basis?  YES  NO  
 How often do you receive overtime compensation? \_\_\_\_\_
- (d) Date of your last salary increase or decrease: \_\_\_\_\_.

17. **YOUR INCOME FROM ALL OTHER SOURCES** (Include the monthly average of annual or sporadic income; also include any government benefits):

AMOUNT	INCOME SOURCE	ADDRESS OF SOURCE



18. Has anyone been ordered to provide health insurance, or is there any other medical provision in an existing court order?

Check one:  YES  NO

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

19. Are the child(ren) involved in this case covered by health insurance?

Check one:  YES  NO

If yes, list the children covered below:

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

**You must provide current written proof from your insurance carrier verifying the names of the actual person(s) covered under your policy.**

20. Attached to this affidavit are:

1) copies of my last two years income tax returns,

2) copies of my W-2 Forms for the last two years, and

3) copies of statements of earnings from each of my employers showing

**cumulative pay for this year. Parents who are self-employed must supply verified income**

**and expense statements from their business for the two most recent years.**

### **PERJURY STATUTE**

21. Wyoming Statute § 6-5-301, (1977, as amended) [Perjury] provides:

(a) A person commits perjury if, while under a lawfully administered oath or affirmation, he knowingly testifies falsely or makes a false affidavit, certificate, declaration, deposition or statement, in a judicial, legislative or administrative proceeding in which an oath or affirmation may be required by law, touching a matter material to a point in question.

(b) Perjury is a felony punishable by imprisonment for not more than five (5) years, a fine of not more than five thousand dollars (\$5,000.00), or both.



on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_  
OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

### AFFIDAVIT OF IMPUTED INCOME

---

**(Only use this form if you are unable to get the other party to complete a Confidential Financial Affidavit)**

I, \_\_\_\_\_, of lawful age, first being duly sworn upon my oath,  
 (print name)  
depose and state as follows:

1. I am the  Plaintiff  Defendant in the above-captioned matter.
2. I am not able to get a *Confidential Financial Affidavit* from the other party because: \_\_\_\_\_.
3. The other party has certifications, degrees, education or training relevant to his/her employability as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Explain, to the best of your knowledge, the other party's work history or other sources of income for the previous two years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. His/her income for this year is unknown, as she/he has not provided financial information and has failed, neglected or otherwise refused to file a *Confidential Financial Affidavit*.
6. I  do  do not have copies of the last two year's income tax returns showing the amount earned by  Plaintiff  Defendant. ATTACH ANY

TAX RETURNS, W-4s, CHECK STUBS OR OTHER INFORMATION  
ABOUT THE OTHER PARTY'S INCOME TO THIS DOCUMENT.

If you have information about the other parent's previous or current employment by area and occupation, you may be able to get information regarding wages by visiting the U.S. Department of Labor Bureau of Labor Statistics website for wage information by area and occupation <http://www.bls.gov/bls/blswage.htm>. Attach any relevant documentation to this Affidavit.

7.  Plaintiff's  Defendant's income is based on him/her being paid:

- \_\_\_\_\_ weekly  
\_\_\_\_\_ every two weeks  
\_\_\_\_\_ twice per month (i.e. 1<sup>st</sup> and 15<sup>th</sup> of every month)  
\_\_\_\_\_ monthly  
\_\_\_\_\_ annually

Convert annual, bi-weekly, bi-monthly, and weekly amounts to *monthly* amounts below.

**\*\* Gross income (includes tips, commission and bonuses). Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12; annually by dividing by 12.** If only the "gross income" is known, multiply that number by .25 (or other number if instructed by Court) and then subtract that amount from the gross to arrive at the net monthly income. **If the other party has a history of only working for minimum wage or less, and is capable, to your knowledge of working 40 hours/week, the court may impute his/her income at \$1,135.00 net monthly for a noncustodial parent and \$1,160.50 net monthly for a custodial parent.** You may call your local child support enforcement office for more information on imputing a custodial or non-custodial parent's wage. Federal minimum wage is \$7.25/hour as of July 1, 2009.

8.  Plaintiff's  Defendant's estimated gross income (before deductions) is:  
\$ \_\_\_\_\_ *per month*, to the best of my information and belief.

"Income" means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payments made by any payor, but shall not include any earnings derived from overtime work unless the court, after considering all overtime earnings derived in the preceding twenty-four (24) month period, determines the overtime earnings can reasonably be expected to continue on a consistent basis. In determining income, all reasonable unreimbursed legitimate business expenses shall be deducted. Means tested sources of income such as Pell grants, aid under the personal opportunities with employment responsibilities (POWER) program, food stamps and supplemental security income (SSI) shall not be considered as income. Gross income also means potential income of parents who are voluntarily unemployed or underemployed.

**"Net income"** means income as defined in the box above, less personal income taxes, social security deductions, cost of dependent health care coverage for all dependent children, actual payments being made under preexisting support orders for current support of other children, other court-ordered support obligations currently being paid and mandatory pension deductions. Payments towards child support arrearage shall not be deducted to arrive at net income.



**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

**DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.**  
**FOR COMPUTATION PURPOSES ONLY.**  
**EFFECTIVE JULY 1, 2005.**

§ 20-2-304. Presumptive child support:

**(i) One (1) child:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For One Child	Base Support Plus Marginal Percentage
\$ 833.00	26.2	\$ 218.00 + 24.3% over \$ 833.00
\$ 2,083.00	25.1	\$ 522.00 + 23.3% over \$ 2,083.00
\$ 2,917.00	24.6	\$ 716.00 + 12.9% over \$ 2,917.00
\$ 3,750.00	22.0	\$ 824.00 + 10.7% over \$ 3,750.00
\$ 5,000.00	19.2	\$ 958.00 + 9.9% over \$ 5,000.00
\$ 6,667.00	16.8	\$ 1,122.00 + 9.4% over \$ 6,667.00
\$ 8,958.00	14.9	\$ 1,338.00 + 5.9% of anything over \$8,958.00

**(ii) Two (2) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Two Children	Base Support Plus Marginal Percentage
\$ 833.00	36.8	\$ 307.00 + 33.8% over \$833.00
\$ 2,083.00	35.0	\$ 729.00 + 31.9% over \$2,083.00
\$ 2,917.00	34.1	\$ 995.00 + 16.4% over \$2,917.00
\$ 3,750.00	30.2	\$ 1,131.00 + 13.1% over \$3,750.00
\$ 5,000.00	25.9	\$ 1,295.00 + 12.5% over \$5,000.00
\$ 6,667.00	22.5	\$ 1,503.00 + 12.5% over \$6,667.00
\$ 8,958.00	20.0	\$ 1,790.00 + 7.0% of anything over \$8,958.00

**(iii) Three (3) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Three Children	Base Support Plus Marginal Percentage
\$ 833.00	42.7	\$ 356.00 + 38.7% over \$ 833.00
\$ 2,083.00	40.3	\$ 840.00 + 36.4% over \$ 2,083.00
\$ 2,917.00	39.2	\$ 1,144.00 + 16.8% over \$ 2,917.00
\$ 3,750.00	34.2	\$ 1,284.00 + 13.3% over \$ 3,750.00
\$ 5,000.00	29.0	\$ 1,450.00 + 13.7% over \$ 5,000.00
\$ 6,667.00	25.2	\$ 1,677.00 + 12.2% over \$ 6,667.00
\$ 8,958.00	21.9	\$ 1,958.00 + 7.7% of anything over \$8,958.00

**(iv) Four (4) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Four Children	Base Support Plus Marginal Percentage
\$ 833.00	47.6	\$ 397.00 + 43.2% over \$ 833.00
\$ 2,083.00	45.0	\$ 937.00 + 40.6% over \$ 2,083.00
\$ 2,917.00	43.7	\$ 1,275.00 + 18.7% over \$ 2,917.00
\$ 3,750.00	38.2	\$ 1,431.00 + 14.8% over \$ 3,750.00
\$ 5,000.00	32.3	\$ 1,616.00 + 15.2% over \$ 5,000.00
\$ 6,667.00	28.1	\$ 1,870.00 + 13.7% over \$6,667.00
\$ 8,958.00	24.4	\$ 2,183.00 + 8.6% of anything over \$8,958.00

**(v) Five (5) or more children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Five Children	Base Support Plus Marginal Percentage
\$ 833.00	52.4	\$ 436.00 + 47.5% over \$ 833.00
\$ 2,083.00	49.5	\$ 1,030.00 + 44.7% over \$ 2,083.00
\$ 2,917.00	48.1	\$ 1,403.00 + 20.6% over \$ 2,917.00
\$ 3,750.00	42.0	\$ 1,575.00 + 16.3% over \$ 3,750.00
\$ 5,000.00	35.6	\$ 1,778.00 + 16.8% over \$ 5,000.00
\$ 6,667.00	30.9	\$ 2,057.00 + 15.0% over \$ 6,667.00
\$ 8,958.00	26.8	\$ 2,402.00 + 9.4% of anything over \$ 8,958.00



**DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.**  
**FOR COMPUTATION PURPOSES ONLY. EFFECTIVE JULY 1, 2005.**

**CHILD SUPPORT COMPUTATION FORM**

<b>A. COMPUTATION OF BASIC SUPPORT OBLIGATIONS: WYO. STAT. §20-2-304</b>		
1.	Mother's Net Monthly Income:	\$
2.	Father's Net Monthly Income:	\$
3.	Combined Net Monthly Income:	\$
4.	Using the support tables for presumptive support at Wyo. Stat. § 20-6-304 (a) the basic joint support obligation of the parents.	\$
5.	Mother's Proportionate Share: Line 1/Line 3 x Line 4 =	\$
6.	Father's Proportionate Share: Line 2/Line 3 x Line 4 =	\$
		\$
		SUPPORT DUE

NOTE: If the custody of the children is shared or split as defined under Wyo. Stat. § 20-2-304 (c) and (d) other formulas apply. If "split" (meaning each parent has physical custody of at least one (1) child, the amount shall be allocated to each parent based upon the number of those children in the physical custody of that parent (See subsection C below). If "shared" with each parent having actual overnight custody of the children for a certain percentage of time, the amount will be allocated based on the percentage of time, see below.

<p><b>B. SHARED CUSTODY:</b> Wyo. Stat. § 20-2-304 (c) provides for special support computation of support when each parent keeps the children overnight for more than forty percent (40%) of the year <i>and</i> both parents contribute substantially to the expenses of the children <i>in addition to</i> the payment of child support. If this is the custodial arrangement, support may be computed as follows assuming all other statutory provisions apply.</p>				
7.	a) Percent of year children will reside overnight with mother.	_____ %	b) percent of year children will reside overnight with father.	_____ %
8.	Mother's support obligation: Line 5 x Line 7b			\$ _____
9.	Father's support obligation : Line 6 x Line 7a			\$ _____
10.	MONTHLY SUPPORT DUE: The difference between lines 8 and 9 represents the net monthly support due from the parent having the greater support obligation.			\$ _____

<p><b>C. SPLIT CUSTODY:</b> Wyo. Stat. §20-2-304 (d) provides for special computations of support when each parent has physical custody of at least one (1) child. In such cases the support should be computed as follows:</p>		
11.	Joint presumptive support per child: Line 4 ÷ Total children of parents.	\$ _____
12.	Mother's support obligation for children in custody of father: Line 1/Line 3 x Number of children with father x Line 11	\$ _____
13.	Father's support obligation for children in custody of mother: Line 2/Line 3 x Number of children with mother x Line 11	\$ _____
14.	MONTHLY SUPPORT DUE: The difference between lines 12 and 13 represents the net monthly support due from the parent having the greater support obligation.	\$ _____

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_ )  
 (Print name) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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### REPLY TO COUNTERCLAIM

---

Plaintiff hereby replies to Defendant's *Counterclaim for Divorce* as follows:

1. Plaintiff admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that are accurate statements)  
of Defendant's *Counterclaim for Divorce*.
2. Plaintiff denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that you believe are not accurate)  
of Defendant's *Counterclaim for Divorce*.
3. Plaintiff does not have information sufficient to either admit or deny the  
allegations in Paragraphs \_\_\_\_\_ of Defendant's  
(list paragraphs that you don't know are accurate or not)  
*Counterclaim for Divorce*.

**WHEREFORE**, Plaintiff respectfully requests that the court find generally in her/his favor and against the Defendant, that Defendant take nothing by way of his/her *Counterclaim for Divorce*, and for such other and further relief as the court deems just and proper.

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

\_\_\_\_\_  
Signature, Plaintiff  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

-----Fill in, if applicable-----

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

\_\_\_\_\_  
Attorney's Name

Attorney's Address/Telephone:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

### APPLICATION FOR ENTRY OF DEFAULT

---

The Plaintiff submits this *Application for Entry of Default* for a default judgment against the Defendant, who was served with a copy of the *Summons* and *Complaint* on \_\_\_\_\_ [date], and has failed to answer the Plaintiff's *Complaint for Divorce* filed in this case or otherwise appear and respond, and the time allowed by law for answering or otherwise responding has now expired. Application is made to enter the default against the Defendant according to law.

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

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

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

WITNESS my hand and official seal.

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

My commission expires:

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

**AFFIDAVIT OF PLAINTIFF IN SUPPORT OF DEFAULT**

---

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

The Plaintiff \_\_\_\_\_, who is of lawful age  
(print name)  
and being first duly sworn deposes and states as follows:

1. Plaintiff has filed a *Complaint for Divorce* in this case.
2. Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by one of the following methods:

The Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by a duly authorized Deputy or the Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_ on \_\_\_\_\_.  
(insert date)

**OR**

The Defendant filed an *Acknowledgment and Acceptance of Service* acknowledging that on \_\_\_\_\_ (insert date) he/she received a *Complaint for Divorce* and the *Summons*.

**OR**

An *Affidavit to Allow Service by Publication* was filed and the Defendant was served by publication in the \_\_\_\_\_ Newspaper on the following dates: \_\_\_\_\_.

**OR**

The Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by Certified Mail, Restricted Delivery, Return Receipt requested on \_\_\_\_\_ (insert date), as evidenced by the green postal signature card attached.

3. More than  20 days (if served in Wyoming);  30 days (if served outside of Wyoming by publication or by Certified Mail), excluding the day of service, has elapsed since the date of service.
4. That the Defendant failed to answer or otherwise plead as required by law. The Defendant is not a minor nor incompetent and is not in the military service of the United States. This Affidavit is executed for the purpose of enabling Plaintiff to obtain an *Entry of Default* against the Defendant.

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

\_\_\_\_\_  
Signature

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

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

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

Witness my hand and official seal.

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

My Commission Expires:

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

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

### ENTRY OF DEFAULT

---

The Clerk of District Court, pursuant to the  Plaintiff's  Defendant's *Application for Entry of Default and Affidavit in Support of Default*, does hereby enter default against the  Plaintiff  Defendant for failure to plead or otherwise defend as provided by the Wyoming Rules of Civil Procedure, as appears from examination of the records and files herein or the return upon the original *Summons* filed in this cause.

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

CLERK OF THE DISTRICT COURT

BY: \_\_\_\_\_

Copies to:

Plaintiff/Plaintiff's Attorney's Name and Address

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

Defendant/Defendant's Attorney's Name and Address

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



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

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

**AFFIDAVIT FOR DIVORCE WITHOUT APPEARANCE OF PARTIES**  
(With Minor Children)

---

(Only use if the parties have reached an agreement and both have signed the *Decree of Divorce* **or** if either party defaulted and all default paperwork has been presented to the court and an *Entry of Default* issued.)

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

\_\_\_\_\_, being first duly sworn, deposes and says:  
(Print Name)

1. I am the  Plaintiff  Defendant in the case.
2. Plaintiff resided in the State of Wyoming for more than 60 days immediately prior to filing the *Complaint for Divorce* in this case.
3. The  Plaintiff  Defendant and I were married to each other on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_.  
(Month) (Year) (City) (State)
4. Plaintiff is currently a resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
5. Defendant is currently a resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
6. Plaintiff and Defendant are the parents, either natural or adoptive, of child(ren) who are either under 18 years of age, between the ages of 18 and 20 years and still in high school or a program equivalent to high school, or prevented from supporting him/herself due to a mental, emotional or physical impairment.

Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_  
 Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_  
 Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_  
 Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

7. The wife  is  is not now pregnant.

8. Irreconcilable differences exist in the marriage. (NOTE: a reasonable explanation is necessary – “irreconcilable differences” or “we don’t get along” and other similar statements are not sufficient). Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

9. Wife's previous name was \_\_\_\_\_ and she  does  does not want it restored. (This is solely wife's decision).

10.  The attached *Decree of Divorce* equitably distributes the property and debt acquired during our marriage. In support of this assertion I am submitting the following evidence:

A. **Debts** (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

**PRINT CLEARLY OR TYPE**

Party assuming debt in Decree	Creditor	Acct# (last four digits)	Name(s) on Account	Date of Balance	Balance	Minimum Monthly Payment Required	Main Purchase(s) for Which Debt Was Incurred
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
					\$	\$	
Total Debt Assumed by Plaintiff:			\$				
Total Debt Assumed by Defendant:			\$				

Add additional sheets, if necessary. Clearly identify any attached documents.

**B. Real Estate** (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

**PRINT CLEARLY OR TYPE**

Party assuming debt in Decree	Property Type Owned and Address (residence, condo, rental, etc.)	Name(s) on Title	Fair Market Value	Basis of Fair Market Value (appraisal, estimate, purchase price, etc.)	1 <sup>st</sup> Mortgage	Second Mortgage	Equity
Total Debt Assumed by Plaintiff:		\$					
Total Debt Assumed by Defendant:		\$					

Add additional sheets, if necessary. Clearly identify any attached documents.

**C. Motor Vehicles** (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

**PRINT CLEARLY OR TYPE**

Party Granted Property in Decree	Vehicle, Year, and Model	Name(s) on Title	Creditor to Whom Debt is Owning	Basis Used to State Value (Estimate, NADA, or Kelley Bluebook)	Fair Market Value	Amnt of Debt Owning	Equity
Total Debt Assumed by Plaintiff:		\$					
Total Debt Assumed by Defendant:		\$					

Add additional sheets, if necessary. Clearly identify any attached documents.

**D. Cash on Hand, Bank, Checking, or Saving Accounts, CD's** (For party designation use: "P" = Plaintiff, "D" =Defendant or "J" = Joint)

**PRINT CLEARLY OR TYPE**

<b>Person Granted Item(s) in Decree</b>	<b>Type of Account</b>	<b>Institution and Location</b>	<b>Account Number (Last 4 Digits Only)</b>	<b>Name on Account</b>	<b>Date of Balance</b>	<b>Balance</b>
Total Debt Assumed by Plaintiff:			\$			
Total Debt Assumed by Defendant:			\$			

Add additional sheets, if necessary. Clearly identify any attached documents.

**E. Furniture and Household Goods** ("Value" equals what you could sell it for in its current condition, such as at auction, not what you paid for it or cost of replacement.)

**PRINT CLEARLY OR TYPE**

<b>Description of Items - Household furnishings and personal belongings (clothes, jewelry, etc.)</b>	<b>Value of Plaintiff's Possessions</b>	<b>Value of Defendant's Possessions</b>
1.	1.	1.
2.	2.	2.
3.	3.	3.
4.	4.	4.
5.	5.	5.
6.	6.	6.
7.	7.	7.
8.	8.	8.
9.	9.	9.
10.	10.	10.
<b>TOTAL:</b>	\$	\$

Add additional sheets, if necessary. Clearly identify any attached documents.

**F. Miscellaneous/Other Assets or Interests** (not listed above) List all other assets, including life insurance, stocks, bonds, retirement benefits, income tax refunds owing, money owed to you, livestock, guns, etc. as distributed in the Decree.

**PRINT CLEARLY OR TYPE** (For party designation use: "P" = Plaintiff, "D" =Defendant or "J" = Joint)

Party to whom property belongs in Decree	Description	Account, serial or other identifying number (if one) (Last 4 Digits Only)	Value
Total of Plaintiff's Other Assets/Interests:		\$	
Total of Defendant's Other Assets/Interests:		\$	

Add additional sheets, if necessary. Clearly identify any attached documents.

11. Please list why the distribution of property and debts listed above is “equitable.” The Wyoming Supreme Court has held that a just and **equitable distribution** does not necessarily mean “equal.” The court evaluates the property division from the perspective of the overall distribution of marital assets and liabilities rather than from a narrow focus on the effects of any particular disposition. Further, in granting a divorce, the court shall make such disposition of the property of the parties as appears just and equitable, having regard for the respective merits of the parties and the condition in which they will be left by the divorce, the party through whom the property was acquired and the burdens imposed upon the property for the benefit of either party and children.

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12. The attached *Decree of Divorce* sets forth provisions for child custody, visitation, parental decision-making and child support that I believe is in our child(ren)’s best interest(s). In support of this statement, I provide the following evidence, under oath and to the best of my information and belief. Keep in mind that the law requires the court to consider the following factors when determining the best interest of children, so address

as many of these factors as possible in your explanation of why the Decree serves the child(ren)'s best interests:

(i) The quality of the relationship each child has with each parent: \_\_\_\_\_

\_\_\_\_\_

(ii) The ability of each parent to provide adequate care for each child throughout each period of responsibility, including arranging for each child's care by others as needed: \_\_\_\_\_

\_\_\_\_\_

(iii) The relative competency and fitness of each parent: \_\_\_\_\_

\_\_\_\_\_

(iv) Each parent's willingness to accept all responsibilities of parenting, including a willingness to accept care for each child at specified times and to relinquish care to the other parent at specified times: \_\_\_\_\_

\_\_\_\_\_

(v) How the parents and each child can best maintain and strengthen a relationship with each other: \_\_\_\_\_

\_\_\_\_\_

(vi) How the parents and each child interact and communicate with each other and how such interaction and communication may be improved: \_\_\_\_\_

\_\_\_\_\_

(vii) The ability and willingness of each parent to allow the other to provide care without intrusion, respect the other parent's rights and responsibilities, including the right to privacy: \_\_\_\_\_

\_\_\_\_\_

(viii) Geographic distance between the parents' residences: \_\_\_\_\_

\_\_\_\_\_

(ix) The current physical and mental ability of each parent to care for each child: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(x) Any other factors you want the court to consider necessary and relevant: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(xi) The law requires the court to consider evidence of spousal abuse (domestic violence) or child abuse as being contrary to the best interest of the children. Please state whether or not there has been any domestic violence or abuse in the relationship and whether the Decree adequately makes arrangements for visitation that best protects the child(ren) and the abused party from further harm: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I request the court grant me a divorce.

**OATH**

I affirm that this Affidavit (including attached sheets, if relevant) contains a complete disclosure, to the best of my information and belief, of all items of property in which my spouse and I have any current interest or expect to receive in the future based upon the work or events that took place during the marriage, and all liabilities for which I am aware that either of us could be held personally responsible. I also affirm that the representations made herein concerning my income and expenses, and that of my spouse, are accurate to the best of my knowledge. I am aware that should the information provided herein prove to be fraudulent or contain material misstatements or omissions, whether inadvertent or intentional, or be found to be inaccurate, the court shall have continuing jurisdiction to enter such orders as it considers necessary in equity and law to determine the rights and duties with regard to that property right or obligation. I am also aware the court may punish as perjury any materially false statements knowingly made with intent to defraud or mislead.

\_\_\_\_\_  
Signature

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

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

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

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer / Court Clerk

My Commission Expires:

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document  
was filed with the Clerk of District Court; and, a true and accurate copy of this document  
was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_  
\_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and  
addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name



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

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

### REQUEST FOR SETTING

---

The Plaintiff, \_\_\_\_\_ (name) requests a time and date for a hearing/trial in the District Court. The hearing/trial will take approximately \_\_\_\_\_  hours/ \_\_\_\_\_  minutes and will address the following issues:

1)  The parties have reached an agreement (both parties have signed the *Decree of Divorce* and this Court requires a hearing before it will enter a *Decree of Divorce*) (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

2)  Default was entered against  Plaintiff OR  Defendant and this Court requires a hearing before it will enter a *Decree of Divorce*) (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

3)  Divorce (With Minor Children) (NOTE: submit the ***Order Setting Divorce Trial and Requiring Pretrial Statements***); OR

4)  The parties are not able to agree on all of the terms of the divorce and a hearing is needed on the following issues:

- Allocation of parental responsibilities
- Child support
- Property distribution
- Motion for \_\_\_\_\_
- Other: \_\_\_\_\_

(NOTE: submit the ***Order Setting Hearing*** if this option is selected)

5) Any party requesting the reporting of a particular matter by the official court reporter shall make a request by phone to the appropriate official court reporter at least **three (3) working days** before the matter is set for hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. Payment of the statutory reporting fee of **\$45.00** per day shall be paid to the official court

reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not have a transcript of everything that is said at the trial. Rule 904 and 905 of the Uniform Rules of the District Courts of the State of Wyoming.

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

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

---

**ORDER SETTING HEARING**

---

**THIS MATTER** having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

**IT IS HEREBY ORDERED** that a hearing on the *Complaint for Divorce* (or other items indicated in the *Request for Setting*) is hereby scheduled for Courtroom No. \_\_\_\_ of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Wyoming on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ commencing at \_\_:\_\_\_ o'clock \_\_.M.

(\_\_\_\_) minutes/hour(s)/day(s) has been set aside for the trial of this matter. There will be no continuances or canceling of the hearing date based on telephone calls.

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

\_\_\_\_\_  
DISTRICT COURT JUDGE

Copies to:

Plaintiff/Plaintiff's Attorney's Name and Address

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

Defendant/Defendant's Attorney's Name and Address

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

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
VS. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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**ORDER SETTING DIVORCE TRIAL  
AND REQUIRING PRETRIAL STATEMENTS**

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**THIS MATTER** having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

**IT IS HEREBY ORDERED** that a trial of the above matter is hereby scheduled for Courtroom No. \_\_\_\_ of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Wyoming on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ commencing at \_\_:\_\_\_\_ o'clock \_\_.m.

(\_\_\_\_) minutes/hour(s)/day(s) has been set aside for the trial of this matter.

**IT IS FURTHER ORDERED** that each party shall file and serve on the opposing party or their attorney, if represented, no later than five (5) days prior to the trial, the party's sworn statement setting forth the facts, to the best of the party's knowledge and belief, called for by Section "A" of the attached list of information, and a statement by counsel (attorney), if any, of the client's position and proof as called for by Section "B." These filings are required to narrow and simplify the issues, prevent surprise and to eliminate unnecessary proof. The material may be presented in narrative form but must be complete for purposes called for by this order. To avoid duplication, the parties or their attorneys, if any, may submit a joint statement of those items not in dispute.

**Any party requesting the reporting of a particular matter by the official court reporter shall make a request by phone to the appropriate official court reporter at least three (3) working days before the matter is set for hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. Payment of the statutory**

**reporting fee of \$45.00 per day shall be paid to the official court reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal a decision if you do not have a transcript of everything that is said at the trial. Rule 904 and 905 of the Uniform Rules of the District Courts of the State of Wyoming.**

In the event that this case settles, the parties are informed that there will be no change in the scheduling of this matter by the Court until such time as the settlement is reduced to writing and a written agreement is presented to the court. There will be no continuances or canceling of the trial date based on telephone calls.

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

---

DISTRICT COURT JUDGE

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address

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---

Defendant/Defendant's Attorney's Name and Address

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SECTION "A"  
SWORN STATEMENT OF PARTY

Items to be included:

1. Personal data and history relevant to the issues, including name, age, prior marriages, if any, children (**use children's initials only**), present living situation of the parties and their immediate family. **For instance, where each party and the children are residing, with whom the children are residing, and how the children are being cared for during the day.** This item calls for a brief but comprehensive statement of the party's personal history as it may relate to the divorce litigation.
2. Present employment, including identity and location of employer, nature of the job, length of employment, gross and net income and benefits, including health and accident coverage, if any, its convertibility to non-group plan in event of loss of employment, terms of retirement program, all deductions from salary or wages, and prospects for the continuation of the employment.
3. Employment history and employability, including previous employment and incomes, education, training and work experience affecting employability. Include any other factors substantially affecting employability.
4. Other income, whatever the source.
5. All assets showing source of the asset (i.e., jointly purchased, gift prior to marriage), present value, basis of statement of value and statement of present salability. (**Use the last 4 digits of any financial account numbers only.**)
6. Liabilities, including amount, source, terms of the indebtedness.
7. Any other information which counsel, or the party, believe to be material to the determination of the issues.

SECTION "B"  
STATEMENT OF COUNSEL

Statement of the case by counsel of the client's position with respect to:

1. Division of assets and allocation of liabilities.
2. Amount of child support:
  - a. Amount called for by the child support guidelines;
  - b. Why, if it is urged, there should be departure from the guidelines.
3. If alimony is claimed, the basis of the claim and the amount and duration proposed by the party.
4. If client claims exclusive or superior entitlement to "the divorce," the reasons for that position.
5. If superior suitability for primary custody of children is claimed and disputed, reasons for the claim.
6. Reasons, if any, for departure from "standard rules for custody and visitation."
7. List of witnesses and specific summary of expected testimony.
8. Exhibits.

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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### PRETRIAL DISCLOSURES

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**NOTE:** Unless otherwise directed by the court, these disclosures must be made **at least 30 days before trial**. Within 14 days thereafter, unless a different time is specified by the court, a party may serve **and promptly file with the Clerk of District Court** a list disclosing (i) any objections to the use under Rule 32 (a) of a deposition designated by another party under Rule 26(a)(3)(B), and (ii) any objection, together with the grounds therefore, that may be made to the admissibility of materials identified under Rule 26(a)(3)(C). Objections not so disclosed, other than objections under Rules 402 and 403 of the Wyoming Rules of Evidence, are waived unless excused by the court for good cause.

Plaintiff submits the following initial disclosures, pursuant to Wyoming Rule of Civil Procedure 26(a)(3), required in pretrial proceedings. This information must be made available to the opposing party or the opposing party's counsel and the Court at least thirty (30) days before the trial.

A. The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

B. The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically (i.e. by a court reporter), a transcript of the pertinent portions of the deposition testimony.

C. An appropriate identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

**NOTE: *Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1) states that: A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

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

Signature \_\_\_\_\_

Printed name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

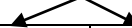
(check one)



Name of Witness	Address and Telephone Number	Expect to call witness to testify	<i>May</i> call witness to testify if the need arises

Additional sheets of paper are attached if needed

(check one)



Document or Exhibit	Summary of Evidence	Expect to offer	<i>May</i> offer if the need arises

Additional sheets of paper are attached if needed

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
 (Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

**CONFIDENTIAL**

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**CONFIDENTIAL STATEMENT FOR CHILD SUPPORT ORDER**

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The following information shall remain confidential and subject to inspection by persons other than the parties, their attorneys or the department of family services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act **only by court order** and contains the:

1. Information for each parent:

**Name of Plaintiff:** \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Plaintiff's Social Security Number: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_  
Plaintiff's Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
\_\_\_\_\_

**Name of Defendant:** \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Defendant's Social Security Number: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_  
Defendant's Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
\_\_\_\_\_

2. Information for each child for whom child support has been ordered in this case:

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

Add additional sheets of paper if needed to provide information for more children.

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

**IN WITNESS WHEREOF**, we have hereunto set our hands the day and year first above written.

\_\_\_\_\_  
Signature

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

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

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

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_ )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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### DECREE OF DIVORCE WITH MINOR CHILDREN

---

**NOTE: ALL APPLICABLE BOXES MUST BE CHECKED OR THE JUDGE WILL NOT SIGN YOUR DECREE.**

This matter came before the Court by:

- Default (and *Entry of Default* has been issued); OR  
 Agreement of the parties (both parties have signed the document); OR  
 Trial

**JURISDICTION:**

1.  The Plaintiff lived in Wyoming sixty (60) days before filing the *Complaint for Divorce*.
2.  The Defendant was served (check one):
  - Personally (by the sheriff) on the following date \_\_\_\_\_ in the following state: \_\_\_\_\_;
  - OR
  - Defendant accepted service (*Acknowledgement and Acceptance of Service* must be filed. Defendant's signature must be notarized.); OR
  - By publication. (*Copy of Affidavit of Publication* must be filed.); OR
  - By *Registered or Certified Mail*. (Return receipt must be filed and Clerk must have entered certificate of service.)
3.  At least twenty (20) days have passed since the *Complaint for Divorce* was filed.
4. Defendant filed
  - an *Answer*
  - an *Answer and Counterclaim*

- no response (default must be entered, unless there is a waiver of right to answer)
- no response but both parties have signed and agreed to the entry of this Decree of Divorce.

5.  The parties were married to each other on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the County of \_\_\_\_\_, State of \_\_\_\_\_.

(month)                      (year)

6. The parties have irreconcilable differences constituting grounds for divorce. The irreconcilable differences include: \_\_\_\_\_

\_\_\_\_\_

7. **CHILDREN:** Children to whom this order relates:

Name (Initials Only)	Address	Year of Birth	Place of Birth

Additional sheets of paper are attached if needed

8. **PREGNANCY:**

- The wife is NOT pregnant; OR
- The wife is pregnant [NOTE: If wife is pregnant, you may have to wait until the child is born to finalize the divorce]. It is alleged that the baby is due on \_\_\_\_\_ (date), and, it is further alleged that:
  - The Plaintiff and Defendant are the parents of the child, OR
  - Plaintiff is not the parent of the child, OR
  - Defendant is not the parent of the child.

9. **PROPERTY/DEBTS:**

- The parties acquired property and debts during the marriage and the division set forth below in this Decree is just and equitable; OR
- The parties did not acquire any property or debts during the marriage.

10. **ALIMONY:**

- Neither party shall pay the other alimony/spousal support; OR  
 The wife shall pay to the husband reasonable alimony as set forth in this Decree; OR  
 The husband shall pay to the wife reasonable alimony as set forth in this Decree.

11. **CHILD SUPPORT:** The parents have an obligation to contribute toward the support and maintenance of the parties' minor children.

12. **WIFE'S FORMER NAME:**

- The wife does not desire to have her former name restored; OR  
 The wife wants her former name restored to: \_\_\_\_\_

**IT IS THEREFORE ORDERED:**

1. **MARRIAGE DISSOLVED:** The marriage of the parties is dissolved and the parties are restored to the legal status of single persons.

2. **PARENTING PLAN:**

A. **Primary residential/physical custody**

Mother **OR**  Father shall have the primary care, custody and control of the parties' minor child(ren); **OR**

The parties shall have joint physical custody. The parties shall share physical custody of the minor children as described on the attached sheet of paper.

**Attach** a schedule describing the sharing of physical custody.

**Skip** to Section 3 – Child Support.

B. **Visitation:** The child(ren) shall spend time with the non-custodial parent as the parties may agree, but if they cannot agree, then time shall be spent with the child(ren) as follows:

B.1. **WEEKENDS:** The child(ren) shall spend time with  Mother **OR**  Father  every  every other  other (specific weekends such as 1<sup>st</sup> and 3<sup>rd</sup>):  
\_\_\_\_\_ from \_\_\_\_\_ a.m./p.m.  
to \_\_\_\_\_ a.m./p.m.

B.2. **OTHER PARENTING TIME/VISITATION:** In addition to the Weekend visitation above, the child(ren) shall also spend time with  Mother **OR**  Father as follows (specify specific dates and times such as each Wednesday from 4:00 p.m. to 8:00 p.m., etc.): \_\_\_\_\_



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Additional sheets of paper are attached (if necessary).

**B.3. SUMMER SCHEDULE: (Choose one)**

**Option 1:**  Mother  Father shall have parenting time/visitation with the parties' child(ren) beginning \_\_\_\_\_ and continuing until \_\_\_\_\_ (i.e. ten days after school lets out from 5:00 p.m. and continuing until ten days prior to school starting up again at 5:00 p.m.).

The other parent shall have the same Weekend and Other Parenting Time/Visitation as described in paragraphs B.1 and B.2 above during the summer; OR

**Option 2:**  The summer schedule will remain the same as during the school year; OR

**Option 3:**  The summer schedule will be as follows: \_\_\_\_\_

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Additional sheets of paper are attached (if necessary).

**B.4. HOLIDAY SCHEDULE:** The following holiday schedule will take priority over the regular weekday, weekend, and summer schedules described above. Fill in the blanks below with Mother or Father to indicate who the child(ren) will be with for the holidays. Provide beginning and ending times. If a holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent they are normally scheduled to be with.

**(Be very specific about the dates, days, times, location, and by whom exchanges will take place)**

Holiday/Event	Parent Spending Time with Child(ren) (Mother or Father)	Odd numbered years	Even numbered years	Every Year	Time & Place of exchange
<input type="checkbox"/> Mother's Day					
<input type="checkbox"/> Memorial Day					
<input type="checkbox"/> Father's Day					
<input type="checkbox"/> July 4 <sup>th</sup>					
<input type="checkbox"/> Labor Day					

<input type="checkbox"/> Thanksgiving Break		<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	
<input type="checkbox"/> Christmas		<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	
<input type="checkbox"/> Spring Break		<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	<input type="checkbox"/> First Half <input type="checkbox"/> Second Half <input type="checkbox"/> Entire Vacation <input type="checkbox"/> None	
<input type="checkbox"/> Child(ren)'s Birthdays					
<input type="checkbox"/> Religious Events					
<input type="checkbox"/> Other Holiday Event					

Additional sheets of paper are attached (if necessary).

B.5.  **OTHER (including no visitation or supervised visitation):** If you require a schedule that is difficult to explain in the format above or if your situation is unique such that visitation is not appropriate or requires supervision, please provide a detailed visitation schedule that fits your needs or an explanation of why visitation is not appropriate on a separate sheet of paper and attach it.

C. **TEMPORARY CHANGES TO THE SCHEDULE:** Any schedule for sharing time with the child(ren) may be changed as long as both parents agree to the changes ahead of time, in writing. If a child is ill and unable to spend time with a parent, a makeup parenting time will be scheduled. If a parent fails to have the child(ren) during their scheduled parenting time for any other reason, there will be no makeup of parenting time unless the parents agree otherwise.

D. **PERMANENT CHANGES TO THE SCHEDULE:** Once the judge signs the final *Decree of Divorce* in your case and approves this Parenting Plan, any changes that the parents do not agree on can be made only by applying to the court for a modification. One parent cannot change a court-ordered Parenting Plan on their own.

E. **PARENT-CHILD COMMUNICATION:** Both parents and child(ren) shall have the right to communicate by telephone, in writing or by e-mailing during reasonable hours without interference or monitoring by the other parent.

F. **MUTUAL RESPECT:** Parents will not say things or knowingly allow others to say things in the presence of their child(ren) that would take away the child(ren)'s love and respect for the other parent.

G. **ACCESS TO RECORDS:** The law provides that both parties have access to the records of the child(ren) including school records, activities, teachers and teachers' conferences

as well as medical and dental treatment providers and mental health records, unless access is limited by the Court. If you believe that there are valid reasons to limit the other party's access to records, you must ask the Court to limit access and obtain an order that does so. (Wyo. Stat. §20-2-201(e)).

H. **OTHER TERMS:** Add any other items regarding the child(ren) you would like to include in your Parenting Plan. \_\_\_\_\_

Additional sheets of paper are attached (if necessary).

I. **EXCHANGE OF CHILD(REN)/TRANSPORTATION:** Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed-upon time of exchange. All clothing that accompanied the child(ren) shall be returned to the other parent.

While both parents continue to reside in the same locale, both parents shall share equally in the responsibility of exchanging their child(ren) from one parent to the other; **OR**

Mother  Father shall pick up the child(ren) from \_\_\_\_\_ at \_\_\_\_\_ (location) the beginning of the visitation and  Mother  Father shall pick up the child(ren) at the end of the visitation from \_\_\_\_\_; **OR** \_\_\_\_\_ (location)

Other: (provide details for the exchange of the child(ren)): \_\_\_\_\_

Additional sheets of paper are attached (if necessary).

**ONCE FILED, THE PARTIES MAY MAKE SUBSTANTIAL, PERMANENT MODIFICATIONS TO THIS PARENTING PLAN ONLY BY WRITTEN AGREEMENT SIGNED BY BOTH PARTIES, APPROVED BY THE JUDGE AND FILED WITH THE COURT. MINOR, NON-PERMANENT CHANGES MAY BE MADE ANY TIME IF BOTH PARTIES AGREE TO THE CHANGES.**

**3. CHILD SUPPORT:**

Check here if a child support order for the child(ren) has already been entered. List the name of the court, the case number (including POSSE number, if applicable) and the child support amount owed per month: \_\_\_\_\_

3.A. In accordance with Wyo. Stat. § 20-2-304, Presumptive Child Support for \_\_\_\_\_ (number of) child(ren) is as follows:

1. Father's net monthly income is: \$ \_\_\_\_\_
2. Mother's net monthly income is: \$ \_\_\_\_\_
3. Total child support obligation of both parents is: \$ \_\_\_\_\_
4. Father's presumptive child support obligation is: \$ \_\_\_\_\_
5. Mother's presumptive child support obligation is: \$ \_\_\_\_\_

The child support amount may depend on the custodial arrangement that is ordered by the court. If each parent keeps the children overnight for more than forty percent (40%) of the year *and* both parents contribute substantially to the expenses of the children *in addition to* the payment of child support, a joint presumptive support obligation shall be determined by use of the tables. Also, when each parent has physical custody of at least one (1) of the children, a joint presumptive support obligation for all of the children shall be determined by use of the tables. See Wyo. Stat. §20-2-304(c) and (d).

3.B. **Amount:** \$ \_\_\_\_\_ per month is the presumptive child support amount determined by Wyoming's Child Support Guidelines (Wyo. Stat. 20-2-304). Every order or decree providing for the support of a child shall set forth the presumptive child support amount and shall state whether the order or decree departs from that amount. The court shall use the presumed child support amounts to review the adequacy of child support agreements negotiated by the parties.

3.C. **Payor:** The  Mother OR  Father shall pay \$ \_\_\_\_\_ per month for child support beginning on THE FIRST DAY OF THE MONTH following the date this Decree is signed by the Judge, and continue on the first day of the month thereafter, until further order of the court, OR:

beginning on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and continuing as follows: \_\_\_\_\_.

3.D. **Restriction on reducing amount of child support:** No agreement which is *less than* the presumed child support amount shall be approved if means tested sources of income such as aid under the personal opportunities with employment responsibilities (POWER) program, health care benefits under Title XIX of the Social Security Act, food stamps, supplemental security income (SSI) or other similar benefits are being paid on behalf of any of the children.

**CHECK ONE:**

- The child(ren) receive(s) means tested income;
- The child(ren) DO NOT receive(s) any means tested income.

3.E. **The amount of child support is based upon:**

The presumptive amount of child support determined by Wyoming's Child Support Guidelines/formula, therefore there is no deviation; **OR**

Not the presumptive level of child support, and there is a deviation  upwards  downwards from the presumptive amount. (If the court deviates, there must be a specific finding that the application of the presumptive child support would be unjust or inappropriate in this particular case. In any case where the court has deviated from the presumptive child support, the reasons have to be specifically set forth fully below):

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**3.F. CONTINUATION OF CHILD SUPPORT:** Child support shall continue during the minor child's minority, and beyond if the child has a mental, emotional or physical impairment preventing emancipation, or while the child is attending high school or an equivalent program as a full-time student between the ages of 18 and 20. Child support shall terminate if, during the child's minority, the child marries, is emancipated, becomes self-supporting or dies.

**3.G. PLACE:** All child support payments shall be paid to the Clerk of District Court, whose address is: \_\_\_\_\_ (See *District Court Clerks' Addresses* in the packet). The Clerk shall forward the support payments to the receiving parent at the address provided by that parent to the Clerk. **DO NOT PAY WITH A PERSONAL CHECK. CASH ACCEPTED IN PERSON ONLY. CASHIER'S CHECKS AND MONEY ORDERS ACCEPTED.**

**3.H. MODIFICATION:** Either party may seek a modification of the child support payments upon showing of a substantial or material change of circumstances and that it would be in the best interests of the child(ren) that a modification be made or when, in applying the presumptive child support established by this article, the support amount will change by twenty percent (20%) or more per month from the amount of the existing order. No deviation as stated above shall nullify this provision of Wyoming law as set forth in Wyo. Stat. §20-2-311.

**MODIFICATION OF CHILD SUPPORT NOT EFFECTIVE UNLESS IT IS APPROVED BY A WRITTEN ORDER SIGNED BY THE JUDGE.**

**3.I. ABATEMENT (Temporary Relief from Paying) CHILD SUPPORT:** Wyo. Stat. §20-2-305 says child support **may** abate or decrease

by one-half (1/2) of the daily support obligation for each day the noncustodial parent has physical custody of the child for whom support is due, **ONLY IF** the noncustodial parent has custody of the child for more than fifteen (15) consecutive days and if approved by the Court.

**REQUIREMENTS:**

1. The non-custodial parent **MUST FILE** any claim for child support abatement with the clerk of the court within thirty (30) days after the period for which abatement is claimed and must pay ten dollars (\$10.00) to the clerk when filed.
2. The clerk will then mail a copy of the claim to the custodial parent.
3. The custodial parent can object or dispute any abatement claim by filing an objection with the clerk of court within thirty (30) days of the date the clerk mailed the notice to the custodial parent and paying ten dollars (\$10.00) to the clerk.
4. The clerk will mail a copy of the objection to the noncustodial parent.
5. Claims or objections not filed in a timely manner *or* not accompanied by the ten dollar fee will be rejected.

**3.J. ENFORCEMENT:** Either party has the right to petition to enforce an order pursuant to Wyo. Stat. §20-2-201 through 20-2-204 and 20-2-311(d). Wyoming law states that any payment of child support not paid when due shall automatically become a judgment against the parent who is supposed to pay on the due date. This judgment is subject to a 10% late payment penalty if it is not paid within thirty-two (32) days. Wyoming law §1-16-103(b) also states that if child support becomes delinquent in an amount equal to or greater than one month's obligation, a notice may issue to employers and others who may owe money to the obligated parent; a percentage of the non-custodial parent's income (35% minimum and up to 65% in some cases) of the obligated parent's wages and other income could be withheld and submitted to the Clerk of this Court to be applied toward child support obligations.

**4. MEDICAL INSURANCE PAYMENTS AND EXPENSES:** Either or both of the parents shall provide medical support, which may include dental, optical or other health care needs for their dependent children.

4.A.  Mother OR  Father OR  Both Parents are/is ordered to provide medical insurance for the minor child(ren). (It is important to understand that both parents have an obligation to ensure that their child or children have medical insurance coverage. Even if the state is currently providing such coverage, either or both parents may be required to pay the state back for the expenses incurred in providing medical insurance coverage for the child or children.)

4.B. The party or parties ordered to provide insurance shall submit to the court and to the other parent or the other parent's representative written proof that the insurance has been obtained or that application for insurability has been made within sixty (60) days of entry of this Decree.

4.C. Proof of insurance coverage shall contain, at a minimum:

- (i) The name of the insurer;
- (ii) The policy number;
- (iii) The address to which all claims should be mailed;
- (iv) A description of any restrictions on usage, such as pre-approval for hospital admission, and the manner in which to obtain pre-approval;
- (v) A description of all deductibles; and
- (vi) Two (2) copies of claim forms.

4.D. **UNCOVERED MEDICAL EXPENSES:** The parties shall pay any non-covered expenses of medical, dental, orthodontic and optical care that is not covered by insurance; the Mother paying \_\_\_\_\_% of uncovered expenses and Father paying \_\_\_\_\_% of uncovered expenses including co-payments and deductibles.

4.E. **CHANGES TO INSURANCE:** The obligated parent(s) shall provide written notice to the clerk of this court and to the other parent if insurance coverage for any child is denied, revoked or altered in any way that would affect the child's coverage including any change relating to the information required in Paragraph 4.C. in compliance with Wyo. Stat. §20-2-401(c).

**5. SPOUSAL SUPPORT/ALIMONY:**

5.A.  Neither party shall pay spousal support/alimony to the other party; OR

5.B.  Wife OR  Husband is ordered to pay the other spouse the sum of \$\_\_\_\_\_ per month spousal support/alimony BEGINNING THE FIRST DAY OF THE MONTH after this Decree has been entered and continuing to be paid on the same day each month until the receiving party is:

- remarried; OR
- deceased; OR
- until (date) \_\_\_\_\_.

Unless stated otherwise, spousal support/alimony payments end if the receiving party is remarried or deceased.

Payments made shall be included in receiving spouse's taxable income and are tax deductible from the paying spouse's income as required by law.

5.C.  **OTHER TERMS:** (may include alternate beginning or termination date or event):

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**6. PROPERTY/DEBT DIVISION:**

6.A.1. The wife shall have as her sole and separate property, free and clear of any and all claims thereto by the husband, but subject to any indebtedness thereon, all of the property in her possession including the items listed in the table below:

6.A.2. The husband shall have as his sole and separate property, free and clear of any and all claims thereto by the wife, but subject to any indebtedness thereon, all of the property in his possession including the items listed in the table below:

*List all possessions valued at \$500.00 or more. Include vehicles by listing the year, make, model and VIN and include all bank accounts (use last 4 digits of account numbers only)*

DESCRIPTION OF PROPERTY	AWARDED TO: wife or husband	
1.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
2.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
3.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
4.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
5.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
6.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
7.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
8.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
9.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
10.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
11.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND
12.	<input type="checkbox"/> WIFE	<input type="checkbox"/> HUSBAND

Additional sheets of paper are attached if needed

**OR**



6.B.  There is no specific property to be divided.

7. **DIVISION OF DEBTS:** Each party shall pay such debt as they have accumulated since the separation. The parties shall pay the following debts acquired prior to separation:

Type of Debt	Creditor and Last 4 digits of account number	Amount owed	Paid By: Wife/Husband
1.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
2.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
3.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
4.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
5.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
6.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
7.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
8.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND
9.			<input type="checkbox"/> WIFE <input type="checkbox"/> HUSBAND

Additional sheets of paper are attached if needed

8. **UNKNOWN DEBTS:** Husband is ordered to pay all debts incurred by him and unknown to wife, **AND** wife is ordered to pay all debts incurred by her and unknown to husband.

9. **SEPARATE DEBTS:** Each party is ordered to pay his or her debts from the following date (usually date of separation): \_\_\_\_\_  
 \_\_\_\_\_. Each party is assigned his or her separate property and wife must pay her separate debt, and husband must pay his separate debt.

10. **TITLE TRANSFER:** Parties shall sign all documents necessary to complete all transfer of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. Otherwise, this Decree can be used as a transfer of title and can be recorded.

11. **FILING INCOME TAX:** [If Decree entered between January 1<sup>st</sup> and April 15<sup>th</sup>]

11.A.  For previous calendar years, pursuant to IRS rules and regulations, the parties will file joint federal and state income tax returns and hold the other harmless (meaning other party won't be responsible) from half of all additional income taxes if any and other costs, and each will share equally in any refunds; OR

11.B.  Separate federal and state income tax returns; OR

11.C.  Other, explain: \_\_\_\_\_

For this calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

**12. FINANCIAL INFORMATION EXCHANGES:**

- 12.A.  The parties are not required to exchange financial affidavits;
- OR
- 12.B.  The parties shall exchange financial information (tax returns, financial affidavits, earning statements and/or other related financial statements) by \_\_\_\_\_(date)  
 every year OR  every other year.

**13. TAX EXEMPTION:** The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows. A party required to pay child support is only entitled to claim a child(ren) as an income tax dependency exemption if that parent has paid all of the child support due and owing for the year that party is entitled to the exemption:

Initials of Child	Parent Entitled to Claim	Year Allowed to Claim
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____

**14. CHANGE OF EMPLOYMENT OR ADDRESS:** Each parent shall inform the other parent and the clerk of court in writing of any change of address, phone number, and employment:

**14.A. CHANGE OF EMPLOYMENT STATUS:** So long as there is a child support obligation, each parent shall notify the other parent and the Clerk of this Court, in writing, on forms available from the Court, within **fifteen (15) days** of any change in employment, including second jobs, changed employers, starting or ending unemployment compensation, and starting or ending of worker's compensation, or any other change in income.

**14.B. CHANGE OF ADDRESS:** So long as there is a child support obligation, if either parent plans to change his or her address, that parent must notify the other parent and the Clerk of this Court, in writing, on

forms available from the Clerk of this Court, **no later than fifteen (15) days prior** to the day of the move, the destination of the move and the proposed move date.

**14.C. CHANGE OF HOME CITY OR STATE OF RESIDENCE:**

Either parent who plans to change their home city or state of residence, must give written notice **thirty (30) days prior to the move**, both to the other parent and to the clerk of district court stating the date and destination of the move.

**15. RESTORATION OF NAME:** (This is wife's sole decision).

- The wife's former name is restored to: \_\_\_\_\_; OR  
 The wife does not desire to have her name changed.

**16. INCOME WITHHOLDING ORDER:** Upon entry or modification of any support order, the court shall also enter an income withholding order which shall take effect immediately, unless the parties agree otherwise, or unless one (1) of the parties demonstrates, and the court finds, that there is good cause not to require immediate income withholding. When the parties agree to an alternative arrangement, the arrangement shall be in writing, signed by the parties and reviewed and entered in the record by the court. The court shall include in the record its findings of good cause, including a statement explaining why implementation of immediate income withholding would not be in the best interests of the child and, in cases involving modification of child support, proof of timely payments.

IMMEDIATE ENTRY (**Recommended**); OR

NOT IMMEDIATE ENTRY. If an Income Withholding Order is not immediately effective, one will become effective upon the earliest of the following (1) The date the obligor requests withholding commence; or (2) The date the obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order.

If there is not to be an immediate Income Withholding Order, list the good cause why not to require an immediate income withholding:

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

OTHER (i.e. Military allotment)\_\_\_\_\_.

**17. ENFORCEMENT OF ORDER:** Either party or, when appropriate, the department of family services has the right to petition to enforce an order pursuant to W.S. 20-2-201 through 20-2-204, 20-2-310 and 20-2-311(d). Pursuant to W.S. §20-2-204 and 20-2-310, a court having jurisdiction to enforce or revise the decree may, upon

appropriate motion of either parent, require a parent to appear before the court and show just cause why the parent should not be held in contempt, upon a showing that the parent has willfully violated the decree as to the care, custody, visitation and maintenance of the children. The court may, in addition to any assessment it may impose upon a finding that the parent is in contempt of court, award attorney's fees, costs, and such other and further relief as the court may deem necessary under the circumstances, to the parent aggrieved by the violation of the decree, in order to enforce and require future compliance with the decree.

18. **DEFAULT:** In the event that either party hereto shall fail to perform, in whole or in part, any obligation or duty imposed by the terms of this Decree, such defaulting party shall be responsible for the payment of all reasonable attorney's fees, costs, and expenses incurred by the other party as a result of such failure or default.

19. **EXECUTION OF INSTRUMENTS:** Each party shall promptly execute and deliver to the other party or any nominee(s) of the other party, all instruments that may be necessary, convenient, or appropriate to carry into effect, fully and fairly, all of the terms of this Decree, and the parties shall also be free to revoke any special or general powers of attorney heretofore given the other or given to any agent or nominee of the other.

20. **LIMITED REPRESENTATION:** Following Rule 1.2(c) of the Wyoming Rules of Professional Conduct, any attorney who has entered a limited appearance for the purpose of obtaining a divorce decree is now discharged.

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

BY THE COURT:

\_\_\_\_\_  
DISTRICT COURT JUDGE

**CHECK ONLY ONE BOX, AND SIGN WHERE INDICATED IN THAT SECTION ONLY:**

*If the parties have agreed (both sign and have signatures notarized):*

I certify that I have read the foregoing *Decree of Divorce With Minor Children* and that I understand and agree to the terms and agree to the entry of this Decree.

\_\_\_\_\_  
**Plaintiff's signature**

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

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

Witness my hand and official seal

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

My Commission Expires:

I certify that I have read the foregoing *Decree of Divorce With Minor Children*  
and that I understand and agree to the terms and agree to the entry of this Decree.

\_\_\_\_\_  
**Defendant's signature**

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

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

Witness my hand and official seal:

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

My Commission Expires:

***If default has been entered and the Defendant did not respond:***

The above is true and accurate and I want the court to approve:

\_\_\_\_\_  
Plaintiff's signature

***If a court hearing was held:***

APPROVED AS TO FORM:

\_\_\_\_\_  
Plaintiff's signature

\_\_\_\_\_  
Defendant's signature

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address

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Defendant/Defendant's Attorney's Name and Address

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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**ORDER FOR INCOME WITHHOLDING**

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**THE COURT ORDERS** any payor of \_\_\_\_\_  
(name of Obligor, person owing child support), to pay child support to  
\_\_\_\_\_ (name of Obligee, person owed child support) commencing on  
\_\_\_\_\_ (date). Payments are due on the \_\_\_\_\_ day of every  
\_\_\_\_\_ (specify time period, i.e. monthly). Total arrears (past due support) owed as  
of \_\_\_\_\_ (date) for child support is \$\_\_\_\_\_.

The Court orders the immediate activation of an order for income withholding against the Obligor, pursuant to Wyo. Stat. § 20-6-204.

Income withheld must be paid to the Clerk at the following address for forwarding to the Obligee: Wyoming Child Support Enforcement, P.O. Box 1027, Cheyenne, WY 82003.

**OR**

Pursuant to Wyo. Stat. § 20-6-204, this order for income withholding is not subject to immediate activation because either:

Both parties have agreed in writing to an alternative arrangement. (When the parties agree to an alternative arrangement, the arrangement shall be in writing, signed by the parties and reviewed and entered in the record by the court.)

**OR**

The Court finds there is good cause not to require the immediate activation of an order for income withholding because: (The court shall include in the record its findings of good cause, including a statement explaining why implementation of immediate income withholding would not be in the best interests of the child and, in cases involving modification of child support, proof of timely payments.)

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Any order for income withholding not subject to immediate activation shall become effective upon the date the Obligor requests withholding commence; or the date the Obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order as set forth in Wyo. Stat. § 20-6-205.

**IT IS FURTHER ORDERED** that upon receipt of a notice of *Income Withholding for Support*, every employer or other person now or in the future owing income to the Obligor shall comply with all terms of the notice and shall withhold a portion of the Obligor's income and remit it to the Clerk at the address in the *Income Withholding for Support* form.

For purposes of this order: "INCOME" means any form of periodic payment or return in money to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability and permanent partial disability, worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payment made by any payor.

Furthermore, no employer may discharge, discipline, refuse employment to, or otherwise penalize an Obligor because of this *Order for Income Withholding* or a subsequently issued *Income Withholding for Support* form.

**IT IS FURTHER ORDERED** that the payor comply with all the terms of an issued *Income Withholding for Support* form and all subsequent notices served upon the payor;

The last known addresses of the Obligor and Obligee are as follows:

Obligor (person owing child support): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Obligee (person to receive child support): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_



**IT IS, FURTHER, ORDERED** that each party shall notify the Clerk of District Court, in writing, on forms available from the Clerk, within fifteen (15) days of any changes in address or employment status.

At the time this *Order for Income Withholding* is entered, the Clerk shall mail a copy of the order and the support order to the last known address of the Obligor and the Obligee as listed below.\*

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

BY THE COURT:

\_\_\_\_\_  
District Court Judge

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address

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

Defendant/Defendant's Attorney's Name and Address

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

\_\_\_\_\_  
\* Be sure to include addressed/stamped envelopes for you and the defendant when filing this *Order for Income Withholding* so that copies of this Order can be mailed by the Clerk as required by law.

## INCOME WITHHOLDING FOR SUPPORT

- ORIGINAL INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)
- AMENDED IWO
- ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT
- TERMINATION of IWO

Date: \_\_\_\_\_

Child Support Enforcement (CSE) Agency     Court     Attorney     Private Individual/Entity (Check One)

**NOTE:** This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/publication.htm#forms>). If you receive this document from someone other than a State or Tribal CSE agency or a Court, a copy of the underlying order must be attached.

State/Tribe/Territory \_\_\_\_\_ Remittance Identifier (include w/payment) \_\_\_\_\_  
City/County/Dist./Tribe \_\_\_\_\_ Order Identifier \_\_\_\_\_  
Private Individual/Entity \_\_\_\_\_ CSE Agency Case Identifier \_\_\_\_\_

Employer/Income Withholder's Name _____ Employer/Income Withholder's Address _____ _____ Employer/Income Withholder's FEIN _____ Child(ren)'s Initials _____ _____ _____ _____ _____	RE: _____ Employee/Obligor's Name (Last, First, Middle) _____ Employee/Obligor's Last 4 digits of SSN _____ Custodial Party/Obligee's Name (Last, First, Middle) _____ <div style="border: 1px solid black; width: 100%; height: 100%; margin-top: 20px;"></div> Child(ren)'s Year of Birth _____ _____ _____ _____ _____
--	--

**ORDER INFORMATION:** This document is based on the support or withholding order from \_\_\_\_\_ (State/Tribe). You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ _____	Per _____	current child support
\$ _____	Per _____	past-due child support - <b>Arrears greater than 12 weeks?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
\$ _____	Per _____	current cash medical support
\$ _____	Per _____	past-due cash medical support
\$ _____	Per _____	current spousal support
\$ _____	Per _____	past-due spousal support
\$ _____	Per _____	other (must specify) _____

for a **Total Amount to Withhold** of \$ \_\_\_\_\_ per \_\_\_\_\_.

**AMOUNTS TO WITHHOLD:** You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ _____	per weekly pay period	\$ _____	per semimonthly pay period (twice a month)
\$ _____	per biweekly pay period (every two weeks)	\$ _____	per monthly pay period

\$ \_\_\_\_\_ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

**REMITTANCE INFORMATION:** If the employee/obligor's principal place of employment is Wyoming, you must begin withholding no later than the first pay period that occurs after the date of service of this notice. Send payment within 7 working days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold up to \_\_\_\_\_% of disposable income for all orders. If the employee/obligor's principal place of employment is not Wyoming, obtain withholding limitations, time requirements, and any allowable employer fees at [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm) for the employee/obligor's principal place of employment.

For electronic payment requirements and centralized payment collection and disbursement facility information (State Disbursement Unit [SDU]), see [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm).

Include the **Remittance Identifier with the payment** and if necessary this FIPS code: \_\_\_\_\_ .

**Remit payment to:** Wyoming Child Support Enforcement, PO Box 1027, Cheyenne, WY 82003.

**Return to Sender [Completed by Employer/Income Withholder].** Payment must be directed to an SDU in accordance with 42 USC §666(b)(5) and (b)(6) or Tribal Payee (see Payments to SDU below). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you *must* check this box and return the IWO to the sender.

Signature of Judge/Issuing Official (if required by State or Tribal law): _____
Print Name of Judge/Issuing Official: _____
Title of Judge/Issuing Official: _____
Date of Signature: _____

If the employee/obligor works in a State or for a Tribe that is different from the State or Tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

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### ADDITIONAL INFORMATION FOR EMPLOYERS/INCOME WITHHOLDERS

State-specific contact and withholding information can be found on the Federal Employer Services website located at: [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

**Priority:** Withholding for support has priority over any other legal process under State law against the same income (USC 42 §666(b)(7)). If a Federal tax levy is in effect, please notify the sender.

**Combining Payments:** When remitting payments to an SDU or Tribal CSE agency, you may combine withheld amounts from more than one employee/obligor's income in a single payment. You must, however, separately identify each employee/obligor's portion of the payment.

**Payments To SDU:** You must send child support payments payable by income withholding to the appropriate SDU or to a Tribal CSE agency. If this IWO instructs you to send a payment to an entity other than an SDU (e.g., payable to the custodial party, court, or attorney), you must check the box above and return this notice to the sender. Exception: If this IWO was sent by a Court, Attorney, or Private Individual/Entity and the initial order was entered before January 1, 1994 or the order was issued by a Tribal CSE agency, you must follow the "Remit payment to" instructions on this form.

**Reporting the Pay Date:** You must report the pay date when sending the payment. The pay date is the date on which the amount was withheld from the employee/obligor's wages. You must comply with the law of the State (or Tribal law if applicable) of the employee/obligor's principal place of employment regarding time periods within which you must implement the withholding and forward the support payments.

**Multiple IWOs:** If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to Federal, State, or Tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support. Follow the State or Tribal law/procedure of the employee/obligor's principal place of employment to determine the appropriate allocation method.

**Lump Sum Payments:** You may be required to notify a State or Tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments.

**Liability:** If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by State or Tribal law/procedure. \_\_\_\_\_

**Anti-discrimination:** You are subject to a fine determined under State or Tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO. \_\_\_\_\_

Employer's Name: \_\_\_\_\_ Employer FEIN: \_\_\_\_\_  
Employee/Obligor's Name: \_\_\_\_\_  
CSE Agency Case Identifier: \_\_\_\_\_ Order Identifier: \_\_\_\_\_

**Withholding Limits:** You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) (15 U.S.C. 1673(b)); or 2) the amounts allowed by the State or Tribe of the employee/obligor's principal place of employment (see *REMITTANCE INFORMATION*). Disposable income is the net income left after making mandatory deductions such as: State, Federal, local taxes; Social Security taxes; statutory pension contributions; and Medicare taxes. The Federal limit is 50% of the disposable income if the obligor is supporting another family and 60% of the disposable income if the obligor is not supporting another family. However, those limits increase 5% - to 55% and 65% - if the arrears are greater than 12 weeks. If permitted by the State or Tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit indicated in this section.

For Tribal orders, you may not withhold more than the amounts allowed under the law of the issuing Tribe. For Tribal employers/income withholders who receive a State IWO, you may not withhold more than the lesser of the limit set by the law of the jurisdiction in which the employer/income withholder is located or the maximum amount permitted under section 303(d) of the CCPA (15 U.S.C. 1673 (b)).

Depending upon applicable State or Tribal law, you may need to also consider the amounts paid for health care premiums in determining disposable income and applying appropriate withholding limits.

**Arrears greater than 12 weeks?** If the *Order Information* does not indicate that the arrears are greater than 12 weeks, then the Employer should calculate the CCPA limit using the lower percentage.

**Additional Information:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTIFICATION OF EMPLOYMENT TERMINATION OR INCOME STATUS:** If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, an employer must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the Contact Information below:

- This person has never worked for this employer nor received periodic income.
- This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: \_\_\_\_\_ Last known phone number: \_\_\_\_\_

Last known address: \_\_\_\_\_  
\_\_\_\_\_

Final payment date to SDU/ Tribal Payee: \_\_\_\_\_ Final payment amount: \_\_\_\_\_

New employer's name: \_\_\_\_\_

New employer's address: \_\_\_\_\_  
\_\_\_\_\_

**CONTACT INFORMATION:**

**To Employer/Income Withholder:** If you have any questions, contact \_\_\_\_\_ (Issuer name)  
by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

Send termination/income status notice and other correspondence to: \_\_\_\_\_  
\_\_\_\_\_ (Issuer address).

**To Employee/Obligor:** If the employee/obligor has questions, contact \_\_\_\_\_ (Issuer name)  
by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

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

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

Civil Action Case No. \_\_\_\_\_

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### CERTIFICATE OF MAILING DECREE OF DIVORCE

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The undersigned certifies the mailing of: *A Decree of Divorce* to the following  
whose name and address is as follows:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

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

CLERK OF THE DISTRICT COURT

By: \_\_\_\_\_  
(Deputy Clerk of Court)

NOTE: You must bring the Clerk the envelopes pre-addressed with postage when you present this form.

**SUPPLEMENTAL ORDER**  
**(Required in Laramie County, Wyoming)**

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

Plaintiff: \_\_\_\_\_, ) Civil Action Case No. \_\_\_\_\_  
(Print name of person filing) )  
)  
vs. )  
)  
Defendant: \_\_\_\_\_ )  
(Spouse) (Print name) )

**FILE ONLY IN LARAMIE COUNTY, WYOMING.**

The provisions relating to custody, alimony, support, visitation and conduct of the parties are subject to the following terms and conditions, unless stated otherwise in the *Decree of Divorce*:

I. Care and Supervision

A. Physical Needs of the Children. The party who has custody of the children or the party who is exercising visitation with the children will provide the children:

- 1.1 with regular and nutritious food,
- 1.2 with clean and appropriate clothing,
- 1.3 with sanitary and reasonably private living and sleeping quarters,
- 1.4 with appropriate medical examinations and treatments.

B. Training and Education. Both Parents:

- 2.1 will train the children to obey and respect their teachers and the law,
- 2.2 will require the children to attend all regular sessions of the school until graduation unless excused absence,
- 2.3 will personally supervise the control and conduct and activities of the children except when they are at school, or in known and usual recreational activities, or in the immediate care of another competent person,
- 2.4 will provide guidance and counsel in worldly and spiritual matters.

C. Prohibited Activities of the Parents. The Parents will not engage in or permit in the presence of the children:

- 3.1 any excessive drinking, or use of illegal drugs or substances,
- 3.2 immoral conduct,
- 3.3 obscenities,
- 3.4 violence,
- 3.5 disrespect for law and order.

II. Control of Visitation. Unless otherwise provided:

A. the person having visitation may take the children to such reasonable places for such reasonable activities as such person may determine,

B. the children shall be ready and available promptly for all visits,

- C. the children will have clean and appropriate clothing for visitation,
  - D. in the event a child is invited or desires to participate in other activities which may interfere with a visit, a parent will not encourage, permit or consent thereto without previous approval of the person whose visitation will be interfered with, and will not deprecate the denial of such approval,
  - E. the person entitled to visitation may correspond with the children and the other parent shall not censor such correspondence,
  - F. the person entitled to visitation may telephone each child for a time not to exceed 15 minutes between 7:00 P.M. and 9:30 P.M. on Wednesdays and Sundays and at such other times as the parties may agree and the other parent shall not participate in such calls,
  - G. visitation may not be reduced or denied because support is not paid.
- III. Interference. Neither parent will intrude upon the privacy of the other; nor falsely make or imply mean or nasty or derogatory or deprecatory statements about the other to anyone; nor prevent or restrict or in any way interfere with the other's rights granted by this Order.
- IV. Injunction. The Plaintiff and Defendant and their agents and servants are, and each is, enjoined and restrained from doing, or attempting to do, or threatening to do, any act of injuring, maltreating, vilifying or molesting the other party, or any of the children.
- V. Child Support
- A. In Decrees or Orders containing provisions for the payment of support of children, all such payments shall be delivered on or before the date ordered by means of cash, certified check, postal money order or government allotment check, payable to the Clerk of the District Court at the following address:

Clerk of the District Court  
 3<sup>rd</sup> Floor, Laramie County Governmental Complex  
 P.O. Box 787 or 309 West 20<sup>th</sup> Street, Room 3100  
 Cheyenne, WY 82003-0787

**THE PARTY FILING THIS SUPPLEMENTAL ORDER SHALL COMPLETE ALL THE INFORMATION BELOW**

CHILD SUPPORT:      Amount Ordered \$ \_\_\_\_\_  
    Date(s) Due \_\_\_\_\_  
    Abate during visitation and  
    upon filing of Claim             Yes       No

Mother's name: \_\_\_\_\_

Father's name: \_\_\_\_\_

Medical insurance is provided by: \_\_\_\_\_

Insurance company: \_\_\_\_\_

Uninsured amount to be paid by: \_\_\_\_\_

B. It is further ordered that the withholding of income shall commence as provided below:  
 Effective immediately upon entry of a Decree in this matter;

Except as otherwise provided by Wyo. Stat. 20-6-204(a), an income withholding order which did not become effective immediately upon entry, becomes effective upon the earliest of the following:

The date the obligor requests withholding commence; or  
The date the obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order.  
Wyo. Stat. 20-6-205.

**IF NOT DESIGNATED, INCOME WITHHOLDING SHALL BE EFFECTIVE IMMEDIATELY.**

C. **It is further ordered** that both parents shall file in writing with the Clerk of this Court any new address within fifteen days of change of address, and shall file in writing with the Clerk of this Court, the name and address of his or her employer within 15 days of any change of employment.

VI. Enforcement. Either party, or, when appropriate, the department of family services, has the right to petition to enforce an order pursuant to W.S. 20-2-201 through 20-2-204, 20-2-310 and 20-2-311(d).

A party moving for enforcement referred to in paragraph VII must be prepared to produce admissible evidence in support of the motion. A frivolous motion will result in appropriate censure or sanctions.

VII. Contempt. Willful violation of any of the terms of this order may be punished as contempt of court. A party may compel another's compliance with an order or decree by motion to the court, under oath, for an order to show cause why sanctions should not be imposed. Such sanctions may result in a jail term. Failure to allow visitation as ordered may be considered contempt and could also constitute a change of circumstance warranting change of custody.

This Supplemental Order for custody, etc., is incorporated into and made a part of that Decree or Order to which it is attached and is enforceable to the same extent and in the same manner as said Decree or Order.

DATED: \_\_\_\_\_

\_\_\_\_\_  
DISTRICT JUDGE

Copies to:  
Plaintiff: \_\_\_\_\_  
(name and mailing address)

Defendant: \_\_\_\_\_  
(name and mailing address)



## List of Addresses for the Clerk of District Court Offices

**First Judicial District,  
Laramie County**

Clerk of District Court  
P.O. Box 787  
Cheyenne, Wyoming 82003  
(307) 633-4270

**Second Judicial District,  
Albany County**

Clerk of District Court  
P.O. Box 1106  
Laramie, Wyoming 82070  
(307) 721-2508

**Second Judicial District,  
Carbon County**

Clerk of District Court  
P.O. Box 67  
Rawlins, Wyoming 82301  
(307) 328-2628

**Third Judicial District,  
Lincoln County**

Clerk of District Court  
925 Sage Avenue  
Kemmerer, Wyoming 83101  
(307) 877-3320

**Third Judicial District,  
Sweetwater County**

Clerk of District Court  
P.O. Box 430  
Green River, WY 82935  
(307) 872-6448

**Third Judicial District,  
Uinta County**

Clerk of District Court  
P.O. Box 1906  
Evanston, Wyoming 82931  
(307) 783-0456

**Fourth Judicial District,  
Johnson County**

Clerk of District Court  
76 North Main  
Buffalo, Wyoming 82834  
(307) 684-7271

**Fourth Judicial District,  
Sheridan County**

Clerk of District Court  
224 S. Main Street, Suite B11  
Sheridan, Wyoming 82801  
(307) 674-2960

**Fifth Judicial District, Big  
Horn County**

Clerk of District Court  
P.O. Box 670  
Basin, Wyoming 82410-0670  
(307) 568-2381

**Fifth Judicial District, Hot  
Springs County**

Clerk of District Court  
415 Arapahoe  
Thermopolis, Wyoming  
82443  
(307) 864-3323

**Fifth Judicial District, Park  
County**

Clerk of Court  
P.O. Box 1960  
Cody, Wyoming 82414-1960  
(307) 527-8690

**Fifth Judicial District,  
Washakie County**

Clerk of District Court  
P.O. Box 862  
Worland, Wyoming 82401  
(307) 347-4821

**Sixth Judicial District,  
Campbell County**

Clerk of District Court  
P.O. Box 817  
Gillette, Wyoming 82717  
(307) 682-3424

**Sixth Judicial District,  
Crook County**

Clerk of District Court  
P.O. Box 406  
Sundance, Wyoming 82729  
(307) 283-2523

**Sixth Judicial District,  
Weston County**

Clerk of District Court  
1 West Main  
Newcastle, Wyoming 82701  
(307) 746-4778

**Seventh Judicial District,  
Natrona County**

Clerk of District Court  
P.O. Box 2510  
Casper, Wyoming 82602  
(307) 235-9243

**Eight Judicial District,  
Converse County**

Clerk of District Court  
107 North 5th St  
Douglas, Wyoming 82633  
(307) 358-3165

**Eight Judicial District,  
Goshen County**

Clerk of District Court  
P.O. box 818  
Torrington, Wyoming  
82240-0818  
(307) 532-2155

**Eight Judicial District,  
Niobrara County**

Clerk of District Court  
P.O. Box 1318  
Lusk, Wyoming 82225  
(307) 334-2736

**Eight Judicial District,  
Platte County**

Clerk of District Court  
P.O. Box 158  
Wheatland, Wyoming 82201  
(307) 322-3857

**Ninth Judicial District,  
Fremont County**

Clerk of District Court  
P.O. Box 370  
Lander, Wyoming 82520  
(307) 332-1134

## List of Addresses for the Clerk of District Court Offices

**Ninth Judicial District,  
Sublette County**  
Clerk of District Court  
P.O. Box 764  
Pinedale, Wyoming 82941  
(307) 367-4376

**Ninth Judicial District,  
Teton County**  
Clerk of District Court  
P.O. Box 4460  
Jackson, Wyoming 83001  
(307) 733-2533