

Packet 3

Divorce
(No Minor Children)

Forms and Procedures

For Wyoming

PLAINTIFF

2011

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LIST OF FORMS – PACKET 3
PLAINTIFF DIVORCE (NO MINOR CHILDREN)

1. List of Forms
2. Overview
3. Family Law Information and Instructions
4. Checklist
5. Vital Statistics Form
6. Complaint for Divorce
7. Summons
8. Acknowledgement and Acceptance of Service
9. Initial Disclosures
10. Reply to Counterclaim
11. Application for Entry of Default
12. Affidavit of Plaintiff in Support of Default
13. Entry of Default
14. Affidavit for Divorce Without Appearance of Parties
15. Request for Setting
16. Order Setting Hearing
17. Order Setting Divorce Trial and Requiring Pretrial Statements
18. Pretrial Disclosures
19. Decree of Divorce
20. Certificate of Mailing Decree of Divorce
21. List of Addresses for the Clerk of District Court offices

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

**Other forms may be required by your Court.

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. 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 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
3. Summons
4. Acknowledgement and Acceptance of Service
5. Affidavit for Divorce Without Appearance of Parties
6. Decree of Divorce

**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. Notary publics 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, 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**; 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 notary public.

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.

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 an *Affidavit for Divorce Without Appearance of Parties*.
- B. Fill out a *Decree of Divorce*. This form will need to be filled out completely, signed by both you and the defendant and both of your signatures notarized.
- C. **Other Form(s)**: The Court may also require a *Certificate of Mailing* or other forms depending on the county where your case is filed. Ask the Clerk if additional forms are required before a your *Decree of Divorce* will be entered.
- D. **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:
- E. **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 entered into a settlement 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 contained in your packet.
- F. **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.

G. **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. *Affidavit for Divorce Without Appearance of Parties*
2. *Decree of Divorce*
 - 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).
3. Complete and file any additional documents required by your Court.
4. 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 located in your packet.

C. **Additional Documents.** After the *Entry of Default* is signed by the Clerk, complete **Step 6, Option A, items A through C** 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. *Affidavit for Divorce Without Appearance of Parties*
5. *Decree of Divorce* - **MAKE SURE TO MARK "DEFAULT" ON DECREE.**
 - 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).
6. Complete and file any additional documents required by your Court.
7. If your Court requires a hearing before entering a *Decree of Divorce*, then, you will also need to file and do the following:
 - A. *Request for Setting*
 - B. *Order Setting Hearing*
 - C. 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).
 - D. 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. 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 Requiring Pretrial Statements* are additional forms contained in your packet.

D. **Pretrial Disclosures**. - Both parties must provide to 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 agreement (or completed and signed *Decree of Divorce*) in writing 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 provide notice to the official Court reporter at least **three (3) working days** before the matter is set for hearing. The five-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** must 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 will also need to complete any additional forms that may be required by your Court.**

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*
 - 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. 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 3
PLAINTIFF DIVORCE (NO 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
- Summons
- Acknowledgment and Acceptance of Service
- Affidavit for Divorce Without Appearance of Parties
- Decree of Divorce

*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*
- 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 *Acknowledgment 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. Instead, go to the next box.**

- Affidavit for Divorce Without Appearance of Parties*
- Decree of Divorce*
- 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 additional forms depending on the county where your case is filed, such as a *Certificate of Mailing*. Ask the Clerk if additional forms are required.
 - 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
- Affidavit for Divorce Without Appearance of Parties*
- Decree of Divorce*
- 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 additional forms depending on the county where your case is filed, such as a *Certificate of Mailing*. Ask the Clerk if additional forms are required.
- 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*. If the defendant only filed an *Answer*, move to the box with “Request a Trial Date”.
- 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.
- Decree of Divorce* (Unless the Court is preparing this for you)
- 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 additional forms depending on the county where your case is filed, such as a *Certificate of Mailing*. Ask the Clerk if additional forms are required.
 - 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. _____

COMPLAINT FOR DIVORCE

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: From: _____(date) to: _____(date).

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 do not have any children, either natural or adoptive who are under 18 years of age; 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.

7. **PREGNANCY:** To the best of Plaintiff's knowledge, Wife is not pregnant. [If Wife is pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is

born, even if husband is not the biological father. You cannot disestablish paternity through a divorce action alone.]

NOTE: IF YOU AND YOUR SPOUSE HAVE A CHILD THAT FALLS INTO ONE OF THE ABOVE CATEGORIES OR IF THE WIFE IS PREGNANT, STOP. YOU SHOULD BE USING THE PACKET AND FORMS FOR A DIVORCE WITH CHILDREN.

8. **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.

9. **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).

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

- Wants to have her previous name of _____ restored.
 Does not want to have her previous name restored.
 Not applicable.

11. **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. **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;

3. **SPOUSAL SUPPORT (ALIMONY):**

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

4. **NAME CHANGE:** That the wife resumes 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;

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

DATED this _____ day of _____, 20_____.

Signature
Printed Name: _____
Address: _____

Phone Number: _____

-----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
COUNTY OF _____)

TO BE USED BY A PERSON OTHER THAN WYOMING
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. _____

ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE

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)

INITIAL DISCLOSURES

The following initial disclosures, are submitted by Plaintiff Defendant 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:

(Insert Other Party's/Other Party'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

Item	Purchase Price	Date Acquired/ Purchased	Present Market Value	Debt Related to Asset	State of Record Ownership (Where item is registered or located)	Purchased w/ Marital Assets, Gift, or Inheritance	Asserted as marital or non-marital asset? (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 Debts

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

Required effective July 1, 2008

Debt owed	Date Incurred (Mo./Day/Year)	Spouse whose name debt was incurred	Present Amount of Debt	Monthly Payment	Use for which debt was incurred	Asset serving as security for debt	Asserted as marital or non-marital asset? (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 Safety Deposit Boxes
Pursuant to Wyoming Rule 26(a)(1.1)(D)
Required effective July 1, 2008

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

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

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

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

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

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. _____

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
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

-----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 has been served the *Summons* and *Complaint* according to the *Affidavit/Return of Service* stating that Defendant **was served on** _____ [date], and has failed to appear and answer the Plaintiff's *Complaint for Divorce* filed in this case or otherwise 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 notary 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

(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* was issued.)

STATE OF WYOMING)
) ss.
COUNTY OF _____)

_____, being first duly sworn, deposes and says:
(Print Your 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 do not have any minor children together, nor do they have any children who are 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.

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 _____
(First, Middle, Last)
 and she does does not want it restored. (This is solely the 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 st 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

Person Granted Item(s) in Decree	Type of Account	Institution and Location	Account Number (Last 4 Digits Only)	Name on Account	Date of Balance	Balance
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

Description of Items - Household furnishings and personal belongings (clothes, jewelry, etc.)	Value of Plaintiff's Possessions	Value of Defendant's Possessions
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.
TOTAL:	\$	\$

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.

12. 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

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:

(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. _____

REQUEST FOR SETTING

The Plaintiff OR Defendant 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 (No 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:

- 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 Other Party's/Other Party'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. _____

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

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

Defendant/Defendant's Attorney's Name and Address

SECTION "A"
SWORN STATEMENT OF PARTY

Items to be included:

1. Personal data and history relevant to the issues, including the parties' names, ages, prior marriages, if any, present living situation of the parties and their immediate family. 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.
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. If alimony is claimed, the basis of the claim and the amount and duration proposed by the party.
3. If client claims exclusive or superior entitlement to "the divorce," the reasons for that position.
4. List of witnesses and specific summary of expected testimony.
5. 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. _____

PRETRIAL DISCLOSURES

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 or Defendant 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:

(Insert Other Party's/Other Party'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. _____

DECREE OF DIVORCE

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. **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.

8. **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.

9. **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.

10. **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. **SPOUSAL SUPPORT/ALIMONY:**

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

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.

OTHER TERMS: (may include alternate beginning or termination date or event):

3. PROPERTY/DEBT DIVISION:

3.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:

3.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

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

4. **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

5. **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.

6. **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.

7. **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.

8. **FILING INCOME TAX** [If Decree entered between January 1st and April 15th]:
 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

Separate federal and state income tax returns; OR

Other, explain: _____

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

9. **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.

10. **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.

11. **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.

12. **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:

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

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. _____

CERTIFICATE OF MAILING DECREE OF DIVORCE

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.

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