

Packet 3

Divorce  
(No Children)

Forms and Procedures

For Wyoming

PLAINTIFF

2011

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All underlined forms are required in a divorce action where the parties agree. The Defendant should also get an Answer Packet available from the Clerk of District Court and file an Answer together with his/her Acknowledgement and Acceptance of Service.

## THE STEPS – DIVORCE -- NO MINOR CHILDREN - PLAINTIFF

1. **Read all the instructions before completing 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.**
  - a. Consider making copies of forms both prior to and after you fill them out. (You must have copies of all forms you file for you and for the other party).
  - b. Complete *Vital Statistics Form*, (DO NOT fill out the “**Decree**” section. This will be completed by the clerk when your divorce is final).
  - c. Also complete the *Complaint for Divorce* and *Summons* to serve on the other party in accordance with the appropriate method in Step 3.

**Restoration of Wife’s previous name:** The wife should state whether or not she would like to resume her prior name in either the *Complaint* if she is the plaintiff, or a *Counterclaim* if she is the defendant. This is the wife’s choice ONLY; the husband cannot demand that his wife’s name be changed.

- d. **Copies.** Make two (2) copies of the document. The original will be filed by the clerk of district court, one copy is for your spouse (the defendant) and the other copy is for you (the plaintiff). You will need to repeat this step for all documents you file with the court.
- e. **File Stamp.** The clerk will “file-stamp” the documents. This will be proof of the date you filed your *Complaint for Divorce* and other documents with the court.

**\*\*NOTE:** Each time you sign a document, beneath your signature, you must print your name, address, including city/state/zip code, and your telephone number. If you do not include this information, the clerk of court can reject your document. If you have concerns about you or your children’s safety if your address or phone number is disclosed, you should contact an attorney for advice on potential options or to obtain a court order allowing you to maintain confidentiality of address or other identifying information. (See Wyo. Stat. § 20-5-309 (LEXIS 2005)).

## 2. File the forms with the District Court Clerk.

- a. **Where to file your documents.** Take the original and two (2) copies to the clerk of district court’s office in the courthouse in the county where

either you or your spouse reside and ask to have the original filed and the copies **file-stamped**. This will be where all further legal documents in your case will be filed. Wyo. Stat. §20-2-104 allows the district court in the county in which *either party resides* to enter a **Decree of Divorce** on the complaint of the aggrieved party on the grounds of irreconcilable differences in the marital relationship .

- b. **Case number.** The clerk will keep the original in your file at the courthouse and will assign a case number. Make note of the case number assigned to your case.

**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, which district court the case is filed in and identifying the case number.

- c. Pay the **filing fee**. Although the fee for filing a complaint or petition (opening a new case) is currently seventy dollars (**\$70.00**), many district courts in the state have additional fees. Those fees can change each year. Some counties do not accept personal checks. You will need to contact the clerk of the district court where you will be filing the **Complaint for Divorce** to ask how much the fees are and to inquire as to what type of payment methods they accept.
- d. **Asking the court to waive filing fees and costs.** If you financially qualify, you may ask the judge to allow you to file your **Complaint for Divorce** and to waive the costs of the filing fee and having the sheriff serve your spouse with the paperwork by completing and filing an **Affidavit of Indigency and Request for Waiver of Filing Fees and All Fees Associated Therewith** together with the **Order on Request for Waiver of Filing Fees and All Fees Associated Therewith**. The judge will then make a determination about whether or not to grant your request. Again, procedures and policies vary from court to court so there is no guarantee that the judge will grant your request.

### **3. After the papers are filed with the Clerk, have your spouse officially served by the County Sheriff or a process server.**

- a. **Notice.** You MUST give your spouse (a/k/a “the other party,” “defendant”, husband or wife) **official notice** that you are filing for divorce.
- b. **Who may “serve” the papers?** Your spouse must receive a copy of the ***Complaint for Divorce*** and ***Summons*** and any documents filed with them (temporary motions may also be served at this time but this packet is best utilized in uncontested actions and if a temporary motion is necessary, you may want to contact an attorney for assistance) by a person authorized to serve the papers under Wyoming law. You may not serve the papers yourself unless your spouse signs an ***Acknowledgment and Acceptance of Service*** in front of a notary and files it with the clerk.
- c. **Time limit to serve.** You will have ninety (90) days from the date you file your ***Complaint for Divorce*** at the courthouse to make sure your spouse is served with the papers. If you fail to timely serve the other party, the lawsuit can (and in many district courts will) be dismissed for lack of progress. See Uniform Rules of District Courts, State of Wyoming, Rule 203.
- d. **Methods to Serve.** **Choose ONLY ONE of the four methods to serve the opposing party.**

**Method #1 – Service by Wyoming Sheriff (Summons).** Wyoming Rules of Civil Procedure, Rule 4(c), states that “process may be served within the State of Wyoming, by the sheriff of the county where the service is made, or by the under sheriff or deputy.” **It is recommended to have the sheriff’s department in the county where your spouse can be found serve him or her with the papers.** There will be a separate **service fee** (usually thirty five (\$35.00) in Wyoming). You can contact the sheriff’s department in the county where the defendant lives or can be found to determine the fee charged for the sheriff to serve the defendant. This is also true if your spouse is going to be served out of state.

**Return of Service.** The sheriff’s office will complete the last page (some have their own forms) of the ***Summons*** and usually file the original with the clerk’s office and send you a copy. If you receive what looks like the original “return of service” or “affidavit of service”, call the clerk’s office to ensure the original has been filed. If not, file it with the clerk’s office and keep a copy for yourself. This is the proof that your spouse has been given proper notice.

**Method #2 – Service by a Private Party (Summons).** In some counties and in some states, private parties are available to serve court papers for a fee. Wyoming Rules of Civil Procedure, Rule 4(c)(1) require that the person serving the ***Summons*** to be of the age of majority and not a party to the action. You will still need to have a return of service filled out and filed with the clerk.

**Method #3 – Acknowledgement and Acceptance of Service.** This form of service is appropriate if the other party will accept the papers and sign for them. You or the other party will need to completely fill out the *Acknowledgement and Acceptance of Service*. The other party must sign the document in front of a notary and file the original with the clerk of district court. If you and your spouse are in agreement, it is also a good idea to fill out the *Decree of Divorce* and all other required documents and for both you and your spouse to sign the documents in front of a notary for presentation to the judge. **You MUST wait 20 days after the *Complaint for Divorce* is filed to present the *Decree of Divorce* to the judge.**

**Method #4 – Service by Publication.** There are additional fees for service by publication. Before selecting this method of service, you must completely read and understand Wyoming Rules of Civil Procedure, Rule 4(e) & (f). Rule 4(e) states that service by publication is applicable “in suits for divorce, alimony, to affirm or declare a marriage void, or the modification of any decree therefor entered in such suit, when the defendant is a nonresident of the state, or the defendant’s residence cannot be ascertained, or the defendant keeps concealed in order to avoid service of process.”

**If you do not understand what is involved, see a lawyer.** However, if you have read the rules and can demonstrate that you have made every effort to find the defendant’s address, completely fill out the *Affidavit to Allow Service by Publication* and *Publication Notice*. (DO NOT sign where the clerk needs to sign).

Before service of publication can be made, an *Affidavit to Allow Service by Publication* must be filed stating that service of *Summons* cannot be made within this state, on the defendant to be served by publication, and stating the defendant’s address, if known, or that the defendant’s address is unknown.

***If the defendant’s address is UNKNOWN*** and cannot be found after making every effort to find the defendant’s address, the affidavit must detail the efforts you made to obtain an address.

***If the other party’s address is KNOWN***, Wyoming Rules of Civil Procedure, Rule 4(f) states: In any case in which service by publication is made when the address of the defendant is known, it must be stated in the publication. Immediately after the first publication, the party making the service shall deliver to the clerk copies of the publication, and the clerk shall mail a copy to each defendant whose name and address is known by registered or certified mail and marked “**Restricted Delivery**” with return receipt requested, directed to the defendant’s address listed, and make an entry thereof on the appearance docket.” [NOTE: **you must supply the clerk with the envelope and proper postage – the envelope must be ready to mail with the necessary postal forms completed**].

**Contact the newspaper.** After the clerk signs and files the publication notice, it is your responsibility to contact the appropriate newspaper and to arrange for the publication and

pay the appropriate fees. An appropriate newspaper is one that has been regularly issued at least once each week for a period of fifty-two (52) consecutive weeks prior to the date of the first publication of notice or advertisements. It must have a paid circulation of at least five hundred (500) and each page must not be less than ten (10) inches by twelve and one-half inches in size. The newspaper must publish the notice once a week for four (4) consecutive weeks.

**Waiting period.** The other party will have thirty (30) days **from the date of the last publication date** to file a written response to the divorce action. After the thirty (30)-day waiting period, fill out, sign and notarize an ***Affidavit Following Service by Publication***. This should be filed with the clerk of district court. If the other party fails to respond by that time limit, you can obtain a default divorce. [See Step 9 below].

**Method #5 – Service by Certified or Registered Mail.** In all cases where service by publication can be made or where a statute permits service outside this state, the plaintiff may obtain service by registered or certified mail. Wyoming Rules of Civil Procedure, Rule 4(l) provides that “(u)pon the request of any party the clerk shall send by registered or certified mail a copy of the complaint and ***Summons*** addressed to the party to be served at the address given in the affidavit required under” Rule 4(f).

The mail shall be sent marked “**Restricted Delivery**”, requesting a return receipt signed by the addressee or the addressee’s agent who has been specifically authorized in writing by a form acceptable to, and deposited with, the postal authorities. When such return receipt is received signed by the addressee or the addressee’s agent the clerk shall file the same and enter a certificate in the cause showing the making of such service. Wyoming Rules of Civil Procedure, Rule 4(l).

## **4. Initial Disclosures.**

- a. **Initial Disclosures.** A special rule was adopted for use in divorce actions. That rule 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.

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.”

WHEN TO SERVE: You should fill out an INITIAL DISCLOSURE IMMEDIATELY and send it to the other party (or their attorney if he or she has one) WITHIN 30 DAYS AFTER THE DEFENDANT IS SERVED. DO NOT FILE THE INITIAL DISCLOSURES IN THE COURT.

Fill out the *Notice of Service of Initial Disclosures*, make two (2) copies and file the original with the court and send or deliver one copy to the other party (or his or her attorney if he or she has one) and keep a copy for yourself.

## 5. After the other party is served, wait the required waiting period.

You must wait the time limit for the other party to respond after service is completed.

- a. **Waiting period if defendant is served in Wyoming.** If the other party is served in Wyoming other than by publication, he/she will have twenty (20) days (starting the day after being served) to respond in writing and to file the response in the clerk's office.
- b. **Waiting period if the defendant served out-of-state.** If the other party was served out-of-state OR was served by publication, he/she will have thirty (30) days (starting the day after being served) to respond to the lawsuit.
- c. **Computation of Time Limits.** - In computing most time limits, unless otherwise stated, the day the pleading 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.**

## 6. Service of other papers filed with the court.

- a. **Service.** Except for the *Complaint for Divorce* which is served using one of the above methods, other papers filed with the court must be served upon the attorney for the other side if there is one or upon the other party, service is accomplished by delivering a copy to the attorney or party or by transmitting it to the attorney or party if he or she is not represented by an attorney in this divorce case at the attorney's or party's last known address by mail or by other equally reliable means, including facsimile transmission, or, **if no address is known**, by leaving it with the clerk of the court. Wyoming Rules of Civil Procedure Rule 5(b).



Before filing the original, fill out the *Certificate of Service* completely showing the *exact* date you mailed or otherwise delivered a copy to your spouse (it must be postmarked the same day if you mail it), or, if your spouse is represented by an attorney, then the date you mailed a copy to your spouse's attorney. Also, if you are not filing the documents in person, provide the clerk with self-addressed, stamped envelopes (one addressed to you and one addressed to your spouse or his/her attorney) for return of the file-stamped copies.

## 7. If the other party fails to respond, file the default paperwork.

- a. **Default divorce.** After the required waiting period has expired, you may obtain what is referred to as a **divorce by default.**
- b. **Necessary forms.** Prepare and sign the *Application for Entry of Default*. Fill out completely and submit the *Affidavit of Plaintiff in Support of Default*. Make sure the *Affidavit Following Service by Publication* has been filed if service was by publication. If your paperwork is correct, the clerk of the district court will sign an *Entry of Default* so you need to bring the blank *Entry of Default* with you when you file your *Affidavit*.
- c. **Default Decree of Divorce.** In some counties, you can present the clerk a copy of the *Decree of Divorce* at the same time as the default paperwork is presented. **MAKE SURE TO MARK "DEFAULT" ON DECREE.** Confirm the proper procedure with the clerk of court's office. You must have the *Decree of Divorce* completely filled out, with the appropriate copies made. Also provide the clerk with self-addressed stamped envelopes addressed to yourself and the other party.
- d. **Other necessary forms.** Include:
  - ✓ *Certificate of Mailing* (check with clerk)
  - ✓ *Affidavit for Divorce* (only if no hearing is required. Check with clerk)
  - ✓ *Self addressed, stamped* envelopes (one addressed to you and one to the other party. Many counties require an *Affidavit for Divorce* which should be filled out completely, signed, notarized, and presented with the *Decree of Divorce* and a *Certificate of Mailing*.)
- e. **Copies.** See "Copies" above at 1(d).
- f. **Default Hearing.** Some counties will not enter a *Default Divorce Decree* unless there is a hearing. In those counties, fill out a *Request for Setting* for a default hearing. Request fifteen (15) minutes for the

hearing. At the hearing make sure you tell the judge how long you have lived in Wyoming (must be at least sixty (60) days immediately prior to filing the *Complaint for Divorce*), the reason(s) why there are irreconcilable differences, and what you want in the divorce. You will also need to bring the completed *Decree of Divorce* to court.

**Your divorce will not become final until the judge signs the *Decree* and it is filed by the clerk of court.** Giving the papers to the clerk does not ensure you are divorced or will be divorced. If you do not fill out the paperwork correctly, the judge will not sign the *Decree* and you will not be divorced.

**8. If the other party answers and you both agree on all of the issues:**

- a. **Decree of Divorce.** This form will need to be completely filled out, signed by both you and your spouse and both of your signatures notarized.
- b. **Other necessary documents.** SEE Above 6(d).
- c. **Copies.** Make two (2) copies of each of the documents. One copy will be for your records and the other is for your spouse.
- d. **Hearing.** In some courts, a hearing is required before the judge will sign the *Decree of Divorce*. You 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 think it will take for you and the other party to present your evidence and write that in (usually fifteen (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 other party. Remember to provide self-addressed, stamped envelopes for you and the other party to the clerk.
- e. **Evidence at the hearing.** At the hearing, you will need to inform the judge that you have lived in Wyoming for at least sixty (60) days immediately before you filed the complaint, the reason(s) there are irreconcilable differences in the marriage and the settlement reached (who gets what) and give the *Decree of Divorce* with the appropriate number of copies 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 ideally sign your *Decree*.**

- 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 of district court. It may take several days for the judge to sign the *Decree*. You must verify with the clerk's office that the *Decree* has been file-stamped before you can be sure your divorce is final.

**9. If the other party answers or answers and counterclaims, and you and the other party do not agree on all the issues:**

- a. **You must file a Reply to Counterclaim.** If the other party has filed a counter-complaint (*Counterclaim*) for a divorce, you will have a time limit (usually **twenty (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 court and a copy of your reply must be sent to the other party or the attorney representing the other party if there is one and a *Certificate of Service* (attached to or at the bottom of the document) filed with the court showing the exact date the copy was put in the U.S. mail, first class with postage pre-paid and the exact name and address of the person it was mailed to. **If you fail to file the original response in writing in the time allowed, the defendant can seek a default divorce against you and may get what he or she asked for in the Counterclaim.**
- b. **Mediation.** Judges may order or the parties may agree to appear before a mediator, who is a specially trained, neutral third party. A mediator will see if the issues can be resolved. The parties will be responsible for any fees associated with mediation. (NOTE: The American Bar Association recommends that court-mandated mediation include a choice for one of the parties to opt-out of (decline) mediation in any action in which one party has perpetrated domestic violence upon the other party. See [http://www.abanet.org/domviol/med\\_reccomend.html](http://www.abanet.org/domviol/med_reccomend.html))
- c. **Trial.** If there is no agreement, your case will have to be heard and decided by a judge at a trial. **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.**
- d. **Request a trial date.** You or the other party 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 between one (1) and 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.

1) 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.

- e. **Pretrial Disclosures.** - A party must provide to other parties 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.**

Fill out the *Notice of Service of Pretrial Disclosures*, make two (2) copies and file the original with the court and send or deliver one copy to the other party (or his or her attorney if he or she has one) and keep a copy for yourself.

- f. **Disclosure of Expert Witnesses.** (If you plan on calling an expert witness to testify in your case, it is recommended that you contact an attorney for assistance with this information and representation, if possible)

With regard to expert testimony, the parties are required to disclose the identity of experts who may be used at trial and with regard to retained experts or employees whose duties regulate the giving of expert testimony; the provision of a written report prepared and signed by the witness setting forth the opinions to be expressed; the reasons and basis therefore; the foundation for formation of such opinions and exhibits; the qualifications of the witness; compensation paid for the study and testimony; and a listing of all cases in which the witness has testified as an expert at trial or by deposition within the preceding four (4) years.

Expert witness disclosures are required to be made, unless otherwise ordered, **at least ninety (90) days before the trial date**, and for rebuttal experts, thirty (30) days after the disclosure made by the other party.

Additionally, the court has adopted rules regarding pretrial disclosures mandating that the parties provide the court with the names and addresses of all witnesses who may be testifying at time of trial, designation of those witnesses whose testimony is expected to be presented by means of deposition, and identification of each document or exhibit that the party expects to offer. Those disclosures are required to be made at least thirty (30) days before trial.

**Fill out the *Notice of Service of Expert Witnesses*, make two (2) copies and file the original with the court and send or deliver one copy to the other party (or his or her attorney if he or she has one) and keep a copy for yourself.**

- g. **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.
- h. **Court reporter.** If you wish to have a court reporter you are required to provide notice to the official court reporter at least **five (5) 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. Rule 904 Uniform Rules of the District Courts of the State of Wyoming.

A **court reporter** is the person who will type word-for-word what is spoken at a hearing or trial. The court reporter can then prepare a transcript of the hearing/trial for use at other hearings and/or appeals. If you would like to have a court reporter present, you must request one and pay a fee. There will be an additional fee charged to have a written transcript of the proceedings created.

- i. **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.
- j. **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.**

- k. **When will your divorce become final?** Your divorce will not be final until the judge signs the *Decree of Divorce* and it is filed with the clerk of court. It may take several days for the judge to sign the *Decree*. You must verify with the clerk's office that the *Decree* 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* is filed with the clerk's office.

## **10. Motions for some action by the court.**

- a. There are several remedies that are available in divorce actions that are not included in these packets. For instance, requests for temporary relief are so different and complex that having an attorney assist you is highly recommended.
- b. For each motion you wish to file, you must complete appropriate pleading(s), as well as a *Request for Setting* and the *Order Setting Hearing/Trial*. These must be filed with the clerk's office. The *Request for Setting* allows the court to hear about your motion and to make a ruling regarding your request. It also tells the court what the hearing is for and the amount of time needed. If you require a court reporter, his/her fee must be paid by you. The judge's clerk will fill in the hearing date and time and return the *Order Setting Hearing/Trial* to you. You must mail or otherwise deliver a copy to the other party and complete a *Certificate of Service* stating that you have done so.
- c. **Emergencies.** There are some emergency procedures that may be taken regarding personal safety and property issues. It is highly recommended that you seek an attorney to assist you if you believe that the safety and welfare of any of your family or property, including finances, is at risk. Representing yourself in a divorce is not recommended when there are emergency situations or safety concerns.
- d. **If the other party files a motion:** You should fill out a *Response to Motion Form* and state your objections, if any, to the requested relief. If

you fail to respond in writing, you may be prevented from responding at the hearing, and the other party may be given what he/she asked for in the motion. Generally, your response must be filed and delivered to the other party within twenty (20) days from the date it was mailed or, there is a hearing three (3) days before the hearing date, whichever is sooner. You should attach to your response, any documents or other evidence you wish the judge to consider. Do not forget to include a *Certificate of Service*.

## 11. Time Limits on Motions

- a. **Time to file a response.** A party affected by the motion shall serve a response, together with affidavits, if any, at least three days prior to the hearing on the motion or within 20 days after service of the motion, whichever is earlier. (Also see *Reply to Counterclaim* information above). Unless the court by order permits service at some other time, the moving party (person making the motion) shall serve a reply, if any, at least one day prior to the hearing on the motion or within 15 days after service of the response, whichever is earlier. Unless the court otherwise orders, any party may serve supplemental memoranda or rebuttal affidavits at least one day prior to the hearing on the motion.
- b. A **Request for Setting** may be served by the moving party or any party affected by the motion within 30 days after service of the motion. Absent a timely request for hearing the court may, in its discretion, determine the motion without a hearing. A motion not determined within 90 days after filing shall be deemed denied. A party whose motion has been deemed denied shall have 10 days after the effective date of such denial to serve such pleadings or other papers, if any, as may be required or permitted.

## 12. DISMISSING THE DIVORCE

If you and your spouse decide to get back together or to postpone the divorce, you must file a *Motion to Dismiss Divorce Action*. Only the Plaintiff needs to sign if the Defendant has not been served with a copy of the *Complaint for Divorce* or has been served but has not answered or counterclaimed. If, however, the Defendant has been served with a copy of the *Complaint for Divorce* and has either answered or counterclaimed, both parties need to sign the *Motion to Dismiss* and the *Order Dismissing the Divorce Action*.

## OVERVIEW

### **DOMESTIC VIOLENCE:**

If you or your children have been victimized by 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) or the Wyoming State Bar (1-307-632-9061) [www.wyomingbar.org](http://www.wyomingbar.org). If you have concerns about confidential information such as addresses and/or social security numbers, please consult an attorney and do not attempt to do this on your own. You should also know that Protection Order and Stalking Order Information and Form Packets are available free of charge at the circuit court clerk's office. Please call the Wyoming Coalition Against Domestic Violence & Sexual Assault or your local domestic violence program ("crisis intervention" in yellow pages) for assistance in obtaining domestic violence protection or stalking orders (1-800-990-3877). If you have ever obtained a protection order, this information should be included in the Complaint or Counterclaim under other actions.

- 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 court's office can help complete them. Questions or problems may require the help of an attorney.

Where you are requested to provide additional information, use the blank spaces by either typing or printing with 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 Revised Statutes (the divorce laws), <http://legisweb.state.wy.us/statutes/sub20.htm> and you should also read the Wyoming Rules of Civil Procedure (W.R.C.P.) [http://www.courts.state.wy.us/CourtRules\\_Entities.aspx?RulesPage=CivilProcedure.xml](http://www.courts.state.wy.us/CourtRules_Entities.aspx?RulesPage=CivilProcedure.xml). Most of the District Courts in the State of Wyoming have a courthouse library or county library where these law books can be read. You may also look up these law books on the internet at: [www.courts.state.wy.us](http://www.courts.state.wy.us) and clicking on "law library". Some courts have special forms they want you to use in addition to the forms contained in this packet.



**Clerks of Court Cannot Help You Fill Out the Forms.** Employees in the clerk of district court's office and in the office of the district judge cannot give you legal advice.

**The Judge Cannot Talk to You, Answer Your Questions or Assist You.** The judge cannot give you legal advice or make corrections for you. **DO NOT** contact the judge by personal letter or otherwise (this is called "ex parte" communication). All communications with the court must be during hearings or other proceedings at which all parties are present or through the legal documents you file.

**Situations that Warrant 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. (See Domestic Violence Box)
- 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.** You must be completely honest and accurate in completing all forms. There are penalties for attempting to mislead the court. You should read Wyoming Rule of Civil Procedure, Rule 11 (*Representations to 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.

**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

People who appear for themselves without an attorney are considered to be “self-represented” and are also known as “pro se” or “pro per” 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 require certain things that others don’t. That is why it is impractical to include all legal remedies available to people in a divorce or modification action in a single packet. **Therefore, this packet will be most beneficial for people involved in uncontested divorce or modification actions.** 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 VIOLENCE:**

If you or a child has been a victim of domestic (family) violence, there are concerns above and beyond the normal ones. It is recommended that you obtain an attorney to help you. There may be assistance available even if you cannot afford an attorney. You may contact the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-800-990-3877), University of Wyoming Legal Services Programs (including the domestic violence legal clinic) ((307)-766-2104 or (307) 766-3747), the Wyoming State Bar (1-307-632-9061), [www.wyomingbar.org](http://www.wyomingbar.org), or Wyoming Legal Services, Inc. (1-800-442-6170).

**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.

**Communication with the court...** 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.

**Filing a 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.

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 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.

Once a case has been filed, a copy must be given to (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.

**Service...** When one party files a *Complaint for Divorce*, motion, or other pleading, the other party must be "served" with a copy of the document. This means that the other party is given proper notice of the pending actions(s) and any scheduled hearings. Personal service of the *Complaint for Divorce* and *Summons in a Civil Action* on the defendant by a deputy sheriff or private process server is required for all *Complaints for Divorce* unless the requirement for service by publication is satisfied. Service by certified or registered mail is also permitted under certain circumstances for the *Complaint for Divorce*. Formal service is required for the *Complaint for Divorce* so the court has proof that the other party actually received the papers.

All documents other than the *Complaint for Divorce* and *Summons in a Civil Action* generally may be made by regular U.S. mail or hand delivery. The instructions will advise you of the type of service required for that form. **If your spouse is represented by an attorney, you must send a copy of other documents or papers you file to your spouse's attorney, except for the original *Complaint for Divorce*, which must be personally served on your spouse, the defendant.**

Other than the initial original *Complaint for Divorce*, anytime you file additional pleadings or motions in your case, you must provide a copy to the other party (or their attorney if they have one) and include a Certificate of Service (incorporated on most forms). Likewise, the other party must provide you with copies of everything he or she files. The most common way to serve pleadings, other than the *Complaint for Divorce*, is by U.S. mail.

**Situations That Call For 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 of 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, it is recommended you consult an attorney if:

- You are a victim of domestic (family) violence. (See Domestic Violence Box)
- The other party hires an attorney.
- You or the other party is contemplating filing bankruptcy.
- You or the other party expects to receive money because of a personal injury.
- You or the other party owns a business.
- You and the other party have significant assets or debts.

**IF YOU 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 still be held to the same standards as a person with an attorney.**

**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<br>Number _____ None <input type="checkbox"/> | 13. PLAINTIFF/PETITIONER<br>Husband <input type="checkbox"/> Wife <input type="checkbox"/> Both <input type="checkbox"/><br>Other <i>(Specify)</i> |   |
| 14a. NAME OF PLAINTIFF/PETITIONER'S ATTORNEY<br><br>-----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 :<br><i>(Month, Day, Year)</i>  | 16. TYPE OF DECREE-Divorce or Annulment <i>(Specify)</i>  | 17. DATE RECORDED <i>(Month, Day, Year)</i><br>-   |   |
| 18. NUMBER OF CHILDREN UNDER 18 WHOSE PHYSICAL CUSTODY WAS AWARDED TO:<br>Husband <input type="checkbox"/> Wife <input type="checkbox"/><br>Joint (Husband/ Wife) <input type="checkbox"/> Other <input type="checkbox"/><br>No Children <input type="checkbox"/> | 19. COUNTY OF DECREE  | 20. TITLE OF COURT   |   |
| 21. SIGNATURE OF CERTIFYING OFFICIAL  | 22. TITLE OF CERTIFYING OFFICIAL  | 23. DATE SIGNED <i>(Month, Day, Year)</i>  |   |

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

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

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

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

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### COMPLAINT FOR DIVORCE

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

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

Length of Current Residence in Wyoming: From: \_\_\_\_\_(date) to: \_\_\_\_\_(date).

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

3. **DATE OF SEPARATION:** Date the parties separated: \_\_\_\_\_.

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

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  
\_\_\_\_\_  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
Phone

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 he/she is the identical person appointed by the Clerk of the Court as above shown to make service of Summons issued in the foregoing action; that he is over the \_\_\_\_\_ years and is not a party to the foregoing action or interested therein, and that 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\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

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

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

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

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

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**REQUIRED INITIAL DISCLOSURES IN DIVORCE ACTIONS  
PURSUANT TO WYOMING RULES OF CIVIL PROCEDURE 26(a)(1.1)**

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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:

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

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

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

### Schedule of Financial Assets

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

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

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

| Item | Purchase Price | Date Acquired/<br>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.) |
|------|----------------|-----------------------------|----------------------|-----------------------|---|---|---|
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |
|      |                |                             |                      |                       |   |   |   |



**Schedule of Debts**  
Pursuant to Wyoming Rule 26(a)(1.1)(C)  
*Required effective July 1, 2008*

| <b>Debt owed</b> | <b>Date Incurred (Mo./Day/Year)</b> | <b>Spouse whose name debt was incurred</b> | <b>Present Amount of Debt</b> | <b>Monthly Payment</b> | <b>Use for which debt was incurred</b> | <b>Asset serving as security for debt</b> | <b>Asserted as marital or non-marital asset? (If non-marital, explain legal &amp; factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)</b> |
|------------------|-------------------------------------|--|-------------------------------|------------------------|--|---|--|
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |
|                  |                                     |  |                               |                        |  |   |  |

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

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

**Schedule of Employment**  
Pursuant to Wyoming Rule 26(a)(1.1)(E)  
*Required effective July 1, 2008*

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

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

| <b>Name of all sources of other income*</b> | <b>Address of source of other income</b> | <b>Amount Received</b> | <b>Date Received (Month/Day/Year)</b> |
|---|--|------------------------|---------------------------------------|
|   |  |                        |                                       |
|   |  |                        |                                       |
|   |  |                        |                                       |
|   |  |                        |                                       |
|   |  |                        |                                       |
|   |  |                        |                                       |
|   |  |                        |                                       |

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

**Schedule of Retirement Accounts or Benefits**

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

*Required effective July 1, 2008*

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

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. \_\_\_\_\_

---

**NOTICE OF SERVICE OF REQUIRED INITIAL DISCLOSURES IN DIVORCE  
ACTIONS PURSUANT TO WYOMING RULES OF CIVIL PROCEDURE 26(a)(1.1)**

---

Plaintiff  Defendant hereby gives notice that he or she has served the ***Required Initial Disclosures in Divorce Actions Pursuant to Wyoming Rules of Civil Procedure 26(a)(1.1)*** on the other party, as indicated on the Certificate of Service below.

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:

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. \_\_\_\_\_

---

**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 notary seal.

\_\_\_\_\_  
Notary Public / Court Clerk

My Commission Expires:



**CERTIFICATE OF SERVICE**

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

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

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

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

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

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

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

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

---

**AFFIDAVIT TO ALLOW SERVICE BY REGISTERED OR CERTIFIED MAIL**

---

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

The Plaintiff-Affiant, being duly sworn upon her/his oath and being of legal age, hereby states and alleges as follows:

1. I am the Plaintiff in the above referenced matter. Service of *Summons* cannot be made within the state.
2. The Defendant's address is: \_\_\_\_\_  
\_\_\_\_\_
3. In accordance with Wyoming Rules of Civil Procedure 4(1)(2), upon the request of any party the clerk shall send by registered or certified mail a copy of the *Complaint for Divorce* and *Summons* addressed to the party to be served at the address given in this affidavit. The mail shall be sent marked "**Restricted Delivery**", requesting a return receipt signed by the addressee or the addressee's agent who has been specifically authorized in writing by a form acceptable to, and deposited with, the postal authorities. When such return receipt is received signed by the addressee or the addressee's agent the clerk shall file the same and enter a certificate in the cause showing the making of such service.
4. That I am requesting service by certified mail because the Defendant cannot be served within the state.

FURTHER, I swear under penalty of perjury that the information provided in this form is true and correct.

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.

\_\_\_\_\_  
Notary Public / Court Clerk

My commission expires:

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

IN THE DISTRICT COURT

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

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

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

vs. )

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

---

### NOTICE OF PUBLICATION

---

NOTICE TO \_\_\_\_\_, DEFENDANT

CURRENT ADDRESS: \_\_\_\_\_

---

You are notified that a *Complaint for Divorce*, Civil Action No. \_\_\_\_\_, has been filed in the Wyoming District Court for the \_\_\_\_\_ Judicial District, whose address is \_\_\_\_\_, seeking dissolution of your marriage to \_\_\_\_\_ and a *Decree of Divorce* in his/her favor. Unless you file an *Answer* or otherwise respond to this *Complaint for Divorce* within 30 days following the last date of publication of this notice, a *Default Judgment* will be taken against you and a *Decree of Divorce* will be granted.

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

BY CLERK OF COURT:

\_\_\_\_\_  
Clerk of District Court / Deputy

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 TO ALLOW SERVICE BY PUBLICATION

---

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

The Plaintiff, being duly sworn upon her/his oath and being of lawful age, states and alleges as follows:

1. I am the Plaintiff in the above referenced matter. Service of a *Summons* cannot be made within this state on the Defendant.
2.  The Defendant's address is:

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

**NOTE:** Immediately after the first publication, you must deliver to the Clerk of District Court a copy of the publication notice and an envelope to be sent by certified mail/restricted delivery addressed to Defendant with proper postage. The Clerk shall then mail the notice and make an entry on the appearance docket. (Rule 4(f) Wyoming Rules of Civil Procedure).

**OR**  The Defendant's address is unknown and cannot with reasonable diligence be ascertained. Publication is allowed in this family law matter pursuant to Rule 4(e)(9) Wyoming Rules of Civil Procedure. I have made the following efforts to obtain the Defendant's address:

- I have called him/her and the telephone number is disconnected and directory assistance has no other telephone number.
- I have written the Defendant and my letter was returned [a copy is attached].
- I have contacted the Defendant's known relatives and they cannot supply a current address.
- Other: \_\_\_\_\_

3. I am requesting service by publication in this action as it is a suit to dissolve a marriage pursuant to Rule 4 (e) (9) of the Wyoming Rules of Civil Procedure.

FURTHER, I swear under penalty of perjury that the information I have provided on this form is true and correct.

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.

\_\_\_\_\_  
 Notary Public/Clerk of Court

My commission expires:

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

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

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

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

vs. )

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

---

**AFFIDAVIT FOLLOWING SERVICE BY PUBLICATION**

---

The Plaintiff, being duly sworn upon her/his oath and legal age, states and alleges as follows:

- 1. I am the Plaintiff in the above-referenced matter.
- 2.  The Defendant's address was known and Defendant resided out-of-state. The Defendant was served by publication once a week for four consecutive weeks and more than 30 days have elapsed since the date of the last publication. A copy of the *Affidavit of Publisher* (usually sent to Plaintiff by newspaper) is attached. A copy of the notice of publication was sent by the Clerk of District Court, certified mail to the Defendant; and
  - a copy of the green card was signed and is included in the court's file; or
  - the letter was not signed for, see envelope in the court file.

**OR**  The Defendant's address was unknown despite diligent efforts to discover the address. The Defendant was served by publication once a week for four consecutive weeks. More than 30 days have elapsed since the last publication. A copy of the *Affidavit of Publisher* is attached.

FURTHER, your affiant sayeth not.

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.

\_\_\_\_\_  
Notary Public / Court Clerk

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. \_\_\_\_\_

---

### 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:

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.

\_\_\_\_\_  
Notary Public / Court Clerk

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.  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)  
 An *Affidavit to Allow Service by Publication* was filed and the Defendant was served by publication in the \_\_\_\_\_ Newspaper on the following dates: \_\_\_\_\_.  
 The Defendant filed an *Acceptance of Service* acknowledging that on \_\_\_\_\_ (insert date) he/she received a *Complaint for Divorce* and the *Summons*.  
 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.

\_\_\_\_\_  
Notary Public / Court Clerk

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's name and address: \_\_\_\_\_

Defendant's name and address: \_\_\_\_\_

**Clerk of District Court**  
**Addresses**

**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 904  
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

**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

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

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

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

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

**CONFIDENTIAL**

---

**AFFIDAVIT OF INDIGENCY AND REQUEST FOR WAIVER  
OF FILING FEES AND ALL FEES ASSOCIATED THEREWITH**

---

The applicant is entitled to and requests the court provide access to this State's judicial processes without payment of court fees, pursuant to *Boddie v. Connecticut*, 401 U.S. 371 (1971) (recognizing that in divorce proceedings, States must provide access to the courts without regard to a party's ability to pay court fees). Furthermore, pursuant to Wyo. Stat. §18-6-608, the court may waive the Sheriff's service fees upon an adequate showing of indigency.

**THE UNDERSIGNED REQUESTS THE COURT TO WAIVE FILING FEES IN THE ABOVE MATTER. THE UNDERSIGNED FURTHER ADVISES THAT INFORMATION CONTAINED IN THIS AFFIDAVIT IS THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH. I FURTHER AUTHORIZE THE COURT TO VERIFY ALL OR ANY PORTION OF THE FOLLOWING INFORMATION:**

**I. PERSONAL/LIVING ARRANGEMENTS/ RESIDENCE**

1. My name is: \_\_\_\_\_  
I am the Plaintiff / Defendant [circle one] in the above matter.
2. Year of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_
3. Marital Status:  Married  Separated  Unmarried (single, divorced or widowed)
4. My spouse's name is: \_\_\_\_\_
5. I currently reside at: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ How Long? \_\_\_\_\_  
(Physical Address) (City) (State) (Zip) (Yrs-Mos)



- (a) If mailing address is different, please complete: \_\_\_\_\_  
 (b) I live with:  spouse  friend  roommate  parents
6. My Home Number is: (\_\_\_\_\_) \_\_\_\_\_ My Work Number is: (\_\_\_\_\_) \_\_\_\_\_  
 (a) I may be reached during the day at: (\_\_\_\_\_) \_\_\_\_\_  
 (b) You can leave a message for me at: (\_\_\_\_\_) \_\_\_\_\_  
 (c) My cell phone number is: (\_\_\_\_\_) \_\_\_\_\_

7. I own my home:  YES or  NO

If **you own** your home, then answer:

- (a) I owe \$ \_\_\_\_\_ on the mortgage.  
 (b) The monthly mortgage payment is: \$ \_\_\_\_\_  
 (c) The house I own could be sold for \$ \_\_\_\_\_  
 (d) I pay lot rent of \$ \_\_\_\_\_/mo.

If you **do not** own your home, then answer:

- (e) I live with: \_\_\_\_\_  
 (f) I pay \$ \_\_\_\_\_/mo. rent.  
 (g) I gave the landlord a damage deposit of \$ \_\_\_\_\_  
 (h) I pay lot rent of \$ \_\_\_\_\_/mo.

8. Previous Address: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
 (Street Address) (City) (State) (Zip)

9. How long at previous address? \_\_\_\_\_ (Yrs/Mos)

**II. OCCUPATION/EMPLOYMENT/INCOME SOURCES:**

10. My occupation/trade is: \_\_\_\_\_  
 (a) I am employed by: \_\_\_\_\_  
 (b) My monthly GROSS income (before deductions, tax, etc.) is: \$ \_\_\_\_\_  
 (c) My monthly NET income (after deductions) is: \$ \_\_\_\_\_  
 (d) I am unemployed, the last time I worked was: \_\_\_\_\_  
 (e) My last place of employment was: \_\_\_\_\_  
 (f) If currently unemployed, please disclose the amount of your last paycheck: \$ \_\_\_\_\_

(g) I have the following OTHER sources of income:

- |                          |                    |          |                          |
|--------------------------|--------------------|----------|--------------------------|
| <input type="checkbox"/> | Social Security    | \$ _____ |                          |
| <input type="checkbox"/> | Workers' Comp.     | \$ _____ |                          |
| <input type="checkbox"/> | TANF Benefits      | \$ _____ |                          |
| <input type="checkbox"/> | Veteran's Benefits | \$ _____ |                          |
| <input type="checkbox"/> | Welfare            | \$ _____ |                          |
| <input type="checkbox"/> | Child Support      | \$ _____ |                          |
| <input type="checkbox"/> | Unemployment       | \$ _____ | Wks/Mos Remaining: _____ |
| <input type="checkbox"/> | Other              | \$ _____ |                          |

**III. ASSETS:**

11. I have the following cash, or other liquid assets, on hand: \$ \_\_\_\_\_

12. I and my spouse (if married) have the following savings and/or checking accounts:

| NAME OF BANK | LAST 4 DIGITS OF ACCOUNT NO. | CURRENT BALANCE |
|--------------|------------------------------|-----------------|
|              |                              |                 |
|              |                              |                 |
|              |                              |                 |

13. I own the following vehicles, recreational vehicles, ATV's, motorcycles, tractors, boats, jet skis, etc:

| YEAR | MAKE / MODEL | APPROX. VALUE |
|------|--------------|---------------|
|      |              |               |
|      |              |               |
|      |              |               |
|      |              |               |

- 14. (a) My friends or family can give or loan me \$ \_\_\_\_\_ for the expenses of this action.
- (b) I can borrow \$ \_\_\_\_\_ for the expenses of this action.
- (c) I own other real estate (other than primary residence) worth approximately \$ \_\_\_\_\_.
- (d) I do [ ] do not [ ] expect to receive a \$ \_\_\_\_\_ tax refund on \_\_\_\_\_.
- (e) I am owed accounts receivable worth about \$ \_\_\_\_\_.
- (f) I own machinery or equipment worth approximately \$ \_\_\_\_\_.
- (g) Estimated value of household furniture and appliances is \$ \_\_\_\_\_.
- (h) I own clothing and jewelry worth approximately \$ \_\_\_\_\_.
- (i) I own guns worth approximately \$ \_\_\_\_\_.
- (j) I own tools worth about \$ \_\_\_\_\_.

**IV. DEBTS/OBLIGATIONS:**

15. I, or my spouse, (if married) have the following credit cards:

| CREDIT CARD/LAST 4 DIGITS OF ACCOUNT # | MONTHLY PMT. | AMOUNT OWING | CREDIT LINE |
|--|--------------|--------------|-------------|
|  |              |              |             |
|  |              |              |             |
|  |              |              |             |

16. I have the following monthly payments (including utilities, i.e. telephone, cable, etc.):

| PAYABLE TO | MONTHLY EST. PMTS. | BALANCE OWING |
|------------|--------------------|---------------|
|            |                    |               |
|            |                    |               |
|            |                    |               |
|            |                    |               |

17. I have remaining debt, as follows: (include to whom and the amount owed)

| PAYABLE TO/ADDRESS/PHONE NUMBER | MONTHLY PMTS. | BALANCE OWING |
|---------------------------------|---------------|---------------|
|                                 |               |               |
|                                 |               |               |
|                                 |               |               |

**V. OTHER:**

18. The dependents I claim on my annual income tax returns are:

| NAME (Initials Only) | RELATIONSHIP | NAME (Initials Only) | RELATIONSHIP |
|----------------------|--------------|----------------------|--------------|
| 1)                   |              | 4)                   |              |
| 2)                   |              | 5)                   |              |
| 3)                   |              | 6)                   |              |

19. I have read, am familiar with, and understand the following law of the State of Wyoming:

**“A person commits a felony punishable by imprisonment for not more than two (2) years, a fine of not more than two thousand dollars (\$2,000), or both, if, while under a lawfully administered oath or affirmation in a matter where an oath is authorized by law, he knowingly makes a false certificate, affidavit, acknowledgment, declaration or statement other than in a judicial or administrative proceeding.” Wyoming Statute § 6-5-303.**

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

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

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

WITNESS my hand and notary seal.

\_\_\_\_\_  
 Notary Public / Court Clerk

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. \_\_\_\_\_

---

**ORDER ON REQUEST FOR WAIVER OF FILING FEES AND ALL FEES  
ASSOCIATED THEREWITH**

---

This matter has come before the Court on the *Affidavit of Indigency and Request for Waiver of Filing Fees and All Fees Associated Therewith*. The Court having reviewed the Affidavit, the Court hereby finds and orders as follows:

1.  The request for waiver of filing fees and all fees associated therewith, including service of process fees, is granted.
2.  The request for waiver of filing fees and all fees associated therewith is denied.

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

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

Copies sent to:

Plaintiff's name and address: \_\_\_\_\_

Defendant'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. \_\_\_\_\_

---

**MOTION FOR \_\_\_\_\_**  
**(describe what you are requesting from the Court)**

---

I am the  Plaintiff  Defendant in this action. I am requesting that:

(PLEASE PRINT CLEARLY)

---

---

---

---

My reasons are:

---

---

---

---

---

**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:

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. \_\_\_\_\_

---

**RESPONSE TO MOTION FOR \_\_\_\_\_**  
**(insert name of Motion)**

---

I am the  Plaintiff  Defendant in this action. I am requesting that:

(PLEASE PRINT CLEARLY)

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

My reasons are:

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

**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:

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 ON MOTION FOR \_\_\_\_\_**  
(insert name of Motion)

---

THIS MATTER, having come before the court on  Plaintiff's  Defendant's  
Motion for \_\_\_\_\_; and the court having considered the same and  
being otherwise fully advised, hereby FINDS AS FOLLOWS: \_\_\_\_\_

---

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IT IS THEREFORE ORDERED:

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---

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THE MOTION IS  Denied  Granted  Other \_\_\_\_\_

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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

Copies sent to:  
Plaintiff's name and address: \_\_\_\_\_

Defendant's name and address: \_\_\_\_\_

---

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

IN THE DISTRICT COURT

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

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

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

vs. )

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

---

### MOTION TO DISMISS DIVORCE ACTION

---

1. Pursuant to Wyoming Rules of Civil Procedure 41,  Plaintiff and/or  
 Defendant ask(s) the court to dismiss this divorce action for the following reasons:

---

2.  Defendant has not filed an *Answer*; OR  
 Defendant filed an *Answer* but agrees to the dismissal as verified  
by his/her signature on this document; OR  
 Defendant filed an *Answer and Counterclaim* but has agreed in  
writing to the dismissal of his/her *Counterclaim* together with the dismissal of the  
*Complaint for Divorce* as verified by his/her signature on this document.

3. It is hereby requested that:

- Plaintiff's *Complaint for Divorce* and this action be dismissed  
without prejudice, and, if applicable,  
 Defendant's *Counterclaim* be dismissed without prejudice.

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

---

Plaintiff's Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

---

Defendant's 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:

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 DISMISSING DIVORCE ACTION**

---

This matter has come before the Court on  Plaintiff's and/or  Defendant's *Motion to Dismiss Divorce Action*. The Court having reviewed the *Motion*, hereby finds and orders as follows:

1.  The *Motion to Dismiss the Divorce Action* is granted without prejudice.
2.  The *Motion to Dismiss the Divorce Action* is denied for the following reason(s)

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

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

Approved by:

Plaintiff: \_\_\_\_\_  
(Plaintiff's signature)

Defendant: \_\_\_\_\_  
(Defendant's signature)

Copies sent to:

Plaintiff's name and address: \_\_\_\_\_

Defendant's name and address: \_\_\_\_\_

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

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

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

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

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### REQUEST FOR SETTING

---

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

1.)  Divorce with no minor children (NOTE: If request is for a full divorce trial, also submit the *Order Setting Divorce Trial and Requiring Pretrial Statements*)

2.) a.  The parties have signed a Settlement Agreement (may include signing and approving the *Divorce Decree*).

**OR**

b.  The parties are not able to agree on all of the terms of the divorce, including:

Property distribution

Motion for \_\_\_\_\_

Other: \_\_\_\_\_

Is a court reporter needed\* :  Yes  No.

Any party requesting the reporting of a particular matter by the official court reporter shall provide notice to the official court reporter at least five (5) 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 shall be paid to

---

\* Rule 905 of the Uniform Rules of District Courts of Wyoming sets forth the fee for court reporting. In all civil cases an appearance fee of \$45.00 shall be paid for each day, or any portion thereof, that evidence and testimony is received. This fee covers the reporting of all testimony or admissions made by either side, objections to the introduction of testimony, the ruling of the court thereon and the exceptions taken thereto. The fee also covers the reporting of motions made within the trial proceeding, the hearing on objections to jury instructions and the reporting of the verdict. This fee does not cover special services such as voir dire, motion hearings outside of a trial proceeding nor opening and closing statements.

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. Rule 904 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:

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

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

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

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

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

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

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

---

**AFFIDAVIT FOR DIVORCE WITHOUT APPEARANCE OF PARTIES**  
(No Minor Children)

---

(Only use if the parties have reached an agreement and both have signed the *Decree of Divorce* **or** if either party defaulted and all default paperwork has been presented to the court and an *Entry of Default* issued.)<sup>1</sup>

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

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

1. I am the  Plaintiff  Defendant in the case.
2. Plaintiff resided in the State of Wyoming for more than 60 days immediately prior to filing the *Complaint for Divorce* in this case.
3. The  Plaintiff  Defendant and I were married to each other on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ in \_\_\_\_\_, \_\_\_\_\_.  
(Month) (Year) (City) (State)
4. Plaintiff is currently a resident of \_\_\_\_\_ County,  
State of \_\_\_\_\_.

---

<sup>1</sup> *Noonan v. Noonan*, 2005 WY 145, states that the district court must base its findings of fact regarding property distribution, child custody, visitation, and support on some evidence in the record. "An entry of default prevents the defaulted party from appearing and presenting evidence; it does not relieve the non-defaulting party of its obligation to produce an evidentiary basis for the desired relief, nor does it relieve the district court of its obligation to base its findings of fact upon such evidence. *Spitzer v. Spitzer*, 777 P.2d 587, 592-93 (Wyo. 1989)."

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 name on account, "P" = Plaintiff/Petitioner,  
"D " = Defendant/Respondent, "J" = Joint)

**PRINT CLEARLY OR TYPE**

| Party assuming debt in Decree | Creditor | Acct# (last four digits) | Name(s) on Account | Date of Balance | Balance | <u>Minimum Monthly Payment Required</u> | Main Purchase(s) for Which Debt Was Incurred |
|-------------------------------|----------|--------------------------|--------------------|-----------------|---------|---|--|
|                               |          |                          |                    |                 | \$      | \$                                      |  |
|                               |          |                          |                    |                 |         |   |  |
|                               |          |                          |                    |                 |         |   |  |
|                               |          |                          |                    |                 |         |   |  |
|                               |          |                          |                    |                 |         |   |  |
|                               |          |                          |                    |                 | TOTAL   |   |  |
|                               |          |                          |                    |                 | \$      |   |  |



**B. Real Estate** (For party designation, "P" = Plaintiff or Petitioner, "D" =Defendant or Respondent or "J" = Joint)

**PRINT CLEARLY OR TYPE**

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

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

**C. Motor Vehicles**

(For party designation, "P" = Plaintiff or Petitioner, "D" =Defendant or Respondent or "J" = Joint)

| 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 |
|----------------------------------|--------------------------|------------------|---------------------------------|--|-------------------|---------------------|--------|
|                                  |                          |                  |                                 |  |                   |                     |        |
|                                  |                          |                  |                                 |  |                   |                     |        |
|                                  |                          |                  |                                 |  |                   |                     |        |
|                                  |                          |                  |                                 |  |                   |                     |        |
| <b>Total</b>                     |                          | <b>\$</b>        |                                 |  |                   |                     |        |

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

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

| 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   |
|---|-----------------|--------------------------|-------------------------------------|-----------------|-----------------|-----------|
|   |                 |                          |                                     |                 |                 |           |
|   |                 |                          |                                     |                 |                 |           |
|   |                 |                          |                                     |                 |                 |           |
| <b>Attach separate sheet of paper, if necessary</b> |                 |                          |                                     |                 | <b>Total</b>    | <b>\$</b> |

**E. Furniture and Household Goods** (For party designation, "P" = Plaintiff or Petitioner, "D" =Defendant or Respondent or "J" = Joint)

("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.)

| Item   | Value of Plaintiff's or Petitioner's Possessions in Order or Decree | Value of Defendant's or Respondent's Possessions in Order or Decree |
|--|---|---|
| Household furnishings and personal belongings (clothes, jewelry, etc.) |   |   |
| <b>Total</b>   |   |   |

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

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

(For party designation, "P" = Plaintiff or Petitioner, "D" =Defendant or Respondent or "J" = Joint)

| Party to whom property belongs in Decree | Description | Account, serial or other identifying number (if one) (Last 4 digits of account numbers only) | Value |
|--|-------------|--|-------|
|  |             |  |       |
|  |             |  |       |
|  |             |  |       |
|  |             |  |       |
|  |             |  |       |

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

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

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12. 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:

\_\_\_\_\_  
Notary Public / Court Clerk

My Commission Expires:

**CERTIFICATE OF SERVICE**

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

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 DIVORCE TRIAL  
AND REQUIRING PRETRIAL STATEMENTS**

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

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

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

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

**Any party requesting the reporting of a particular matter by the official court reporter shall provide notice to the official court reporter at least five (5) 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 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.** Rule 904 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's name and address: \_\_\_\_\_

Defendant'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) )

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

vs. )

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

---

**REQUIRED PRETRIAL DISCLOSURES IN DIVORCE ACTIONS  
PURSUANT TO WYOMING RULES OF CIVIL PROCEDURE 26(a)(3)**

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

Plaintiff     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:

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 |
|-----------------|------------------------------|-----------------------------------|---|
|                 |                              |                                   |   |
|                 |                              |                                   |   |
|                 |                              |                                   |   |
|                 |                              |                                   |   |

(check one)



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

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

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

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

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

vs. )

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

---

**NOTICE OF SERVICE OF REQUIRED PRETRIAL DISCLOSURES IN DIVORCE  
ACTIONS PURSUANT TO W.R.C.P. 26(a)(3)**

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Plaintiff  Defendant gives notice that he or she has served the *Required Pretrial Disclosures in Divorce Actions Pursuant to W.R.C.P. 26(a)(3)* on the other party, as indicated on the Certificate of Service below.

**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:

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

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

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

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

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

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

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

vs. )

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

---

**REQUIRED DISCLOSURE OF EXPERT TESTIMONY  
IN DIVORCE ACTIONS  
PURSUANT TO W.R.C.P. 26(a)(2)**

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**Plaintiff**     **Defendant** submits the following disclosure of expert testimony, pursuant to Wyoming Rule of Civil Procedure 26(a)(2), required in pretrial proceedings. In addition to the initial disclosures required, a party shall disclose to other parties the identity of any person who may be used at trial to present evidence under Rules 702 (testimony by expert witness), 703 (basis of opinion testimony by expert witness), or 705 (disclosure of facts or data underlying expert opinion) of the Wyoming Rules of Evidence.

Except as otherwise agreed or directed by the court, this disclosure shall, with respect to a witness who is retained or specially employed to provide expert testimony in the case or whose duties as an employee of the party regularly involve giving expert testimony, **be accompanied by a written report prepared and signed by the witness.** The report shall contain a complete statement of all opinions to be expressed and the basis and reasons for the opinions; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all

publications authored by the witness within the preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

These disclosures shall be made at the times and in the sequence directed by the court. In the absence of other directions from the court or agreement by the parties, the disclosures shall be made **at least 90 days before the trial date** or the date the case is to be ready for trial or, if the evidence is intended solely to contradict or rebut evidence on the same subject matter identified by another party under the same provisions above, within 30 days after the disclosure made by the other party.

1. Attached is a report prepared by the expert, \_\_\_\_\_ (insert name of expert), in this case having scientific, technical, or other specialized knowledge. The report includes a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness in forming the opinions; any exhibits to be used as a summary of or support for the opinions; the qualifications of the witness, including a list of all publications authored by the witness within the preceding 10 years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witness has testified as an expert at trial or by deposition within the preceding four years.

***NOTE: Supplementation of disclosures and responses. -***

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:

(1) 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. With respect to testimony of an expert from whom a report is required the duty extends both to information contained in the report and to information provided through a deposition of the expert, and any additions or other changes to this information shall be disclosed by the time the party's disclosures under Wyoming Rule of Procedure 26(a)(3) are due.

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:

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

\_\_\_\_\_  
Your signature  
\_\_\_\_\_  
Print name



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

IN THE DISTRICT COURT

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

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

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

vs. )

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

---

**NOTICE OF SERVICE OF REQUIRED PRETRIAL DISCLOSURE OF  
EXPERT TESTIMONY IN DIVORCE ACTIONS  
PURSUANT TO W.R.C.P. 26(a)(2)**

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Plaintiff  Defendant hereby gives notice that she or he has served the *Required Pretrial Disclosure of Expert Testimony in Divorce Actions Pursuant to W.R.C.P. 26(a)(2)* on the other party on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ (insert date listed on the Certificate of Service – i.e., the date you sent the document to the other party).

**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:

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. \_\_\_\_\_

---

**DECREE OF DIVORCE**  
**(No minor children)**

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This matter came before the Court by:

- Default (and *Entry of Default* has been issued)  
 Stipulation/agreement of the parties (Both parties have signed the document)  
 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 on the following date \_\_\_\_\_ in the following state: \_\_\_\_\_.
  - By publication. (*Copy of Affidavit of Publication must be filed*)
  - Defendant accepted service (*Acknowledgement and Acceptance of Service* filed and Defendant's signature must be notarized).
  - 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 irreconcilable differences include: \_\_\_\_\_  
\_\_\_\_\_

(Also explain the irreconcilable differences in the *Affidavit for Divorce*).

7. **PREGNANCY:**

The wife is NOT pregnant.

[NOTE: If the wife is pregnant, you may have to wait until the child is born to finalize the divorce].

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/spousal support as set forth in this Decree.

OR

The husband shall pay to the wife reasonable alimony/spousal support 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: \_\_\_\_\_.

OR

Not applicable.

**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:**
  - A.  Neither party shall pay spousal support/alimony to the other party,

**OR**

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

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.

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

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**3. PROPERTY/DEBT DIVISION:**

A.  **DIVISION OF PROPERTY** –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 (list any vehicles by description and include Vehicle Identification Number (VIN) in table below.)

B.  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 (list any vehicles by description and include Vehicle Identification Number (VIN) in table below.)

C.  There is no specific property to be divided.

**OR**

D.  There is specific property the parties would like to mention, it is described as follows:

| DESCRIPTION OF PROPERTY(include VIN numbers of vehicles and last 4 digits of joint bank account numbers) | 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 |
| 13.  | <input type="checkbox"/> WIFE | <input type="checkbox"/> HUSBAND |
| 14.  | <input type="checkbox"/> WIFE | <input type="checkbox"/> HUSBAND |

(if more space is needed attach a separate sheet of paper)

**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 | Who it is owed to (include last 4 digits of Account #s) | 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 |

**A. 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.

**B. 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.

**5. TITLE TRANSFER:** This Decree can be used as a transfer of title and can be recorded. Parties shall sign all documents necessary to complete all transfers of title ordered in this Decree, such as motor vehicles, houses, and bank accounts. If the party required to transfer the property has not transferred the property to the party entitled to receive the property within 60-days of the date of this Decree, the party entitled to receive the property is entitled upon application to a Writ of Execution to be issued by the Clerk of the Court commanding the sheriff to put him or her in possession of the property.

**6. FILING INCOME TAX** [If Decree entered between January 1<sup>st</sup> and April 15<sup>th</sup> ]  
6.A.  For previous calendar years, pursuant to IRS rules and regulations, the parties will file joint federal and state income tax returns and hold the other harmless (meaning other party won't be responsible) from half of all additional income taxes, if any, and other costs, and each will share equally in any refunds,

OR

6.B.  Separate federal and state income tax returns.

OR

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

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

**7. 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.

**8. 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.

9. **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.
10. **LIMITED REPRESENTATION:** Following Rule 1.2(c) of the Wyoming Rules of Professional Conduct, any attorney who has entered a limited appearance for the purpose of obtaining a divorce decree is now discharged.

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

BY THE COURT:

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

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

***If the parties have agreed:***

I certify that I have read the foregoing *Decree of Divorce* and that I agree to the terms and agree to entry of the *Decree of Divorce*.

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

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

***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





ATTACH TO THE PLEADING PREPARED BY THE ATTORNEY

---

**Limited Appearance to Assist in the Preparation of a Pleading**

---

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

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

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

Attorney's Address/Telephone:

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

Attach this to the back of the original and the copies of the document that is being served. Send it to the other party's attorney, if there is one, or if the other party does not have an attorney, send it to the other party.

**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:

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

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

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

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

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

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

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

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**CERTIFICATE OF MAILING DECREE OF DIVORCE**

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The undersigned certifies the mailing of: *A Decree of Divorce* to the following  
whose name and address is as follows:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

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

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

CLERK OF THE DISTRICT COURT

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

(Deputy Clerk of Court)

NOTE: You must bring the clerk the envelopes pre-addressed with postage when you  
present this form.