

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Courts-conforming provisions.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to courts; conforming provisions to reflect  
2 that all justice of the peace courts and county courts have  
3 been replaced by circuit courts; eliminating archaic  
4 references as specified; and providing for an effective  
5 date.

6

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

8

9 **Section 1.** W.S. 1-4-102, 1-11-106(a), 1-11-108(a) and  
10 (b), 1-11-119, 1-14-102(a)(i), 1-14-117, 1-14-125,  
11 1-15-101(a)(i), 1-15-102(a)(iii), 1-15-501(a)(ii),  
12 1-16-502, 1-17-304, 1-17-306(a), 1-17-415,  
13 1-21-101(a)(intro), 1-21-102, 1-21-201, 1-21-202(a) and  
14 (c), 1-21-203(a), 1-21-204, 1-21-205, 1-21-401, 1-21-402,

1 1-21-501, 1-21-502(a) (intro), 1-21-503, 1-21-504, 1-21-510,  
2 1-21-511, 1-21-513(a) (i), 1-21-514 through 1-21-516,  
3 1-21-517(a), 1-21-602, 1-21-701, 1-21-703, 1-21-801,  
4 1-21-802, 1-21-901(a), 1-21-903, 1-21-904, 1-21-906,  
5 1-21-908, 1-21-1001, 1-21-1004, 1-21-1005, 1-21-1007,  
6 1-21-1008, 1-21-1010 through 1-21-1012, 1-21-1014,  
7 1-21-1015(a), 1-21-1101, 1-21-1206(c), 5-1-109(a), 5-2-119,  
8 5-3-504(a) (ii), 5-6-107, 5-6-111, 5-6-203, 5-6-207,  
9 5-6-302, , 6-2-310(a), 6-3-604(b), 6-4-402(c), 6-4-403(f),  
10 7-3-501(a) and (b) (intro), 7-3-506(a) (i), 7-3-507(d),  
11 7-4-203, 7-7-101(a) (intro), 7-8-103(a), 7-10-101(c),  
12 7-10-104(a) (ii) and (iii), 7-11-101, 7-11-407,  
13 7-13-1202(a) (ii), 7-13-1203(b), 7-13-1204(a) (iv),  
14 7-19-103(a) (v), 8-2-101(a) (i), 9-1-804(a) (iv),  
15 9-2-2401(c) (intro), (i) (intro) and (D), 10-5-101(b),  
16 11-19-505, 11-28-108(a), 14-3-106(a), 14-3-208(b),  
17 14-6-203(j), 14-6-237(h), 15-1-103(a) (xxii) (A), 15-3-402,  
18 18-3-513(b), 18-3-907(a), 18-5-106(b), 19-9-203(a),  
19 19-12-105(b) and (f) through (h), 20-1-106(a),  
20 21-4-104(a) (ii), 22-3-105(d), 22-5-205(a), 22-6-126(a),  
21 22-24-112(b) (intro), 23-6-108, 23-6-302 Article II(a) (v),  
22 31-1-203(c), 31-5-1214(a) and (b), 31-7-112,  
23 31-13-112(e) (intro), 32-1-111, 33-10-111, 33-24-143,

1 34-1-113, 34-1-114, 35-10-206, 36-8-309, 36-9-106,  
2 37-12-107 and 41-3-605 are amended to read:

3

4 **1-4-102. Abatement of actions by death.**

5

6 No action or proceeding pending in any court abates by the  
7 death of either or both of the parties thereto except as  
8 herein provided; an action for libel, slander, malicious  
9 prosecution, assault, assault and battery, or nuisance, ~~or~~  
10 ~~against a justice of the peace for misconduct in office~~  
11 shall abate by the death of either party.

12

13 **1-11-106. Jury list; preparation of ballots for jury**  
14 **box; drawing jury panel; certificate and summons.**

15

16 (a) The list of persons qualified to serve as trial  
17 jurors, certified and delivered to the clerk of the  
18 district court in accordance with W.S. 18-3-402 or a list  
19 of persons compiled under an alternate procedure pursuant  
20 to W.S. 1-11-129, is the base jury list for the district  
21 court, and the circuit court ~~and justice of the peace~~  
22 ~~courts~~ from April 1 of the year in which the list is  
23 certified and delivered through March 31 of the following  
24 year. By order of the district judge, or circuit judge, ~~or~~

1 ~~justice of the peace,~~ for their respective courts, the base  
2 jury list may be expanded by including some other source or  
3 sources of names in addition to voter lists. After the list  
4 is delivered and supplemented when applicable, suitable  
5 ballots shall be prepared and deposited in a box known as  
6 and plainly marked "jury box number one". Upon order of the  
7 court, the clerk of the district court, sheriff and county  
8 treasurer shall draw from jury box number one a panel of  
9 trial jurors, which shall contain such number of names as  
10 specified by the court.

11

12 **1-11-108. Jury panel in circuit courts; functions,**  
13 **powers and duties of judges thereof.**

14

15 (a) The names in jury box number one in the office of  
16 the clerk of the district court is the panel of trial  
17 jurors in all ~~justice of the peace and county~~ circuit  
18 courts.

19

20 (b) In conducting jury trials, judges of the ~~county~~  
21 ~~courts and justice of peace~~ circuit courts shall exercise  
22 and perform the same functions, powers and duties as are  
23 prescribed for both the judge and the clerk of the district

1 court in W.S. 1-11-101 through 1-11-401, insofar as  
2 practicable.

3

4 **1-11-119. Number of jurors; fees and mileage.**

5

6 Trial juries in ~~justice of the peace and county~~ circuit  
7 courts shall be composed of six (6) persons. Trial juries  
8 in civil cases and all other proceedings in the district  
9 courts except criminal cases shall be composed of six (6)  
10 jurors unless one (1) of the parties to the action files a  
11 written demand for twelve (12) jurors within the time a  
12 demand for jury may be filed, in which event the number of  
13 jurors shall be twelve (12). Jurors in all courts shall be  
14 allowed the same fees and mileage as jurors in district  
15 court.

16

17 **1-14-102. Witness fees; fees for expert witnesses in**  
18 **civil and criminal cases.**

19

20 (a) Witnesses are entitled to receive the following  
21 minimum fees:

22

23 (i) For attending before any court or grand  
24 jury, or before any judge, referee or commissioner, ten

1 dollars (\$10.00) per day, and five dollars (\$5.00) for half  
2 a day; and

3

4 **1-14-117.** Disposition of costs collected.

5

6 Every sheriff and other officer collecting costs on  
7 execution, after retaining the amount of his own fees shall  
8 pay the residue of the collected costs to the clerk of the  
9 court which issued the execution ~~or to the justice,~~ and  
10 take a receipt therefor.

11

12 **1-14-125. When costs not recoverable by plaintiff.**

13

14 When the judgment is less than one hundred dollars  
15 (\$100.00), unless the recovery is reduced below that sum by  
16 counterclaim or setoff, each party shall pay his own costs.

17 When the damage assessed is under five dollars (\$5.00), the  
18 plaintiff shall not recover costs in any action for libel,  
19 slander, malicious prosecution, assault, assault and  
20 battery, false imprisonment, or nuisance. ~~or against a~~  
21 ~~justice of the peace for misconduct in office.~~

22

23 **1-15-101. Applicability.**

24

1 (a) This chapter shall apply to and govern:

2

3 (i) Attachment, replevin and garnishment  
4 proceedings in all district courts, ~~county~~ and circuit  
5 courts ~~and justice of the peace courts~~ of this state;

6

7 **1-15-102. Definitions.**

8

9 (a) As used in this chapter unless otherwise defined:

10

11 (iii) "Court" means any district court, ~~or~~ or  
12 circuit court ~~or justice of the peace court~~ of this state;

13

14 **1-15-501. Definitions.**

15

16 (a) As used in this article:

17

18 (ii) "Court" means any district court, ~~or~~ or  
19 circuit court ~~or justice of the peace court~~ of this state;

20

21 **1-16-502. Revivor of dormant judgments; generally.**

22

23 When a judgment, including judgments rendered by a justice  
24 ~~of the peace~~ circuit court, a transcript of which has been

1 filed in the district court for execution, becomes dormant,  
2 it may be revived in the same manner as prescribed for  
3 reviving actions before judgment or by action. When either  
4 party to the dormant judgment, his agent or attorney, makes  
5 affidavit showing that the adverse party is a nonresident  
6 of the state and that the judgment remains unsatisfied in  
7 whole or in part and the amount owing thereon, service may  
8 be made by publication as in other cases. If sufficient  
9 cause is not shown to the contrary, the judgment shall  
10 stand revived for the amount which the court finds to be  
11 due and unsatisfied thereon. The lien of the judgment for  
12 the amount due shall be revived and shall operate from the  
13 time of the entry of the conditional order or the filing of  
14 the motion.

15

16 **1-17-304. Recording lien on real estate in other**  
17 **counties.**

18

19 The judgment creditor in any judgment rendered by any  
20 district court in this state, or in any judgment rendered  
21 in a ~~justice of the peace~~ circuit court of this state and  
22 filed in the judgment record of the district court, may  
23 file a transcript of the judgment record of the district  
24 court with the clerk of the district court and the county



1 clerk in any other counties within this state where the  
2 judgment debtor owns real estate. The judgment is a lien  
3 upon all real estate of the judgment debtor in any county  
4 in which the transcript is filed with the clerk of district  
5 court and the county clerk from the date of filing with the  
6 county clerk. The clerk of the district court of any  
7 county in which the transcript is filed shall enter the  
8 judgment upon the judgment records of the court in the same  
9 manner as judgments are rendered in that court.

10

11 **1-17-306. Lien of judgments of circuit courts.**

12

13 (a) The party in whose favor a judgment is rendered  
14 by a ~~justice of the peace~~ circuit court if the judgment is  
15 not appealed or stayed, may file with the clerk of the  
16 district court and the county clerk of the county in which  
17 the judgment was rendered a transcript thereof, certifying  
18 therein the amount paid thereon, if any. The clerk of court  
19 shall enter the case on the execution docket, together with  
20 the amount of the judgment and the time of filing the  
21 transcript with the county clerk. If within ten (10) days  
22 after the judgment was rendered, the judgment debtor pays  
23 the same or gives bond for stay of execution, the justice  
24 shall immediately certify that fact to the clerk of the

1 district court and the county clerk. The district court  
2 clerk shall enter a memorandum thereof upon the docket. The  
3 cost of the transcript, the filing, recording and the entry  
4 on the docket shall be paid by the party who files and  
5 records the transcript and not be taxed to the other party.

6  
7 **1-17-415. Filing of orders.**

8  
9 All orders of the court issued pursuant to this  
10 article shall be filed with the clerk of the district court  
11 of the county in which the judgment is rendered. ~~or in~~  
12 ~~which the transcript of the justice court proceeding is~~  
13 ~~filed.~~ The clerk shall enter on the execution docket the  
14 time of filing the judgment or transcript.

15  
16 CHAPTER 21

17 PROCEDURE & ACTIONS

18 ARTICLE 1

19 IN GENERAL

20  
21 **1-21-101. Docket to be kept; contents.**

22  
23 (a) Every ~~justice of the peace~~ judge shall keep a  
24 docket in which he shall enter:

1

2           **1-21-102. Proceedings when title or boundaries to**  
3 **land in question.**

4

5 If it appears from the pleadings or the evidence of either  
6 party at the trial of any case in ~~justice~~circuit court  
7 that the title or boundaries to lands are in question, the  
8 ~~justice~~judge shall immediately make an entry thereof in  
9 the docket, cease all further proceedings, and certify to  
10 the district court of the county a transcript of all  
11 entries made in the docket relating to the case in the same  
12 manner and within the same time as upon appeal. The case  
13 shall then be conducted in the district court as though  
14 appealed to the district court for trial de novo, except  
15 that no bond as on appeal or payment of costs in the  
16 ~~justice~~circuit court is required for the transfer to the  
17 district court.

18

19           **1-21-201. Procedure and costs generally; jurisdiction**  
20 **extended.**

21

22 In the trial of civil cases before any ~~justice of the peace~~  
23 circuit court in which the amount claimed, exclusive of  
24 costs, does not exceed three thousand dollars (\$3,000.00),

1 the procedure and costs are as defined in W.S. 1-21-201  
2 through 1-21-205. The department of revenue may consolidate  
3 claims for collection of taxes against a single taxpayer  
4 into a single case under the procedures in W.S. 1-21-201  
5 through 1-21-205 subject to specified dollar limitations.

6

7 **1-21-202. Commencement of actions; fee; remedy**  
8 **cumulative; continuance to obtain attorney; docketing.**

9

10 (a) Actions may be commenced, heard and determined  
11 under W.S. 1-21-201 through 1-21-205 if the state, any  
12 governmental entity, any natural person, corporation,  
13 partnership, association or other organization appears  
14 before any ~~justice of the peace or~~ circuit court and  
15 executes an affidavit reciting the full address of the  
16 defendant, the nature of the claim, the amount due and  
17 stating that demand has been made and payment refused. The  
18 plaintiff shall deposit an appearance fee of four dollars  
19 (\$4.00) which shall be retained by the court as costs and  
20 taxed to the party against whom judgment is rendered. The  
21 remedy provided by this article is cumulative and not  
22 exclusive.

23

1 (c) The ~~justice or~~ circuit judge shall docket the  
2 case as provided by law.

3

4 **1-21-203. Affidavit of claim; service of summons;**  
5 **venue jurisdiction.**

6

7 (a) The claimant shall prepare the affidavit as set  
8 forth, or at his request the ~~justice or~~ circuit judge shall  
9 draft it for him. When the affidavit is executed by the  
10 claimant the court shall file the same and have summons  
11 served on the defendant at any location in the county in  
12 the manner provided by law or, if the defendant resides in  
13 the county, service may be made by the court by certified  
14 mail addressed to the defendant at his address within the  
15 county with return receipt requested. Upon receipt by the  
16 ~~justice or~~ circuit judge of the return receipt signed by  
17 the defendant or his agent, service is complete.

18

19 **1-21-204. Time for appearance.**

20

21 The date of appearance of the defendant as provided in the  
22 summons shall be not more than twelve (12) days nor less  
23 than three (3) days from the date of service of the  
24 summons. When the ~~justice or~~ circuit judge has fixed the

1 date for the appearance of the defendant he shall inform  
2 the plaintiff of the date and at the same time order the  
3 plaintiff to appear with such books, papers and witnesses  
4 as necessary to prove his claim.

5

6 **1-21-205. Pleading and hearing; execution.**

7

8 At any hearing the plaintiff and defendant and their  
9 witnesses may offer evidence. No formal pleading other than  
10 the claim and notice is necessary. The hearing and  
11 disposition of the hearing shall be informal. No  
12 prejudgment attachment or garnishment shall issue, but  
13 execution, including post judgment garnishment in aid of  
14 execution, may issue as prescribed by law for ~~justice or~~  
15 circuit court.

16

17 **1-21-401. Endorsement of payments and satisfaction**  
18 **and release; requirements.**

19

20 Every person recovering a judgment in ~~justice of the peace~~  
21 circuit court shall endorse on the original judgment docket  
22 all payments made on the judgment, and when the judgment is  
23 satisfied by settlement or other payment, endorse the  
24 satisfaction and release on the judgment docket in the

1 ~~justice of the peace~~ circuit court in which the judgment  
2 was entered. Endorsement of partial payment or satisfaction  
3 of the whole shall be made by the party recovering the  
4 judgment or his attorney in the case within fifteen (15)  
5 days after the payment has been made, and after each  
6 payment when more than one (1) payment is made on any  
7 judgment. Each endorsement shall be dated and signed by the  
8 person executing the same.

9

10 **1-21-402. Endorsement of payments and satisfaction**  
11 **and release; penalty.**

12

13 Every person who collects or is paid any money or other  
14 thing of value upon any judgment rendered in any ~~justice of~~  
15 ~~the peace~~ circuit court who fails to comply with the  
16 provisions of W.S. 1-21-401 is guilty of a misdemeanor and  
17 upon conviction shall be punished by a fine for each  
18 offense of not less than twenty-five dollars (\$25.00) nor  
19 more than two hundred dollars (\$200.00).

20

21 **1-21-501. Issuance of execution.**

22

23 Execution for the enforcement of a judgment except during  
24 the time it may be stayed, may be issued by the ~~justice~~

1 judge who renders the judgment, or by his successor in  
2 office, on the application of the party entitled thereto,  
3 any time within five (5) years of entry of the judgment, or  
4 the date of the last execution issued thereon.

5

6 **1-21-502. Form and contents of execution.**

7

8 (a) The execution shall be directed to the sheriff of  
9 the county, subscribed by the ~~justice~~judge by whom the  
10 judgment was rendered, or by his successor in office, and  
11 dated the day of delivery to the officer for execution. The  
12 execution shall refer to the judgment by stating the names  
13 of the parties, the name of the ~~justice~~judge, the county  
14 where and the time when the judgment was rendered and the  
15 true amount of the unsatisfied judgment. The execution  
16 shall direct the sheriff to:

17

18 **1-21-503. Endorsement on execution.**

19

20 Before any execution is delivered, the ~~justice~~judge shall  
21 state in his docket and on the back of his execution the  
22 amount of the debt or damages and costs, and the officer  
23 receiving the execution shall endorse on it the time of  
24 receiving the execution.



1

2

**1-21-504. Renewal of execution.**

3

4 If any execution is not satisfied, it may be renewed at the  
5 request of the plaintiff by the ~~justice~~judge or his  
6 successor, by an endorsement thereon and dated when made.

7

8 If any part of the execution has been satisfied, the  
9 endorsement of renewal shall state the sum due and every  
10 such endorsement shall continue the execution in full force  
11 for no longer than thirty (30) days. An entry of renewal  
12 shall be made in the docket.

12

13

**1-21-510. Execution for costs.**

14

15 A ~~justice~~judge may issue execution to enforce a judgment  
16 for costs in the same manner as in other cases.

17

18

**1-21-511. Right to stay of execution.**

19

20 Except as otherwise provided, any person against whom  
21 judgment is rendered may have stay of execution by entering  
22 into a bond with the adverse party within ten (10) days  
23 after rendition of the judgment, with good and sufficient  
24 surety, resident property holders of the county, approved

1 by the ~~justice~~judge, conditioned on the payment of the  
2 amount of the judgment, interest and costs that may accrue.  
3 The bond shall be entered on the docket and signed by the  
4 surety.

5

6 **1-21-513. Cases in which stay not allowed.**

7

8 (a) No stay of execution is allowed in the following  
9 cases:

10

11 (i) On a judgment rendered against a ~~justice of~~  
12 ~~the peace~~circuit court judge for refusing to pay over  
13 money collected or received in his official capacity;

14

15 **1-21-514. Recall of execution.**

16

17 If the execution issued before the bond for stay or for  
18 appeal is given, and such bond is given afterward and  
19 within the time allowed, the ~~justice~~judge shall recall the  
20 execution.

21

22 **1-21-515. Conditions under which execution issued**  
23 **notwithstanding stay.**

24

1 When any person who is surety for stay of execution moves  
2 from the county before expiration of the stay, the ~~justice~~  
3 ~~judge~~ shall issue execution on demand against the goods and  
4 chattels of the party against whom the original judgment  
5 was rendered. When any surety for the stay of execution  
6 becomes apprehensive that by delaying the execution until  
7 expiration of the stay he may be compelled to pay the  
8 judgment, the surety may file an affidavit of the facts  
9 with the ~~justice~~~~judge~~ who rendered judgment whereupon the  
10 ~~justice~~~~judge~~ shall issue execution against the judgment  
11 debtor. The surety is not thereby discharged from  
12 liability, but may be proceeded against after expiration of  
13 the stay.

14

15 **1-21-516. Giving of further bond.**

16

17 If within ten (10) days after levying the execution the  
18 judgment debtor enters into a further bond for stay of  
19 execution during the unexpired term of the first stay, and  
20 pays costs of the execution issued against him, the ~~justice~~  
21 ~~judge~~ shall accept the further bond and recall the  
22 execution. The latest bond shall first be proceeded against  
23 until it appears by the return of the sheriff that there

1 are no goods on which to levy, then proceedings shall be  
2 instituted on the first bond given.

3

4 **1-21-517. Discovery in aid of execution.**

5

6 (a) At any time after entry of judgment, the judgment  
7 creditor may obtain discovery by interrogatories,  
8 depositions or otherwise, from any person, including the  
9 judgment debtor, in accordance with the Wyoming Rules of  
10 Civil Procedure. ~~for Justice Courts.~~

11

12 **1-21-602. Manner of conducting sale; return.**

13

14 At the time appointed, the officer shall expose the goods  
15 and chattels to public sale and sell them to the highest  
16 bidder. If there are no bidders or only a single bid is  
17 given, the sale shall be adjourned from time to time until  
18 a fair sale is had. The officer shall return the execution  
19 together with the money to the ~~justice~~judge at the time of  
20 making the return.

21

22 **1-21-701. Notice and time of trial.**

23

1 When an officer levies on property claimed by any person  
2 other than the party against whom the execution issued, the  
3 claimant shall give three (3) days notice of objection in  
4 writing to the plaintiff or his agent. If the plaintiff or  
5 his agent cannot be found within the county, the notice  
6 shall be served by leaving a copy at his usual place of  
7 abode in the county, or if no place of abode exists then by  
8 leaving notice at the court, stating the time and place of  
9 trial to determine the right to the property. The trial  
10 shall be held before a ~~justice of~~ circuit court in the  
11 county at least one (1) day prior to the time appointed for  
12 sale of the property.

13

14 **1-21-703. Judgment against claimant.**

15

16 If the claimant fails to establish his right to the  
17 property or any part thereof, the ~~justice~~ judge shall  
18 render judgment against the claimant for costs accrued on  
19 account of the trial and issue execution therefor. The  
20 officer is not liable to the claimant for the property so  
21 taken.

22

23 **1-21-801. Procedure generally.**

24

1 Any civil cause pending before a ~~justice~~judge may be  
2 submitted to the arbitration of three (3) men by agreement  
3 of the parties. Each party shall select one (1) arbitrator  
4 and the two (2) so selected shall choose the third. They  
5 shall be sworn by the ~~justice~~judge and proceed in a  
6 summary manner to hear the cause. Any of the arbitrators  
7 may administer oaths, issue subpoenas for witnesses and  
8 compel their attendance, and punish for contempt. They  
9 shall make their awards in writing, any two (2) concurring  
10 being the award of all. The award shall be reported to the  
11 ~~justice~~judge who shall enter judgment accordingly. The  
12 judgment is final unless it is made to appear to the  
13 ~~justice~~judge within ten (10) days after the entry of  
14 judgment that the award was obtained by fraud, corruption  
15 or any undue means, in which case the ~~justice~~judge shall  
16 set aside the award and the case shall stand for trial as  
17 though no award had been made.

18

19 **1-21-802. Appeal of setting aside award; grounds.**

20

21 An aggrieved party may appeal the decision of the ~~justice~~  
22 judge to set aside the award upon grounds of fraud,  
23 corruption or undue means as in other cases.

24

1           **1-21-901. Grounds.**

2

3           (a) A ~~justice of the peace~~ circuit court judge may  
4 punish for contempt in the following cases and no others:

5

6           (i) Persons guilty of disorderly, contemptuous  
7 and insolent behavior toward a ~~justice~~ judge engaged in any  
8 judicial proceeding, which tends to interrupt such  
9 proceedings or impair the respect due the ~~justice's~~ judge's  
10 authority;

11

12           (ii) Persons guilty of resistance or  
13 disobedience to any lawful order or process made or issued  
14 by the ~~justice~~ judge.

15

16           **1-21-903. Hearing required; warrant of attachment.**

17

18 No person shall be punished for contempt before a ~~justice~~  
19 circuit court judge until after an opportunity to be heard  
20 and for that purpose the ~~justice~~ judge may issue his  
21 warrant of attachment to bring the offender before him.

22

23           **1-21-904. Summary proceedings if offender present.**

24

1 If the offender is present he may be summarily arraigned by  
2 the ~~justice~~circuit court judge and proceeded against as if  
3 a warrant had been previously issued and the offender  
4 arrested thereon.

5

6 **1-21-906. Commitment of witness; generally.**

7

8 Any witness attending before a ~~justice of the peace~~circuit  
9 court who refuses to be sworn in some form prescribed by  
10 law or to answer any pertinent or proper question, may by  
11 order be committed to the jail of the county.

12

13 **1-21-908. Commitment of witness; adjournment.**

14

15 The ~~justice~~circuit court shall adjourn the case at the  
16 request of either party for a reasonable time or until the  
17 witness testifies in the case.

18

19 **1-21-1001. Jurisdiction of circuit courts.**

20

21 Any ~~justice~~circuit court within ~~his county~~the judicial  
22 district may inquire against those who make unlawful and  
23 forcible entry into lands and tenements and detain the  
24 same, or against those who, having a lawful and peaceable



1 entry into lands or tenements, unlawfully or by force hold  
2 the same. If it is found that an unlawful and forcible  
3 entry was made and the lands or tenements are held by  
4 force, or that after a lawful entry the lands are held  
5 unlawfully, the justice shall require restitution to the  
6 complaining party.

7

8 **1-21-1004. Summons; service and return.**

9

10 The summons shall state the cause of the complaint against  
11 the defendant, the time and place of trial and shall be  
12 served and returned as in other cases. Such service shall  
13 be not less than three (3) nor more than twelve (12) days  
14 before the day of trial set by the ~~justice~~judge.

15

16 **1-21-1005. Proceedings when defendant fails to**  
17 **appear.**

18

19 If the defendant does not appear in accordance with a  
20 properly served summons the ~~justice~~circuit court shall try  
21 the action as though he were present. Before proceeding,  
22 the plaintiff shall file a complaint in which he relies in  
23 order to recover the premises. The complaint must be  
24 sustained by proof or the action dismissed.

1

2

**1-21-1007. Bond on granting continuance.**

3

4

No continuance shall be granted the defendant for longer than two (2) days unless he gives a bond to the adverse party, with good and sufficient surety approved by the ~~justice~~circuit court, conditioned for the payment of the rent that may accrue and costs if judgment is rendered against him.

10

11

**1-21-1008. Trial by justice or jury; judgment and costs.**

12

13

14

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23

(a) If the action is not continued, the place of trial changed or if neither party demands a jury, upon the return day of the summons the ~~justice~~circuit court shall try the action. If the ~~justice~~circuit court concludes that the complaint is not true, ~~he~~the court shall enter judgment against the plaintiff for costs. If ~~he~~the court finds the complaint true, ~~he~~it shall render a general judgment in favor of the plaintiff for restitution of the premises and costs. If ~~he~~the court finds the complaint true in part, ~~he~~it shall render judgment for restitution

1 of that part only and the costs shall be taxed as deemed  
2 equitable.

3

4 (b) If the case is one based on failure to pay rent,  
5 the ~~justice~~court shall further find the amount of rent due  
6 and payable at the time of commencement of the action,  
7 together with the terms and conditions of the agreement  
8 between the parties in relation to the amount and time of  
9 payment of rent. If the trial is by jury the verdict shall  
10 contain a finding of these facts and the ~~justice~~court  
11 shall recite such findings in ~~his~~the docket entry of  
12 proceedings. The ~~justice~~court, upon these findings, in  
13 addition to entering judgment for the plaintiff to have  
14 restitution, shall render judgment in accordance with the  
15 findings for the amount of rent found due, together with  
16 costs, and shall issue execution separate from the writ of  
17 restitution for the rent found due and costs as in other  
18 actions.

19

20 **1-21-1010. Judgment upon verdict.**

21

22 The ~~justice~~circuit court shall enter the verdict upon ~~his~~  
23 the docket and render judgment thereon.

24

1           **1-21-1011. Exceptions.**

2

3 Exceptions to the opinion of the ~~justice~~circuit court on  
4 questions of law or evidence may be taken by either party,  
5 whether tried by a jury or the court.

6

7           **1-21-1012. Writ of restitution; issuance.**

8

9 When a judgment of restitution is entered by a ~~justice~~  
10 circuit court, ~~he~~the court shall, at the request of the  
11 plaintiff, his agent or attorney, issue a writ of  
12 restitution thereon.

13

14           **1-21-1014. Proceedings upon stay on appeal; bond**  
15 **required.**

16

17           (a) If the officer receives notice from the ~~justice~~  
18 circuit court that the proceedings have been stayed on  
19 appeal, he shall immediately delay all further proceedings  
20 upon execution and writ of restitution. If the premises  
21 have been restored to the plaintiff he shall immediately  
22 place the defendant in possession thereof and return the  
23 writ and execution with his proceedings and costs taxed  
24 thereon.

1

2 (b) An appeal by a defendant shall not stay the  
3 proceedings on judgment unless within forty-eight (48)  
4 hours after judgment, Sundays excepted, the appellant  
5 executes and files with the ~~justice~~court his bond to  
6 plaintiff, with two (2) or more sufficient sureties  
7 approved by the ~~justice~~court, conditioned that the  
8 appellant will pay all costs which have accrued or may  
9 thereafter accrue and all damages which plaintiff may have  
10 sustained or may thereafter sustain in consequence of the  
11 wrongful detention of the premises during the pendency of  
12 the appeal. Upon taking the appeal and filing the bond, all  
13 further proceedings in the case shall be stayed and the  
14 appellate court shall thereafter issue all writs and  
15 processes to carry out the judgment of the appellate court.  
16 The court in which the appeal is pending may require a new  
17 bond in a larger amount, with sureties approved by the  
18 appellate court, if deemed necessary to secure the rights  
19 of the parties.

20

21 **1-21-1015. Rents to be deposited on appeal.**

22

23 (a) In appeals from the judgment of a ~~justice~~circuit  
24 court for rents due and payable, in addition to the bond

1 required by W.S. 1-21-1014, the appellant shall deposit  
2 with the ~~justice court~~ the amount of rent specified in the  
3 judgment. Unless the deposit is made, the appeal is not  
4 perfected and proceedings upon the judgment shall be had  
5 accordingly. If the appeal is perfected, the ~~justice court~~  
6 shall transmit the deposit to the clerk of the appellate  
7 court with the papers in the case.

8

9 **1-21-1101. Jurisdiction for recovery of specific**  
10 **personal property.**

11

12 ~~Justices of the peace~~ Circuit courts have jurisdiction of  
13 actions for the recovery of specific personal property, not  
14 exceeding two hundred dollars (\$200.00) in value.

15

16 **1-21-1206. Renter's remedies; notice to owner or**  
17 **agent; judicial remedy; rights under termination of rental**  
18 **agreement.**

19

20 (c) If the owner has not corrected or used due  
21 diligence to correct the conditions following notice under  
22 this section, or if the owner has notified the renter that  
23 the claim is disputed, the renter may commence a civil  
24 action in ~~county or justice of the peace~~ circuit court. The

1 court shall endorse on the summons the number of days  
2 within which the owner is required to appear and defend the  
3 action, which shall not be less than three (3) nor more  
4 than twenty (20) days from the date of service. Upon a  
5 showing of an unreasonable refusal to correct or the  
6 failure to use due diligence to correct a condition  
7 described in this article, the renter may be awarded costs,  
8 damages and affirmative relief as determined by the court.  
9 Damages awarded to the renter may include rent improperly  
10 retained or collected. Affirmative relief may include a  
11 declaration terminating the rental agreement, or an order  
12 directing the owner to make reasonable repairs.

13

14 **5-1-109. Deaf and mute persons; rights enumerated.**

15

16 (a) In all civil or criminal cases in which a deaf or  
17 mute person is a party or in a grand jury proceeding where  
18 the person is a witness, the presiding judge ~~or justice~~  
19 shall upon petition appoint a qualified interpreter to  
20 assist the court and deaf person during the proceedings.  
21 The cost for the interpreter's services may be assessed as  
22 court costs.

23

24 **5-2-119. Appeals from courts of limited jurisdiction.**

1

2 Notwithstanding any other provision of law, any case in  
3 which original jurisdiction is in a municipal court, ~~a~~  
4 ~~justice of the peace court~~ or a circuit court may be  
5 appealed to the district courts and thereafter to the  
6 Wyoming supreme court only if the supreme court grants a  
7 writ of certiorari agreeing to hear the appeal. The Wyoming  
8 supreme court shall adopt procedures under which the court  
9 will grant or deny appeals to the court in such cases and  
10 provide the standards and extent of review.

11

12 **5-3-504. Duties.**

13

14 (a) Each counselor employed under the provisions of  
15 this act shall have the following duties:

16

17 (ii) He may make social history investigations  
18 where requested by ~~justice and municipal court~~ judges in  
19 cases where minors are involved. In such cases he may  
20 assume authority where the offender is placed on probation  
21 by the presiding officer;

22

23 **5-6-107. Appeals to district court in certain cities**  
24 **or towns.**



1

2 In addition to all other methods heretofore provided by  
3 law, an appeal from the judgment or sentence of a ~~police~~  
4 ~~justice~~ municipal court in any city or town operating under  
5 a special charter or commission, commission manager or  
6 manager form of government, may be taken to the district  
7 court in the same manner as is now provided by law for  
8 appeals from ~~justice~~ circuit courts in criminal cases, and  
9 shall be dealt with by the courts as criminal cases.

10

11 **5-6-111. Execution on judgments.**

12

13 Upon assessment of any fine and costs for the conviction of  
14 a violation of any ordinance of a city or town, judgment  
15 shall be entered against the defendant in favor of the city  
16 or town. If the judgment is not paid within ninety (90)  
17 days from the date of the judgment the city or town may  
18 collect judgment by execution in circuit court ~~or justice~~  
19 ~~of the peace court~~ in the manner provided by law. Except  
20 as otherwise provided by law all amounts recovered pursuant  
21 to this section shall be deposited with the city or town  
22 treasurer, used for the benefit of the city or town, and  
23 credited against the fine and reasonable costs of  
24 collection.

1

2           **5-6-203. Appeal.**

3

4 In all cases before the ~~police justice~~ municipal court  
5 arising under ordinances of the city, wherein the fine  
6 assessed exceeds the sum of ten dollars (\$10.00) or the  
7 imprisonment ten (10) days, an appeal may be taken by the  
8 defendant to the district court in and for the county in  
9 which ~~said the~~ city is situated, but no appeal shall be  
10 allowed unless ~~such the~~ defendant shall, within ten (10)  
11 days, enter into recognizance with sufficient sureties to  
12 be approved by the ~~justice~~ municipal court, conditioned for  
13 the payment of the fine and costs of appeal, and ~~that the~~  
14 defendant shall abide the judgment of the ~~said~~ municipal  
15 court and not depart without leave of the ~~same~~ court, or  
16 that he will pay to the ~~said~~ city of .... the sum of \$.....  
17 The procedure of ~~such the~~ appeal shall be as prescribed for  
18 appeals from circuit courts ~~of justices of the peace~~ in  
19 criminal cases.

20

21           **5-6-207. Cases in municipal court.**

22

23 Cases in the ~~police~~ municipal court for violations of city  
24 ordinances shall be tried and determined by the ~~police~~

1 ~~justice~~court without the intervention of a jury, and the  
2 trial of such cases before ~~such police justice~~the court  
3 shall be conducted in all respects, not herein otherwise  
4 provided for, in like manner as criminal cases before  
5 ~~justices of the peace~~circuit courts.

6

7 **5-6-302. Appeals from municipal court.**

8

9 Appeals from the judgment or sentence of ~~such police~~  
10 ~~justice~~a municipal court may be taken to the district  
11 court in the same manner as is now provided by law for  
12 appeals from ~~justices'~~circuit courts in criminal cases,  
13 and shall be dealt with by the courts as criminal cases.

14

15 **6-2-310. Names not to be released; restrictions on**  
16 **disclosure or publication of information; violations;**  
17 **penalties; effect of disclosure; "minor victim".**

18

19 (a) Prior to the filing of an information or  
20 indictment, neither the names of the alleged actor or  
21 victim of a sexual assault nor any other information  
22 reasonably likely to disclose the identity of the victim  
23 shall be released or negligently allowed to be released to  
24 the public by any public employee except as authorized by

1 the judge ~~or justice~~ with jurisdiction over the criminal  
2 charges. The actor's name may be released to the public to  
3 aid or facilitate an arrest.

4

5 **6-3-604. Fraud against testamentary instruments and**  
6 **government records; penalties; "government record" defined.**

7

8 (b) As used in this section, "government record"  
9 means a record, record book, docket or journal which is  
10 authorized by law or belongs or pertains to, or is filed  
11 with, a court of record, a circuit court, ~~a justice of the~~  
12 ~~peace~~ or any governmental office or officer.

13

14 **6-4-402. Incest; penalties; disclosure or publication**  
15 **of identifying information; "minor victim".**

16

17 (c) Prior to the filing of an information or  
18 indictment charging a violation under this section, neither  
19 the name of the person accused or the victim nor any other  
20 information reasonably likely to disclose their identity  
21 shall be released or negligently allowed to be released to  
22 the public by any public employee, except as authorized by  
23 the judge ~~or justice~~ with jurisdiction over the criminal

1 charges. The name of the person accused may be released to  
2 the public to aid or facilitate an arrest.

3

4 **6-4-403. Abandoning or endangering children;**  
5 **penalties; "child"; disclosure or publication of**  
6 **identifying information; "minor victim".**

7

8 (f) Prior to the filing of an information or  
9 indictment charging a violation of W.S. 6-4-403(b)(ii),  
10 (iii) or (v)(D) or (E), neither the name of the person  
11 accused or the victim nor any other information reasonably  
12 likely to disclose the identity of the victim shall be  
13 released or negligently allowed to be released to the  
14 public by any public employee, except as authorized by the  
15 judge ~~or justice~~ with jurisdiction over the criminal  
16 charges. The name of the person accused may be released to  
17 the public to aid or facilitate an arrest.

18

19 **7-3-501. Filing of complaint; issuance of warrant or**  
20 **summons.**

21

22 (a) As used in W.S. 7-3-501 through 7-3-505 "judge"  
23 means a circuit court judge. ~~or a justice of the peace.~~

24

1 (b) When complaint is made by the district attorney  
2 or by any private person to any ~~justice of the peace or~~  
3 circuit court judge that a person has threatened or is  
4 about to commit a breach of the peace or an offense against  
5 the person or property of another, the judge shall:

6  
7 **7-3-506. Definitions.**

8  
9 (a) As used in W.S. 7-3-506 through 7-3-511:

10  
11 (i) "Court" means the ~~justice of the peace~~  
12 ~~court,~~ circuit court or the district court in the county  
13 where an alleged victim of stalking resides, or where the  
14 alleged perpetrator of the stalking is found;

15  
16 **7-3-507. Petition for order of protection; contents;**  
17 **requisites; indigent petitioners.**

18  
19 (d) The attorney general shall promulgate a standard  
20 petition form which may be used by petitioners. The ~~justice~~  
21 ~~of the peace or the~~ clerk of the ~~county~~ circuit or district  
22 court shall make standard petition forms available to  
23 petitioners, with instructions for completion, without  
24 charge. If the petition is not filed by the district

1 attorney, the court may appoint an attorney to represent an  
2 indigent petitioner. Nothing in this subsection shall  
3 prevent the victim from hiring an attorney or filing a  
4 petition pro se.

5

6 **7-4-203. Issuance of subpoenas; witness fees;**  
7 **enforcement of attendance.**

8

9 The coroner may issue subpoenas and compel the attendance  
10 of witnesses to testify at the inquest. Witnesses shall be  
11 allowed the same fees as in cases before a ~~justice of the~~  
12 ~~peace or~~ circuit court, and the coroner shall have the same  
13 authority to enforce the attendance of witnesses and to  
14 punish for contempt as provided by W.S. 1-21-901 through  
15 1-21-909.

16

17 **7-7-101. Authority to issue; grounds.**

18

19 (a) Any district judge, district court commissioner,  
20 circuit judge, ~~or~~ or magistrate authorized pursuant to W.S.  
21 5-9-208(a), (b) or (c)(xv) or 5-9-212(a)(ix) ~~or any justice~~  
22 ~~of the peace~~ may issue a search warrant to search for and  
23 seize any property:

24

1           **7-8-103. Issuance and execution of warrant or summons**  
2 **on information or complaint; procedures governed by rules.**

3

4           (a) A warrant or summons issued by any ~~justice of the~~  
5 ~~peace court or~~ circuit court based upon a complaint or  
6 information charging any criminal offense may be executed  
7 or served at any place within the jurisdiction of the state  
8 of Wyoming.

9

10           **7-10-101. Right of defendant.**

11

12           (c) During the pendency of an appeal in aailable  
13 case, the judge ~~or justice~~ of the court having jurisdiction  
14 may admit the defendant to bail in any sum he deems proper.  
15 The judge ~~or justice~~ allowing bail may at any time revoke  
16 or amend the order admitting the defendant to bail.

17

18           **7-10-104. Authorized judicial officers.**

19

20           (a) A person charged with the commission of any  
21ailable offense may be admitted to bail by:

22



1           (ii) A district judge or district court  
2 commissioner of the district in which the person is  
3 charged; or

4  
5           (iii) A circuit judge, or magistrate of the  
6 county in which the person is charged. ~~;~~ ~~or~~

7  
8           **7-11-101. Impaneling in criminal cases.**

9  
10 Trial juries for criminal actions in district courts and in  
11 ~~county~~ circuit courts are formed in the same manner as  
12 trial juries in civil actions. ~~Procedures for impaneling~~  
13 ~~juries in justice of the peace courts shall be governed by~~  
14 ~~the Wyoming Rules of Criminal Procedure for Justice Courts.~~

15  
16           **7-11-407. Procedures for taking depositions.**

17  
18 Procedures for the taking of depositions in criminal cases  
19 shall be governed by the Wyoming Rules of Criminal  
20 Procedure. ~~and the Wyoming Rules of Criminal Procedure for~~  
21 ~~County Courts.~~

22  
23           **7-13-1202. Definitions.**

24

1 (a) As used in this act:

2

3 (ii) "Supervising court" means the municipal  
4 court, ~~justice of the peace~~ or circuit court by whose order  
5 a teen court program is established pursuant to rules and  
6 regulations promulgated by the Wyoming supreme court;

7

8 **7-13-1203. Authority to establish teen court program.**

9

10 (b) In addition to any other power authorized, a  
11 municipal court judge, with the approval and consent of the  
12 governing body of the municipality, or any ~~justice of the~~  
13 ~~peace or~~ circuit court judge, with the approval and consent  
14 of the board of county commissioners, may by order  
15 establish a teen court program and training standards for  
16 participation in accordance with this act to provide a  
17 disposition alternative for teens charged with minor  
18 offenses.

19

20 **7-13-1204. Program criteria.**

21

22 (a) A teen court program may be established under  
23 this act in accordance with the following criteria:

24

1           (iv) The teen defendant, as a condition of  
2 participation in the teen court program, may be required to  
3 pay a nonrefundable fee not to exceed ten dollars (\$10.00).  
4 Fees collected under this paragraph by a municipal court  
5 shall be credited to the treasury of the municipality. Fees  
6 collected under this paragraph by a ~~justice of the peace or~~  
7 circuit court shall be credited to the treasury of the  
8 county;

9

10           **7-19-103. Definitions.**

11

12           (a) As used in this act:

13

14           (v) "High misdemeanor" means a misdemeanor for  
15 which the penalty authorized by law exceeds the  
16 jurisdiction of municipal ~~and justice of the peace~~ courts;

17

18           **8-2-101. Distribution of statutes, supplements and**  
19 **session laws.**

20

21           (a) Statutes, supplements and session laws shall be  
22 distributed as provided by contract with the publisher or  
23 as directed by the management council, to the following,  
24 without charge:

1

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22

(i) Nine (9) copies to the county clerk of each county in Wyoming, for use in the county offices and the district court, plus one (1) additional copy for each ~~justice of the peace,~~ magistrate serving pursuant to W.S. 5-9-206 and circuit judge in each county;

**9-1-804. Duties and powers generally; employment of deputy and assistant district attorneys and other necessary personnel.**

(a) In addition to other duties prescribed by law, each district attorney has exclusive jurisdiction to:

(iv) Appear before any ~~justice of the peace or~~ judge in the preliminary examination of persons charged with any offense in his district;

**9-2-2401. Reorganization plan for courts; purpose, plan and schedule; judicial planning commission established.**

1 (c) There is created the Wyoming judicial planning  
2 commission consisting of ~~eighteen (18)~~ seventeen (17)  
3 members as follows:

4

5 (i) ~~Six (6)~~ Five (5) members from the judicial  
6 branch as follows:

7

8 (D) A ~~county~~ circuit court judge selected  
9 by a majority of ~~county~~ circuit court judges; and

10

11 **10-5-101. Powers of municipalities and counties**  
12 **generally; rules and regulations.**

13

14 (b) Any city, town or county governing authority in  
15 the state, either singly or jointly, may prescribe and  
16 enforce rules and regulations not in conflict with W.S.  
17 10-5-101 through 10-5-204 by ordinance or resolution,  
18 governing these airports. The ~~police~~ municipal court of the  
19 city or town has jurisdiction to punish any violator of the  
20 ordinances of the city or town governing an airport whether  
21 the airport is within or without the city limits.

22

23 **11-19-505. Owners to be jointly and severally liable;**  
24 **when arrest necessary; service of summons and complaint.**

1

2 In any action arising under W.S. 11-19-501 through  
3 11-19-505, all persons owning or having control of the  
4 sheep concerning which the action is had, are liable  
5 severally and jointly. In criminal actions, no arrest is  
6 necessary except in case of nonresident persons, but a  
7 summons containing notice of the time and place of trial,  
8 together with a copy of the complaint filed ~~before a~~  
9 ~~justice of the peace~~ in a circuit court, or in the court in  
10 which the action is commenced, shall be served in the same  
11 manner and for the length of time provided by law for the  
12 service of summons in civil cases.

13

14 **11-28-108. Liability for breach into lawful enclosure**  
15 **by animal; civil action or arbitration.**

16

17 (a) Any person owning or having in his possession or  
18 charge any livestock or domesticated buffalo which breaches  
19 into any lawful enclosure belonging to someone other than  
20 the owner of the animal, is liable to the party sustaining  
21 the injury for all damages sustained by reason of such  
22 breaching. Damages may be recovered in a civil action  
23 before any court having jurisdiction, or by arbitration,  
24 each party to select a property holder and the two (2)

1 arbitrators to select a third. The arbitrators shall be  
2 sworn before a ~~justice of the peace or~~ judge of a circuit  
3 court before entering upon their duties. The arbitrators  
4 shall carefully examine the fence and assess the damage  
5 done, examine witnesses under oath, one (1) of them to  
6 administer the oath to the witnesses, and make a written  
7 report signed by at least two (2) of the arbitrators, to  
8 ~~any justice of the peace or~~ the circuit court in the county  
9 in which the damage is sustained. The finding of the  
10 arbitration, as provided for in this section, shall within  
11 three (3) days after rendered, be filed with ~~any justice of~~  
12 ~~the peace or~~ a judge of a circuit court in the county where  
13 the trespass was committed, who shall enter the cost upon  
14 his docket and proceed to issue execution therein as in  
15 other cases originally commenced before him.

16

17 **14-3-106. Names not to be released; restrictions on**  
18 **disclosures or publication of information; violations;**  
19 **penalties.**

20

21 (a) Prior to the filing of an information or  
22 indictment charging a violation of W.S. 14-3-104 or  
23 14-3-105, neither the names of the person accused or the  
24 victim nor any other information reasonably likely to

1 disclose the identity of the victim shall be released or  
2 negligently allowed to be released to the public by any  
3 public employee except as authorized by the judge ~~or~~  
4 ~~justice~~ with jurisdiction over the criminal charges. The  
5 name of the person accused may be released to the public to  
6 aid or facilitate an arrest.

7

8 **14-3-208. Temporary protective custody; order; time**  
9 **limitation; remedial health care.**

10

11 (b) Any district or circuit court judge, or district  
12 court commissioner ~~or justice of the peace~~ may issue a  
13 temporary protective custody order upon finding that a  
14 child's life or safety is in danger. That order may be  
15 requested by the state agency, the local child protective  
16 agency, a local law enforcement officer, an administrator  
17 of a hospital in which a child reasonably believed to have  
18 been abused or neglected is being treated or any physician  
19 who reasonably believes a child has been abused or  
20 neglected, whether or not additional medical treatment is  
21 required, and that the child, by continuing in his place of  
22 residence or in the care and custody of the person  
23 responsible for his welfare, would be in imminent danger of



1 his life or health. The local child protective agency shall  
2 be notified of the order.

3

4 **14-6-203. Jurisdiction; confidentiality of records.**

5

6 (j) Nothing contained in this act shall be construed  
7 to require confidentiality of any matter, legal record,  
8 identity or disposition pertaining to a minor charged or  
9 processed through any municipal, ~~justice of the peace~~ or  
10 circuit court.

11

12 **14-6-237. Transfer hearing; transfer of proceedings**  
13 **commenced in district court or in municipal, justice of the**  
14 **peace or circuit court.**

15

16 (h) No court other than the district court shall  
17 order the transfer of a case to juvenile court. At any time  
18 after a proceeding over which the juvenile court has  
19 concurrent jurisdiction is commenced in municipal, ~~justice~~  
20 ~~of the peace~~ or circuit court, the judge of the court in  
21 which the proceeding is commenced may on the court's own  
22 motion, or on the motion of any party, suspend further  
23 proceedings and refer the case to the office of the  
24 district attorney to determine whether a petition should be

1 filed in the juvenile court to commence a proceeding under  
2 this act. If a petition is filed under this act, the  
3 original proceeding commenced in the municipal,~~justice of~~  
4 ~~the peace~~ or circuit court shall be dismissed. If the  
5 district attorney determines not to file a petition under  
6 this act, the district attorney shall immediately notify  
7 the municipal,~~justice of the peace~~ or circuit court and  
8 the proceeding commenced in that court may continue.

9

10 **15-1-103. General powers of governing bodies.**

11

12 (a) The governing bodies of all cities and towns may:

13

14 (xxii) Establish and regulate parks, zoological  
15 gardens and recreation areas within the city limits and  
16 upon land owned, leased or controlled outside of the city  
17 limits provided:

18

19 (A) The ~~police~~municipal court of the city or town  
20 has jurisdiction to punish any violator of the ordinances  
21 of the city or town governing those areas;

22

23 **15-3-402. Actions; recovering penalty or fine;**  
24 **generally.**

1

2 All actions brought to recover any penalty or fine shall be  
3 brought in the corporate name of the city and the  
4 recoveries, when collected, shall be paid into the city  
5 treasury. The process in every such action shall be a  
6 warrant, and the person named therein shall be arrested and  
7 taken before the ~~police justice~~ municipal court for trial.

8

9 **18-3-513. Appeal on disallowance of claim.**

10

11 (b) When the appeal is perfected, the clerk of the  
12 board shall immediately give notice to the county attorney.  
13 The clerk shall make a brief return of the proceedings  
14 before the board with the decision properly certified and  
15 file the same together with the bond and all papers in the  
16 case in his possession with the clerk of the district  
17 court. The appeal shall be entered, tried and determined  
18 and costs awarded the same as appeals from ~~justice circuit~~  
19 courts. This section does not apply to claims under W.S.  
20 1-39-101 through 1-39-119.

21

22 **18-3-907. Officers not liable to impeachment; removal**  
23 **by commissioners; grounds; procedure; testimony; filling**  
24 **vacancies; right of appeal.**

1

2 (a) Every ~~justice of the peace or other~~ county  
3 officer not liable to impeachment shall be removed from  
4 office by the board of county commissioners if after proof  
5 submitted they are satisfied that the officer has been  
6 guilty of any palpable omission of duty, has been guilty of  
7 willful or corrupt oppression or partiality in the  
8 discharge of his official duties, has demanded or received  
9 any pay for the performance of the duties of his office to  
10 which he is not entitled or for any other act which by  
11 statute is in violation of his official oath and bond.

12

13 **18-5-106. Powers of county commissioners upon appeal;**  
14 **appeal from commissioners to district court and supreme**  
15 **court.**

16

17 (b) The decision of the county commissioners upon any  
18 exception made may be reviewed by the district court of the  
19 county upon appeal taken thereto in the same manner as an  
20 appeal from ~~justice~~circuit courts in civil cases. The  
21 county clerk shall prepare a transcript of the case upon  
22 payment of the same fee as required for a transcript from a  
23 ~~justice of the peace~~circuit court, and the district court  
24 shall consider the case upon the issues shown in the

1 transcript. At the time the transcript is filed with the  
2 clerk of the district court, the appellant shall execute  
3 and file a sufficient bond in a penal sum of two hundred  
4 dollars (\$200.00) with at least two (2) sureties approved  
5 by the clerk of court conditioned to prosecute the appeal  
6 without delay and if unsuccessful to pay all costs incurred  
7 by the county because of the appeal. The appellant shall  
8 within three (3) days after the transcript is filed in the  
9 district court give written notice to the county attorney  
10 that the transcript is filed. The notice shall state a time  
11 not less than three (3) days from the time of service when  
12 the appellant shall request a hearing and the district  
13 court shall at such time or at a future time as fixed by  
14 order of the court, hear and determine the appeal. If at  
15 the hearing it appears to the court that testimony is  
16 necessary for the proper disposition of the matter it may  
17 take evidence or appoint a referee to take such evidence as  
18 it may direct and report the same to the court with his  
19 findings of fact and conclusions of law which shall  
20 constitute a part of the proceedings upon which the  
21 determination of the court is made. The court may reverse,  
22 modify or affirm the decision brought for review. An appeal  
23 lies to the supreme court from the judgment of the district  
24 court in the same manner as provided for civil actions.

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**19-9-203. Establishing bounds for annual field training and other missions; entry without leave; disorderly conduct; interrupting, molesting, insulting or obstructing officer or soldier; penalties.**

(a) During an encampment for annual field training or when one (1) or more units of the national guard are engaged in a mission under lawful orders in an active state status, the commanding officer may fix certain bounds not including any public road within which no spectator may enter without leave. Whoever intrudes within such limits when forbidden to do so, or after entering with permission conducts himself in a disorderly manner, or resists a sentry or guard acting under orders to prevent the entry or to prevent disorderly conduct, may be arrested by the commanding officer or by his order and taken before a ~~justice of the peace or~~ circuit court of the county. Upon conviction a person violating this subsection shall be fined not more than seven hundred fifty dollars (\$750.00), confined in the county jail for up to six (6) months, or both.

**19-12-105. Prosecutions; appeal.**

1

2 (b) Upon the filing of a complaint in a district  
3 court, or circuit court ~~or justice of the peace court~~ of a  
4 county wherein the offense is alleged to have occurred, the  
5 ~~justice~~ judge thereof or a magistrate therein may issue  
6 warrants.

7

8 (f) When prosecution has been by general courts-  
9 martial, after final judgment, sentencing and approval by  
10 the governor, the defendant may appeal to the supreme court  
11 of Wyoming in the same manner as appeals from ~~county~~  
12 circuit courts ~~and justice of the peace courts~~ to district  
13 courts to the supreme court of Wyoming in criminal cases.

14

15 (g) When prosecution has been by summary or special  
16 courts-martial, after final judgment, sentencing and  
17 approval by the convening authority, the defendant may  
18 appeal to the district court of the county in which the  
19 courts-martial was held in the same manner as appeals from  
20 ~~justice of the peace~~ circuit courts to the district courts  
21 in criminal cases.

22

23 (h) When prosecution has been in the ~~county~~ circuit  
24 courts, ~~and justice of the peace court,~~ after final

1 judgment and sentencing, the defendant may appeal to the  
2 district court in the same manner as in other criminal  
3 cases.

4

5 **20-1-106. Who may solemnize marriage; form of**  
6 **ceremony.**

7

8 (a) Every district or circuit court judge, district  
9 court commissioner, supreme court justice, ~~justice of the~~  
10 ~~peace,~~ magistrate and every licensed or ordained minister  
11 of the gospel, bishop, priest or rabbi, or other qualified  
12 person acting in accordance with the traditions or rites  
13 for the solemnization of marriage of any religion,  
14 denomination or religious society, may perform the ceremony  
15 of marriage in this state.

16

17 **21-4-104. Duties of attendance officers.**

18

19 (a) Subject to the policy of the board of trustees,  
20 it shall be the duty of each attendance officer to:

21

22 (ii) Give written notice to the parent,  
23 guardian, or custodian of any child having an unexcused  
24 absence that the attendance of such child at school is



1 required by law. If after such notice has been given, the  
2 child has a second unexcused absence, which the attendance  
3 officer reasonably believes was due to the willful neglect  
4 or failure of the parent, guardian, or custodian of the  
5 child, then he shall make and file a complaint against such  
6 parent, guardian, or custodian of such child before ~~a~~  
7 ~~justice of the peace of the proper county or~~ the district  
8 court for the violation of W.S. 21-4-102.

9

10 **22-3-105. Investigation of voter qualifications;**  
11 **striking names from registry; criteria; notice; appeal.**

12

13 (d) Any person who is denied registration has the  
14 right to appeal to a ~~justice of the peace,~~ circuit court  
15 within the county or to the district court within five (5)  
16 days of the date of the notification. The appellant shall  
17 not be required to obtain legal counsel for any such  
18 appeal.

19

20 **22-5-205. Nomination application form for nonpartisan**  
21 **office.**

22

1 (a) An eligible person seeking nomination for a  
 2 nonpartisan office must file an application in  
 3 substantially the following form:

4

5 APPLICATION FOR NOMINATION BY NONPARTISAN PRIMARY

6

7 State of Wyoming )

8 ) ss

9 County of .... )

10

11 I, ....., swear or affirm that I was born on ....., that  
 12 I have been a resident of the State of Wyoming since .....,  
 13 and that I am a registered voter of .... County, residing  
 14 at ....., and that I am eligible to be elected to such  
 15 office, and I hereby request that my name be printed upon  
 16 the official nonpartisan ballot at the next primary  
 17 election as a candidate for the office indicated below as  
 18 follows:

19 ~~Justice of the peace~~ (Name of office).

20 I am seeking (1) the regular term or (2) the unexpired  
 21 term which terminates on the .... day of ....., ....(year).

22 Dated this .... day of ....., ....(year).

23 ..... Signature

24



1

2

3 For Judge(s) of the District Court of the .... Judicial  
4 District

5 (Here designate the particular term,  
6 such as "regular six (6) year term",  
7 or the "unexpired term of .... years").

8

9 Shall Judge Jane Roe be retained in office? Yes No

10

11 Shall Judge Richard Roe be retained in office? Yes No

12

13

14 For Circuit Court Judge  
15 (Here designate the particular

16 term, such as "regular four-  
17 year term", or the "unexpired term of .... years").

18

19 Shall Judge John Doe be retained in office? Yes No

20

21 Shall Judge Richard Roe be retained in office? Yes No

22

23

24 For Magistrate

1 (Here designate the particular term,  
 2 such as "regular four (4) year term",  
 3 or the "unexpired term of .... years").

4

5 Shall Magistrate John Doe be retained in office? Yes No

6

7 Shall Magistrate Richard Roe be retained in office? Yes No

8

9

---

10 ~~For Justice of the Peace~~ ~~Vote for~~

11 ~~(Here designate the particular~~ ~~one~~

12 ~~term, such as "regular four~~

13 ~~year term", or the "unexpired~~ ~~John Doe~~

14 ~~term of .... years").~~ ~~Richard Roe~~

15

16 Align all designations of office to correspond on the  
 17 ballot with the listing of names of candidates for the  
 18 proper office and term.

19

---

20 BALLOT PROPOSITIONS

21

22 Proposed Constitutional Amendment Letter A: For Against

23 (Ballot Statement)

24 Proposed Initiative Proposition Number One: For Against

1	(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>
2	Proposed Referendum Proposition Number One:	For	Against
3	(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>
4	Other Ballot Propositions:	For	Against
5	(Ballot Statement For Each Proposition)	<input type="checkbox"/>	<input type="checkbox"/>

6

7 **22-24-112. Petitions; circulation; contests.**

8

9 (b) Any person may contest the qualifications of an  
10 individual designated as a circulator by filing a petition  
11 in the ~~justice of the peace court or~~ circuit court within  
12 the county where the circulator was soliciting signatures  
13 or in the district court within ten (10) days of the  
14 solicitation activity. The court shall hear and decide any  
15 such action within five (5) days from the date the petition  
16 is filed. Among the criteria the court may use in  
17 determining the qualifications of the circulator are the  
18 following:

19

20 **23-6-108. Record of game and fish cases; report of**  
21 **convictions to department.**

22

23 (a) Every ~~justice of the peace or~~ judge of any court  
24 shall keep or cause to be kept a record of every game and

1 fish complaint, game and fish citation, or other legal form  
2 of game and fish charge deposited with or presented to the  
3 court, and shall keep a record of every official action by  
4 the court, including a record of every conviction,  
5 forfeiture of bail, judgment of acquittal, and the amount  
6 of fine or forfeiture resulting from every such complaint  
7 or citation deposited with or presented to the court.

8

9 (b) Within thirty (30) days after the conviction or  
10 forfeiture of bail of a person upon a charge of violating  
11 any provision of this act, ~~every justice of the peace,~~  
12 judge, or clerk of the court in which the conviction was  
13 had or bail was forfeited, shall forward to the department  
14 a certified abstract of the record of the court covering  
15 the case in which the person was convicted or forfeited  
16 bail. The abstract shall be made upon a form furnished by  
17 the department and shall include the name and address of  
18 the party charged, the number of his game or fish license,  
19 if any, the nature of the offense, the date of hearing, the  
20 plea, the judgment, or whether bail was forfeited, and the  
21 amount of fine, forfeiture or penalty imposed.

22

23 **23-6-302. Execution of Compact.**

24

1 The legislature hereby approves and the governor is  
2 authorized to enter into a compact on behalf of this state  
3 with any other state or states legally joining therein in  
4 the form substantially as follows:

5

6

Article II

7

Definitions

8

9 (a) As used in this compact, unless the context  
10 required otherwise:

11

12 (v) "Court" means a court of law, including  
13 magistrate's court; ~~and the justice of the peace court;~~

14

15 **31-1-203. Special enforcement officers; summons and**  
16 **notice to appear for violations; deposit for appearance;**  
17 **disposition of deposit.**

18

19 (c) The employees designated under subsection (a) of  
20 this section upon issuing a summons shall deliver to the  
21 offender a notice to appear which shall describe the nature  
22 of the offense, with instructions for the offender to  
23 report to the nearest ~~justice of the peace or~~ circuit court  
24 designated in the notice. The employee may accept a deposit



1 for appearance. The court coordinator shall establish a  
2 uniform deposit for appearance schedule for each violation  
3 of the statutes set forth in subsection (b) of this  
4 section. If the employee accepts a deposit for appearance  
5 from the offender, he shall give a signed, numbered receipt  
6 for the amount received and shall write the receipt number  
7 on the notice to appear. The employee shall deliver the  
8 deposit and a copy of the notice to appear to the ~~justice~~  
9 ~~of the peace or~~ circuit court before whom the offender is  
10 to appear and the ~~justice of the peace or~~ circuit court  
11 judge shall give a receipt to the employee for the amount  
12 of the deposit. The ~~justice of the peace or~~ circuit court  
13 shall assume jurisdiction after filing of a complaint and  
14 appearance by the offender. If the offender fails to appear  
15 at the appointed time the deposit for appearance may be  
16 forfeited by order of the court and paid into the public  
17 school fund of the county.

18

19 **31-5-1214. Record of traffic cases; reports of**  
20 **convictions.**

21

22 (a) Every ~~justice of peace or~~ judge of a court shall  
23 keep or cause to be kept a record of every traffic  
24 complaint, traffic citation or other legal form of traffic

1 charge deposited with or presented to the court and shall  
2 keep a record of every official action by the court in  
3 reference thereto, including but not limited to a record of  
4 every conviction, forfeiture of bail, judgment of acquittal  
5 and the amount of fine or forfeiture resulting from every  
6 traffic complaint or citation deposited with or presented  
7 to the court.

8

9 (b) Within ten (10) days after the conviction or  
10 forfeiture of bail of a person upon a charge of violating  
11 any provisions of this act or other law regulating the  
12 operation of vehicles on highways every ~~justice of peace of~~  
13 ~~the court or~~ clerk of the court of record in which the  
14 conviction was had or bail was forfeited shall prepare and  
15 immediately forward to the department an abstract of the  
16 record of the court covering the case in which the person  
17 was so convicted or forfeited bail, which abstract must be  
18 certified by the person required to prepare the same to be  
19 true and correct. Report need not be made of any conviction  
20 involving the illegal parking or standing of a vehicle.

21

22 **31-7-112. Application for license or permit of**  
23 **persons under 18.**

24

1 The application of any person under the age of eighteen  
2 (18) years for an instruction permit or driver's license  
3 shall be signed by a parent or guardian having custody of  
4 the applicant. If there is no parent or guardian the  
5 application may be signed by the ~~justice of the peace or~~  
6 ~~the~~ circuit court judge of the applicant's county of  
7 residence upon petition to the court and upon a finding by  
8 the court that the applicant is sufficiently mature to  
9 handle the responsibilities of driving a motor vehicle.

10  
11 **31-13-112. Release of liability for removal and**  
12 **storage of, and for lost or damaged items in, abandoned**  
13 **vehicles; disposition of personal property within a**  
14 **vehicle; optional court action.**

15  
16 (e) A property owner or person in lawful control of  
17 the property upon which a vehicle is abandoned or any  
18 sheriff who is authorized to sell an abandoned vehicle  
19 pursuant to this act may in lieu of selling the vehicle,  
20 file or cause to be filed by the county attorney if a  
21 sheriff, an action in the county where the vehicle is  
22 impounded in the ~~justice of the peace court or~~ circuit  
23 court. The action shall be in rem and against the vehicle,  
24 vehicle owner, and all known and unknown parties with an

1 interest in the vehicle. The defendants in the action  
2 shall be served as provided in the Wyoming Rules of Civil  
3 Procedure. Judgment in the civil action is limited to the  
4 value of the vehicle as determined by its sale price at the  
5 sale conducted by the sheriff after judgment is entered.  
6 All expenses incident to the removal, preservation,  
7 custody, sale and storage of the vehicle shall be paid.  
8 Except as otherwise provided in W.S. 31-13-111(f), any  
9 remaining proceeds:

10

11 **32-1-111. When court may protest paper in lieu of**  
12 **notary.**

13

14 When the holder of any instrument desires it to be  
15 protested, and no notary public can be found, it shall be  
16 lawful for any ~~justice of the peace~~ circuit court of the  
17 county wherein said instrument is required to be protested,  
18 to perform the services herein required to be performed by  
19 notaries public, and to be entitled to the same fees as are  
20 hereinafter provided for notaries public for similar  
21 services.

22

23 **33-10-111. Appeal from decision of board.**

24

1 Any person feeling himself aggrieved by the decision of the  
2 board may have an appeal to the district court of the  
3 county wherein his license to practice is of record. The  
4 manner and procedure of appeal shall be the same as that  
5 provided by law in the cases of appeals from a ~~justice~~  
6 circuit court to the district court.

7

8 **33-24-143. Prosecutions.**

9

10 It shall be the duty of the district attorney for the  
11 county where the violation occurs to attend to the  
12 prosecution of all criminal complaints made under this act,  
13 both upon the trial in the ~~justice or~~ circuit court where  
14 the complaint may be made, and also upon hearings in the  
15 district court, either upon such complaint, or upon the  
16 information or indictment filed against any person under  
17 this act. Nothing in this act shall be construed to  
18 prevent the prosecution of any person for violation of this  
19 act upon the information of the district attorney directly.

20

21 **34-1-113. Acknowledgment of conveyances; generally.**

22

23 Execution of deeds, mortgages or other conveyances of  
24 lands, or any interest in lands, shall be acknowledged by

1 the party or parties executing same, before any judge or  
2 clerk of a court of record, or before any United States  
3 magistrate appointed under and by authority of the laws of  
4 the United States, or any county clerk, ~~justice of the~~  
5 ~~peace,~~ district court commissioner, notary public, or other  
6 officer authorized under the laws of the state of Wyoming  
7 to take such acknowledgments, and the officer taking such  
8 acknowledgment shall endorse thereon a certificate of the  
9 acknowledgment thereof, and the true date of making the  
10 same, under his hand and seal of office, if there be one.

11

12 **34-1-114. Acknowledgment of conveyances; notary to**  
13 **state date of expiration of term of office.**

14

15 Every notary public, ~~justice of the peace,~~ and commissioner  
16 of deeds for Wyoming, who takes an acknowledgment to any  
17 written instrument to be recorded in any public office in  
18 Wyoming shall add to his certificate the date when  
19 commission or term of office expires.

20

21 **35-10-206. Enforcement; disposal of seized fireworks.**

22

23 Wyoming peace officers shall seize all stocks of fireworks  
24 held in violation of W.S. 35-10-201 through 35-10-207 and

1 shall apply to the appropriate court for the disposition of  
2 the fireworks. Following a hearing determining the  
3 fireworks were held in violation of W.S. 35-10-201 through  
4 35-10-207, the fireworks shall be destroyed or otherwise  
5 disposed of upon order of any ~~justice of the peace,~~ circuit  
6 court or district court.

7

8 **36-8-309. Rules and regulations; adoption, penalty**  
9 **for violation and cancellation of leases.**

10

11 The department of state parks and cultural resources has  
12 full power, control and supervision over the Big Horn Hot  
13 Springs State Park, located in Hot Springs county, and all  
14 property thereon. The department may adopt rules and  
15 regulations for the government of the state park for the  
16 conservation of peace and good order within the park, and  
17 for the preservation of the property of the state therein,  
18 and of the property and people situated and residing or  
19 being therein, and to promote the well being of the people,  
20 and to declare what constitutes a nuisance within the state  
21 park. Any person who violates any rule or regulation  
22 adopted and published by the department is guilty of a  
23 misdemeanor and shall be fined not less than five dollars  
24 (\$5.00) and not more than one hundred dollars (\$100.00) or

1 imprisoned for not more than six (6) months or both. Any  
2 offender convicted under this act may be permitted, in lieu  
3 of cash payment of a fine thus imposed, to work out the  
4 fine within the state park, at the rate of five dollars  
5 (\$5.00) an hour until the amount of the fine is satisfied.  
6 Any ~~justice of the peace or~~ circuit judge in ~~Hot Springs~~  
7 ~~county~~ the fifth judicial district has jurisdiction of all  
8 offenses under this article. A defendant convicted under  
9 this article has a right to appeal to the district court as  
10 provided for appeals from convictions in ~~justice of the~~  
11 ~~peace~~ circuit courts and municipal courts. If any lessee of  
12 the state or of the department shall refuse to comply with  
13 the order, direction, rule or regulation of the department,  
14 or to obey any law of the state defining and punishing  
15 nuisances the department may immediately cancel the lease.

16

17 **36-9-106. Place of sale; execution of leases.**

18

19 All sales of state lands shall be held at a location to be  
20 determined by the board within the county in which the land  
21 is located and leases for state lands may be executed in  
22 the presence of a notary public, ~~justice of the peace,~~ or  
23 other officer authorized to administer oaths.

24



1           **37-12-107. Unlawful riding on railroad trains;**  
2 **prosecution of offender.**

3

4 Any sheriff or deputy sheriff receiving any person from any  
5 special constable, as in this act provided, shall forthwith  
6 deliver ~~such~~the person, with the charge made against him  
7 to the sheriff of the county wherein the offense may be  
8 charged to have been committed. It shall be the duty of the  
9 sheriff receiving ~~such~~the prisoner forthwith to deliver to  
10 the district attorney for the county, the written charge  
11 made against ~~said~~the prisoner by the special constable,  
12 and the district attorney shall file with the proper  
13 ~~justice of the peace~~circuit court the proper affidavit  
14 charging the prisoner with the offense, and shall  
15 diligently prosecute the same.

16

17           **41-3-605. Commissioners; power to arrest; procedure**  
18 **following arrests.**

19

20 The water commissioners or their assistants, within their  
21 districts shall have power to arrest any person or persons  
22 offending, and turn them over to the sheriff of the proper  
23 county, and immediately upon delivering ~~any such~~the person  
24 so arrested into the custody of the sheriff, it shall be

1 the duty of the water commissioner making ~~such~~the arrest,  
2 to immediately in writing and upon oath, make complaint  
3 before the court of proper ~~justice of the peace~~  
4 jurisdiction against the person ~~so~~ arrested.

5

6 **Section 2.** W.S. 1-14-102(a)(ii), 1-14-116, 5-4-101  
7 through 5-4-305, 7-10-104(a)(iv), 9-2-2401(c)(i)(E),  
8 15-4-103, 22-5-203(a), 22-5-401(b)(iii) and 22-6-125(a)(v)  
9 are repealed.

10

11 **Section 3.** This act is effective immediately upon  
12 completion of all acts necessary for a bill to become law  
13 as provided by Article 4, Section 8 of the Wyoming  
14 Constitution.

15

16

(END)