

SENATE FILE NO. SF0022

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 3 been replaced by circuit courts; eliminating archaic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,
 15 1-21-501, 1-21-502(a)(intro), 1-21-503, 1-21-504, 1-21-510,
 16 1-21-511, 1-21-513(a)(i), 1-21-514 through 1-21-516,
 17 1-21-517(a), 1-21-602, 1-21-701, 1-21-703, 1-21-801,

1 1-21-802, 1-21-901(a), 1-21-903, 1-21-904, 1-21-906,
2 1-21-908, 1-21-1001, 1-21-1004, 1-21-1005, 1-21-1007,
3 1-21-1008, 1-21-1010 through 1-21-1012, 1-21-1014,
4 1-21-1015(a), 1-21-1101, 1-21-1206(c), 5-1-109(a), 5-2-119,
5 5-3-504(a)(ii), 5-6-107, 5-6-111, 5-6-203, 5-6-207,
6 5-6-302, 6-2-310(a), 6-3-604(b), 6-4-402(c), 6-4-403(f),
7 7-3-501(a) and (b)(intro), 7-3-506(a)(i), 7-3-507(d),
8 7-4-203, 7-7-101(a)(intro), 7-8-103(a), 7-10-101(c),
9 7-10-104(a)(ii) and (iii), 7-11-101, 7-11-407,
10 7-13-1202(a)(ii), 7-13-1203(b), 7-13-1204(a)(iv),
11 7-19-103(a)(v), 8-2-101(a)(i), 9-1-804(a)(iv), 10-5-101(b),
12 11-19-505, 11-28-108(a), 14-3-106(a), 14-3-208(b),
13 14-6-203(j), 14-6-237(h), 15-1-103(a)(xxii)(A), 15-3-402,
14 18-3-513(b), 18-3-907(a), 18-5-106(b), 19-9-203(a),
15 19-12-105(b) and (f) through (h), 20-1-106(a),
16 21-4-104(a)(ii), 22-3-105(d), 22-5-205(a), 22-6-126(a),
17 22-24-112(b)(intro), 23-6-108, 23-6-302 Article II(a)(v),
18 31-1-203(c), 31-5-1214(a) and (b), 31-7-112,
19 31-13-112(e)(intro), 32-1-111, 33-10-111, 33-24-143,
20 34-1-113, 34-1-114, 35-10-206, 36-8-309, 36-9-106,
21 37-12-107 and 41-3-605 are amended to read:

22

23 **1-4-102. Abatement of actions by death.**

24

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

7

8 **1-11-106. Jury list; preparation of ballots for jury**
9 **box; drawing jury panel; certificate and summons.**

10

11 (a) The list of persons qualified to serve as trial
12 jurors, certified and delivered to the clerk of the
13 district court in accordance with W.S. 18-3-402 or a list
14 of persons compiled under an alternate procedure pursuant
15 to W.S. 1-11-129, is the base jury list for the district
16 court, and the circuit court ~~and justice of the peace~~
17 ~~courts~~ from April 1 of the year in which the list is
18 certified and delivered through March 31 of the following
19 year. By order of the district judge, or circuit judge, ~~or~~
20 ~~justice of the peace,~~ for their respective courts, the base
21 jury list may be expanded by including some other source or
22 sources of names in addition to voter lists. After the list
23 is delivered and supplemented when applicable, suitable
24 ballots shall be prepared and deposited in a box known as

1 and plainly marked "jury box number one". Upon order of the
2 court, the clerk of the district court, sheriff and county
3 treasurer shall draw from jury box number one a panel of
4 trial jurors, which shall contain such number of names as
5 specified by the court.

6

7 **1-11-108. Jury panel in circuit courts; functions,**
8 **powers and duties of judges thereof.**

9

10 (a) The names in jury box number one in the office of
11 the clerk of the district court is the panel of trial
12 jurors in all ~~justice of the peace and county~~ circuit
13 courts.

14

15 (b) In conducting jury trials, judges of the ~~county~~
16 ~~courts and justice of peace~~ circuit courts shall exercise
17 and perform the same functions, powers and duties as are
18 prescribed for both the judge and the clerk of the district
19 court in W.S. 1-11-101 through 1-11-401, insofar as
20 practicable.

21

22 **1-11-119. Number of jurors; fees and mileage.**

23

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

11

12 **1-14-102. Witness fees; fees for expert witnesses in**
13 **civil and criminal cases.**

14

15 (a) Witnesses are entitled to receive the following
16 minimum fees:

17

18 (i) For attending before any court or grand
19 jury, or before any judge, referee or commissioner, ten
20 dollars (\$10.00) per day, and five dollars (\$5.00) for half
21 a day; and

22

23 **1-14-117. Disposition of costs collected.**

24

1 Every sheriff and other officer collecting costs on
2 execution, after retaining the amount of his own fees shall
3 pay the residue of the collected costs to the clerk of the
4 court which issued the execution ~~or to the justice,~~ and
5 take a receipt therefor.

6

7 **1-14-125. When costs not recoverable by plaintiff.**

8

9 When the judgment is less than one hundred dollars
10 (\$100.00), unless the recovery is reduced below that sum by
11 counterclaim or setoff, each party shall pay his own costs.
12 When the damage assessed is under five dollars (\$5.00), the
13 plaintiff shall not recover costs in any action for libel,
14 slander, malicious prosecution, assault, assault and
15 battery, false imprisonment, or nuisance. ~~or against a~~
16 ~~justice of the peace for misconduct in office.~~

17

18 **1-15-101. Applicability.**

19

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

21

22 (i) Attachment, replevin and garnishment
23 proceedings in all district courts, ~~county~~ and circuit
24 courts ~~and justice of the peace courts~~ of this state;

1

2

1-15-102. Definitions.

3

4

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

5

6

7

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

8

9

1-15-501. Definitions.

10

11

(a) As used in this article:

12

13

14

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

15

16

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

17

18

19

20

21

22

23

24

When a judgment, including judgments rendered by a justice
~~of the peace~~ circuit court, a transcript of which has been
filed in the district court for execution, becomes dormant,
it may be revived in the same manner as prescribed for
reviving actions before judgment or by action. When either
party to the dormant judgment, his agent or attorney, makes
affidavit showing that the adverse party is a nonresident

1 of the state and that the judgment remains unsatisfied in
2 whole or in part and the amount owing thereon, service may
3 be made by publication as in other cases. If sufficient
4 cause is not shown to the contrary, the judgment shall
5 stand revived for the amount which the court finds to be
6 due and unsatisfied thereon. The lien of the judgment for
7 the amount due shall be revived and shall operate from the
8 time of the entry of the conditional order or the filing of
9 the motion.

10

11 **1-17-304. Recording lien on real estate in other**
12 **counties.**

13

14 The judgment creditor in any judgment rendered by any
15 district court in this state, or in any judgment rendered
16 in a ~~justice of the peace~~ circuit court of this state and
17 filed in the judgment record of the district court, may
18 file a transcript of the judgment record of the district
19 court with the clerk of the district court and the county
20 clerk in any other counties within this state where the
21 judgment debtor owns real estate. The judgment is a lien
22 upon all real estate of the judgment debtor in any county
23 in which the transcript is filed with the clerk of district
24 court and the county clerk from the date of filing with the

1 county clerk. The clerk of the district court of any
2 county in which the transcript is filed shall enter the
3 judgment upon the judgment records of the court in the same
4 manner as judgments are rendered in that court.

5

6 **1-17-306. Lien of judgments of circuit courts.**

7

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

1

2 **1-17-415. Filing of orders.**

3

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

10

11

CHAPTER 21

12

PROCEDURE AND ACTIONS

13

14 **1-21-101. Docket to be kept; contents.**

15

16 (a) Every ~~justice of the peace~~ judge shall keep a
17 docket in which he shall enter:

18

19 **1-21-102. Proceedings when title or boundaries to**
20 **land in question.**

21

22 If it appears from the pleadings or the evidence of either
23 party at the trial of any case in ~~justice~~ circuit court
24 that the title or boundaries to lands are in question, the

1 ~~justice~~judge shall immediately make an entry thereof in
2 the docket, cease all further proceedings, and certify to
3 the district court of the county a transcript of all
4 entries made in the docket relating to the case in the same
5 manner and within the same time as upon appeal. The case
6 shall then be conducted in the district court as though
7 appealed to the district court for trial de novo, except
8 that no bond as on appeal or payment of costs in the
9 ~~justice~~circuit court is required for the transfer to the
10 district court.

11

12 **1-21-201. Procedure and costs generally; jurisdiction**
13 **extended.**

14

15 In the trial of civil cases before any ~~justice of the peace~~
16 circuit court in which the amount claimed, exclusive of
17 costs, does not exceed three thousand dollars (\$3,000.00),
18 the procedure and costs are as defined in W.S. 1-21-201
19 through 1-21-205. The department of revenue may consolidate
20 claims for collection of taxes against a single taxpayer
21 into a single case under the procedures in W.S. 1-21-201
22 through 1-21-205 subject to specified dollar limitations.

23

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

3

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

17

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

20

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

23

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

12

13 **1-21-204. Time for appearance.**

14

15 The date of appearance of the defendant as provided in the
16 summons shall be not more than twelve (12) days nor less
17 than three (3) days from the date of service of the
18 summons. When the ~~justice or~~ circuit judge has fixed the
19 date for the appearance of the defendant he shall inform
20 the plaintiff of the date and at the same time order the
21 plaintiff to appear with such books, papers and witnesses
22 as necessary to prove his claim.

23

24 **1-21-205. Pleading and hearing; execution.**

1

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

10

11 **1-21-401. Endorsement of payments and satisfaction**
12 **and release; requirements.**

13

14 Every person recovering a judgment in ~~justice of the peace~~
15 circuit court shall endorse on the original judgment docket
16 all payments made on the judgment, and when the judgment is
17 satisfied by settlement or other payment, endorse the
18 satisfaction and release on the judgment docket in the
19 ~~justice of the peace~~ circuit court in which the judgment
20 was entered. Endorsement of partial payment or satisfaction
21 of the whole shall be made by the party recovering the
22 judgment or his attorney in the case within fifteen (15)
23 days after the payment has been made, and after each
24 payment when more than one (1) payment is made on any

1 judgment. Each endorsement shall be dated and signed by the
2 person executing the same.

3

4 **1-21-402. Endorsement of payments and satisfaction**
5 **and release; penalty.**

6

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

14

15 **1-21-501. Issuance of execution.**

16

17 Execution for the enforcement of a judgment except during
18 the time it may be stayed, may be issued by the ~~justice~~
19 judge who renders the judgment, or by his successor in
20 office, on the application of the party entitled thereto,
21 any time within five (5) years of entry of the judgment, or
22 the date of the last execution issued thereon.

23

24 **1-21-502. Form and contents of execution.**

1

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

11

12 **1-21-503. Endorsement on execution.**

13

14 Before any execution is delivered, the ~~justice~~judge shall
15 state in his docket and on the back of his execution the
16 amount of the debt or damages and costs, and the officer
17 receiving the execution shall endorse on it the time of
18 receiving the execution.

19

20 **1-21-504. Renewal of execution.**

21

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

1 If any part of the execution has been satisfied, the
2 endorsement of renewal shall state the sum due and every
3 such endorsement shall continue the execution in full force
4 for no longer than thirty (30) days. An entry of renewal
5 shall be made in the docket.

6

7 **1-21-510. Execution for costs.**

8

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

11

12 **1-21-511. Right to stay of execution.**

13

14 Except as otherwise provided, any person against whom
15 judgment is rendered may have stay of execution by entering
16 into a bond with the adverse party within ten (10) days
17 after rendition of the judgment, with good and sufficient
18 surety, resident property holders of the county, approved
19 by the ~~justice~~-judge, conditioned on the payment of the
20 amount of the judgment, interest and costs that may accrue.
21 The bond shall be entered on the docket and signed by the
22 surety.

23

24 **1-21-513. Cases in which stay not allowed.**

1

2 (a) No stay of execution is allowed in the following
3 cases:

4

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

8

9 **1-21-514. Recall of execution.**

10

11 If the execution issued before the bond for stay or for
12 appeal is given, and such bond is given afterward and
13 within the time allowed, the ~~justice~~ judge shall recall the
14 execution.

15

16 **1-21-515. Conditions under which execution issued**
17 **notwithstanding stay.**

18

19 When any person who is surety for stay of execution moves
20 from the county before expiration of the stay, the ~~justice~~
21 judge shall issue execution on demand against the goods and
22 chattels of the party against whom the original judgment
23 was rendered. When any surety for the stay of execution
24 becomes apprehensive that by delaying the execution until

1 expiration of the stay he may be compelled to pay the
2 judgment, the surety may file an affidavit of the facts
3 with the ~~justice~~-judge who rendered judgment whereupon the
4 ~~justice~~-judge shall issue execution against the judgment
5 debtor. The surety is not thereby discharged from
6 liability, but may be proceeded against after expiration of
7 the stay.

8

9 **1-21-516. Giving of further bond.**

10

11 If within ten (10) days after levying the execution the
12 judgment debtor enters into a further bond for stay of
13 execution during the unexpired term of the first stay, and
14 pays costs of the execution issued against him, the ~~justice~~
15 judge shall accept the further bond and recall the
16 execution. The latest bond shall first be proceeded against
17 until it appears by the return of the sheriff that there
18 are no goods on which to levy, then proceedings shall be
19 instituted on the first bond given.

20

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

22

23 (a) At any time after entry of judgment, the judgment
24 creditor may obtain discovery by interrogatories,

1 depositions or otherwise, from any person, including the
2 judgment debtor, in accordance with the Wyoming Rules of
3 Civil Procedure. ~~for Justice Courts.~~

4

5 **1-21-602. Manner of conducting sale; return.**

6

7 At the time appointed, the officer shall expose the goods
8 and chattels to public sale and sell them to the highest
9 bidder. If there are no bidders or only a single bid is
10 given, the sale shall be adjourned from time to time until
11 a fair sale is had. The officer shall return the execution
12 together with the money to the ~~justice~~judge at the time of
13 making the return.

14

15 **1-21-701. Notice and time of trial.**

16

17 When an officer levies on property claimed by any person
18 other than the party against whom the execution issued, the
19 claimant shall give three (3) days notice of objection in
20 writing to the plaintiff or his agent. If the plaintiff or
21 his agent cannot be found within the county, the notice
22 shall be served by leaving a copy at his usual place of
23 abode in the county, or if no place of abode exists then by
24 leaving notice at the court, stating the time and place of

1 trial to determine the right to the property. The trial
2 shall be held before a ~~justice of~~ circuit court in the
3 county at least one (1) day prior to the time appointed for
4 sale of the property.

5

6 **1-21-703. Judgment against claimant.**

7

8 If the claimant fails to establish his right to the
9 property or any part thereof, the ~~justice~~ judge shall
10 render judgment against the claimant for costs accrued on
11 account of the trial and issue execution therefor. The
12 officer is not liable to the claimant for the property so
13 taken.

14

15 **1-21-801. Procedure generally.**

16

17 Any civil cause pending before a ~~justice~~ judge may be
18 submitted to the arbitration of three (3) men by agreement
19 of the parties. Each party shall select one (1) arbitrator
20 and the two (2) so selected shall choose the third. They
21 shall be sworn by the ~~justice~~ judge and proceed in a
22 summary manner to hear the cause. Any of the arbitrators
23 may administer oaths, issue subpoenas for witnesses and
24 compel their attendance, and punish for contempt. They

1 shall make their awards in writing, any two (2) concurring
2 being the award of all. The award shall be reported to the
3 ~~justice~~judge who shall enter judgment accordingly. The
4 judgment is final unless it is made to appear to the
5 ~~justice~~judge within ten (10) days after the entry of
6 judgment that the award was obtained by fraud, corruption
7 or any undue means, in which case the ~~justice~~judge shall
8 set aside the award and the case shall stand for trial as
9 though no award had been made.

10

11 **1-21-802. Appeal of setting aside award; grounds.**

12

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

16

17 **1-21-901. Grounds.**

18

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

21

22 (i) Persons guilty of disorderly, contemptuous
23 and insolent behavior toward a ~~justice~~judge engaged in any
24 judicial proceeding, which tends to interrupt such

1 proceedings or impair the respect due the ~~justice's~~judge's
2 authority;

3

4 (ii) Persons guilty of resistance or
5 disobedience to any lawful order or process made or issued
6 by the ~~justice~~judge.

7

8 **1-21-903. Hearing required; warrant of attachment.**

9

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

14

15 **1-21-904. Summary proceedings if offender present.**

16

17 If the offender is present he may be summarily arraigned by
18 the ~~justice~~circuit court judge and proceeded against as if
19 a warrant had been previously issued and the offender
20 arrested thereon.

21

22 **1-21-906. Commitment of witness; generally.**

23

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

5
6 **1-21-908. Commitment of witness; adjournment.**

7
8 The ~~justice~~circuit court shall adjourn the case at the
9 request of either party for a reasonable time or until the
10 witness testifies in the case.

11
12 **1-21-1001. Jurisdiction of circuit courts.**

13
14 Any ~~justice~~circuit court within ~~his county~~the judicial
15 district may inquire against those who make unlawful and
16 forcible entry into lands and tenements and detain the
17 same, or against those who, having a lawful and peaceable
18 entry into lands or tenements, unlawfully or by force hold
19 the same. If it is found that an unlawful and forcible
20 entry was made and the lands or tenements are held by
21 force, or that after a lawful entry the lands are held
22 unlawfully, the ~~justice~~judge shall require restitution to
23 the complaining party.

24

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

2

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

8

9 **1-21-1005. Proceedings when defendant fails to**
10 **appear.**

11

12 If the defendant does not appear in accordance with a
13 properly served summons the ~~justice~~-circuit court shall try
14 the action as though he were present. Before proceeding,
15 the plaintiff shall file a complaint in which he relies in
16 order to recover the premises. The complaint must be
17 sustained by proof or the action dismissed.

18

19 **1-21-1007. Bond on granting continuance.**

20

21 No continuance shall be granted the defendant for longer
22 than two (2) days unless he gives a bond to the adverse
23 party, with good and sufficient surety approved by the
24 ~~justice~~-circuit court, conditioned for the payment of the

1 rent that may accrue and costs if judgment is rendered
2 against him.

3

4 **1-21-1008. Trial by justice or jury; judgment and**
5 **costs.**

6

7 (a) If the action is not continued, the place of
8 trial changed or if neither party demands a jury, upon the
9 return day of the summons the ~~justice~~circuit court shall
10 try the action. If the ~~justice~~circuit court concludes that
11 the complaint is not true, ~~he~~the court shall enter
12 judgment against the plaintiff for costs. If ~~he~~the court
13 finds the complaint true, ~~he~~it shall render a general
14 judgment in favor of the plaintiff for restitution of the
15 premises and costs. If ~~he~~the court finds the complaint
16 true in part, ~~he~~it shall render judgment for restitution
17 of that part only and the costs shall be taxed as deemed
18 equitable.

19

20 (b) If the case is one based on failure to pay rent,
21 the ~~justice~~court shall further find the amount of rent due
22 and payable at the time of commencement of the action,
23 together with the terms and conditions of the agreement
24 between the parties in relation to the amount and time of

1 payment of rent. If the trial is by jury the verdict shall
2 contain a finding of these facts and the ~~justice~~court
3 shall recite such findings in ~~his~~the docket entry of
4 proceedings. The ~~justice~~court, upon these findings, in
5 addition to entering judgment for the plaintiff to have
6 restitution, shall render judgment in accordance with the
7 findings for the amount of rent found due, together with
8 costs, and shall issue execution separate from the writ of
9 restitution for the rent found due and costs as in other
10 actions.

11

12 **1-21-1010. Judgment upon verdict.**

13

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

16

17 **1-21-1011. Exceptions.**

18

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

22

23 **1-21-1012. Writ of restitution; issuance.**

24

1 When a judgment of restitution is entered by a justice
2 circuit court, ~~he~~ the court shall, at the request of the
3 plaintiff, his agent or attorney, issue a writ of
4 restitution thereon.

5

6 **1-21-1014. Proceedings upon stay on appeal; bond**
7 **required.**

8

9 (a) If the officer receives notice from the justice
10 circuit court that the proceedings have been stayed on
11 appeal, he shall immediately delay all further proceedings
12 upon execution and writ of restitution. If the premises
13 have been restored to the plaintiff he shall immediately
14 place the defendant in possession thereof and return the
15 writ and execution with his proceedings and costs taxed
16 thereon.

17

18 (b) An appeal by a defendant shall not stay the
19 proceedings on judgment unless within forty-eight (48)
20 hours after judgment, Sundays excepted, the appellant
21 executes and files with the ~~justice~~ court his bond to
22 plaintiff, with two (2) or more sufficient sureties
23 approved by the ~~justice~~ court, conditioned that the
24 appellant will pay all costs which have accrued or may

1 thereafter accrue and all damages which plaintiff may have
2 sustained or may thereafter sustain in consequence of the
3 wrongful detention of the premises during the pendency of
4 the appeal. Upon taking the appeal and filing the bond, all
5 further proceedings in the case shall be stayed and the
6 appellate court shall thereafter issue all writs and
7 processes to carry out the judgment of the appellate court.
8 The court in which the appeal is pending may require a new
9 bond in a larger amount, with sureties approved by the
10 appellate court, if deemed necessary to secure the rights
11 of the parties.

12

13 **1-21-1015. Rents to be deposited on appeal.**

14

15 (a) In appeals from the judgment of a ~~justice-circuit~~
16 court for rents due and payable, in addition to the bond
17 required by W.S. 1-21-1014, the appellant shall deposit
18 with the ~~justice-court~~ court the amount of rent specified in the
19 judgment. Unless the deposit is made, the appeal is not
20 perfected and proceedings upon the judgment shall be had
21 accordingly. If the appeal is perfected, the ~~justice-court~~
22 court shall transmit the deposit to the clerk of the appellate
23 court with the papers in the case.

24

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

3

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

7

8 **1-21-1206. Renter's remedies; notice to owner or**
9 **agent; judicial remedy; rights under termination of rental**
10 **agreement.**

11

12 (c) If the owner has not corrected or used due
13 diligence to correct the conditions following notice under
14 this section, or if the owner has notified the renter that
15 the claim is disputed, the renter may commence a civil
16 action in ~~county or justice of the peace~~ circuit court. The
17 court shall endorse on the summons the number of days
18 within which the owner is required to appear and defend the
19 action, which shall not be less than three (3) nor more
20 than twenty (20) days from the date of service. Upon a
21 showing of an unreasonable refusal to correct or the
22 failure to use due diligence to correct a condition
23 described in this article, the renter may be awarded costs,
24 damages and affirmative relief as determined by the court.

1 Damages awarded to the renter may include rent improperly
2 retained or collected. Affirmative relief may include a
3 declaration terminating the rental agreement, or an order
4 directing the owner to make reasonable repairs.

5

6 **5-1-109. Deaf and mute persons; rights enumerated.**

7

8 (a) In all civil or criminal cases in which a deaf or
9 mute person is a party or in a grand jury proceeding where
10 the person is a witness, the presiding judge ~~or justice~~
11 shall upon petition appoint a qualified interpreter to
12 assist the court and deaf person during the proceedings.
13 The cost for the interpreter's services may be assessed as
14 court costs.

15

16 **5-2-119. Appeals from courts of limited jurisdiction.**

17

18 Notwithstanding any other provision of law, any case in
19 which original jurisdiction is in a municipal court, ~~a~~
20 ~~justice of the peace court~~ or a circuit court may be
21 appealed to the district courts and thereafter to the
22 Wyoming supreme court only if the supreme court grants a
23 writ of certiorari agreeing to hear the appeal. The Wyoming
24 supreme court shall adopt procedures under which the court

1 will grant or deny appeals to the court in such cases and
2 provide the standards and extent of review.

3

4 **5-3-504. Duties.**

5

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

8

9 (ii) He may make social history investigations
10 where requested by ~~justice and municipal court~~ judges in
11 cases where minors are involved. In such cases he may
12 assume authority where the offender is placed on probation
13 by the presiding officer;

14

15 **5-6-107. Appeals to district court in certain cities**
16 **or towns.**

17

18 In addition to all other methods heretofore provided by
19 law, an appeal from the judgment or sentence of a ~~police~~
20 ~~justice~~ municipal court in any city or town operating under
21 a special charter or commission, commission manager or
22 manager form of government, may be taken to the district
23 court in the same manner as is now provided by law for

1 appeals from ~~justice~~circuit courts in criminal cases, and
2 shall be dealt with by the courts as criminal cases.

3

4 **5-6-111. Execution on judgments.**

5

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

18

19 **5-6-203. Appeal.**

20

21 In all cases before the ~~police justice~~municipal court
22 arising under ordinances of the city, wherein the fine
23 assessed exceeds the sum of ten dollars (\$10.00) or the
24 imprisonment ten (10) days, an appeal may be taken by the

1 defendant to the district court in and for the county in
2 which ~~said~~the city is situated, but no appeal shall be
3 allowed unless ~~such~~the defendant shall, within ten (10)
4 days, enter into recognizance with sufficient sureties to
5 be approved by the ~~justice~~municipal court, conditioned for
6 the payment of the fine and costs of appeal, and ~~that~~the
7 defendant shall abide the judgment of the ~~said~~municipal
8 court and not depart without leave of the ~~same~~court, or
9 that he will pay to the ~~said~~ city of the sum of \$.....
10 The procedure of ~~such~~the appeal shall be as prescribed for
11 appeals from circuit courts ~~of justices of the peace~~ in
12 criminal cases.

13

14 **5-6-207. Cases in municipal court.**

15

16 Cases in the ~~police~~municipal court for violations of city
17 ordinances shall be tried and determined by the ~~police~~
18 ~~justice~~court without the intervention of a jury, and the
19 trial of such cases before ~~such police justice~~the court
20 shall be conducted in all respects, not herein otherwise
21 provided for, in like manner as criminal cases before
22 ~~justices of the peace~~circuit courts.

23

24 **5-6-302. Appeals from municipal court.**

1

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

7

8 **6-2-310. Names not to be released; restrictions on**
9 **disclosure or publication of information; violations;**
10 **penalties; effect of disclosure; "minor victim".**

11

12 (a) Prior to the filing of an information or
13 indictment, neither the names of the alleged actor or
14 victim of a sexual assault nor any other information
15 reasonably likely to disclose the identity of the victim
16 shall be released or negligently allowed to be released to
17 the public by any public employee except as authorized by
18 the judge ~~or justice~~ with jurisdiction over the criminal
19 charges. The actor's name may be released to the public to
20 aid or facilitate an arrest.

21

22 **6-3-604. Fraud against testamentary instruments and**
23 **government records; penalties; "government record" defined.**

24

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

6

7 **6-4-402. Incest; penalties; disclosure or publication**
8 **of identifying information; "minor victim".**

9

10 (c) Prior to the filing of an information or
11 indictment charging a violation under this section, neither
12 the name of the person accused or the victim nor any other
13 information reasonably likely to disclose their identity
14 shall be released or negligently allowed to be released to
15 the public by any public employee, except as authorized by
16 the judge ~~or justice~~ with jurisdiction over the criminal
17 charges. The name of the person accused may be released to
18 the public to aid or facilitate an arrest.

19

20 **6-4-403. Abandoning or endangering children;**
21 **penalties; "child"; disclosure or publication of**
22 **identifying information; "minor victim".**

23

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

11

12 **7-3-501. Filing of complaint; issuance of warrant or**
13 **summons.**

14

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

17

18 (b) When complaint is made by the district attorney
19 or by any private person to any ~~justice of the peace or~~
20 circuit court judge that a person has threatened or is
21 about to commit a breach of the peace or an offense against
22 the person or property of another, the judge shall:

23

24 **7-3-506. Definitions.**

1

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

3

4 (i) "Court" means the ~~justice of the peace~~
5 ~~court,~~ circuit court or the district court in the county
6 where an alleged victim of stalking resides, or where the
7 alleged perpetrator of the stalking is found;

8

9 **7-3-507. Petition for order of protection; contents;**
10 **requisites; indigent petitioners.**

11

12 (d) The attorney general shall promulgate a standard
13 petition form which may be used by petitioners. The ~~justice~~
14 ~~of the peace or the~~ clerk of the ~~county~~ circuit or district
15 court shall make standard petition forms available to
16 petitioners, with instructions for completion, without
17 charge. If the petition is not filed by the district
18 attorney, the court may appoint an attorney to represent an
19 indigent petitioner. Nothing in this subsection shall
20 prevent the victim from hiring an attorney or filing a
21 petition pro se.

22

23 **7-4-203. Issuance of subpoenas; witness fees;**
24 **enforcement of attendance.**

1

2 The coroner may issue subpoenas and compel the attendance
3 of witnesses to testify at the inquest. Witnesses shall be
4 allowed the same fees as in cases before a ~~justice of the~~
5 ~~peace or~~ circuit court, and the coroner shall have the same
6 authority to enforce the attendance of witnesses and to
7 punish for contempt as provided by W.S. 1-21-901 through
8 1-21-909.

9

10 **7-7-101. Authority to issue; grounds.**

11

12 (a) Any district judge, district court commissioner,
13 circuit judge, ~~or~~ or magistrate authorized pursuant to W.S.
14 5-9-208(a), (b) or (c)(xv) or 5-9-212(a)(ix) ~~or any justice~~
15 ~~of the peace~~ may issue a search warrant to search for and
16 seize any property:

17

18 **7-8-103. Issuance and execution of warrant or summons**
19 **on information or complaint; procedures governed by rules.**

20

21 (a) A warrant or summons issued by any ~~justice of the~~
22 ~~peace court or~~ circuit court based upon a complaint or
23 information charging any criminal offense may be executed

1 or served at any place within the jurisdiction of the state
2 of Wyoming.

3

4 **7-10-101. Right of defendant.**

5

6 (c) During the pendency of an appeal in aailable
7 case, the judge ~~or justice~~ of the court having jurisdiction
8 may admit the defendant to bail in any sum he deems proper.
9 The judge ~~or justice~~ allowing bail may at any time revoke
10 or amend the order admitting the defendant to bail.

11

12 **7-10-104. Authorized judicial officers.**

13

14 (a) A person charged with the commission of any
15ailable offense may be admitted to bail by:

16

17 (ii) A district judge or district court
18 commissioner of the district in which the person is
19 charged; or

20

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

23

24 **7-11-101. Impaneling in criminal cases.**

1

2 Trial juries for criminal actions in district courts and in
3 ~~county circuit~~ courts are formed in the same manner as
4 trial juries in civil actions. ~~Procedures for impaneling~~
5 ~~juries in justice of the peace courts shall be governed by~~
6 ~~the Wyoming Rules of Criminal Procedure for Justice Courts.~~

7

8 **7-11-407. Procedures for taking depositions.**

9

10 Procedures for the taking of depositions in criminal cases
11 shall be governed by the Wyoming Rules of Criminal
12 Procedure. ~~and the Wyoming Rules of Criminal Procedure for~~
13 ~~County Courts.~~

14

15 **7-13-1202. Definitions.**

16

17 (a) As used in this act:

18

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

23

24 **7-13-1203. Authority to establish teen court program.**

1

2 (b) In addition to any other power authorized, a
3 municipal court judge, with the approval and consent of the
4 governing body of the municipality, or any ~~justice of the~~
5 ~~peace or~~ circuit court judge, with the approval and consent
6 of the board of county commissioners, may by order
7 establish a teen court program and training standards for
8 participation in accordance with this act to provide a
9 disposition alternative for teens charged with minor
10 offenses.

11

12 **7-13-1204. Program criteria.**

13

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

16

17 (iv) The teen defendant, as a condition of
18 participation in the teen court program, may be required to
19 pay a nonrefundable fee not to exceed ten dollars (\$10.00).
20 Fees collected under this paragraph by a municipal court
21 shall be credited to the treasury of the municipality. Fees
22 collected under this paragraph by a ~~justice of the peace or~~
23 circuit court shall be credited to the treasury of the
24 county;

1

2 **7-19-103. Definitions.**

3

4 (a) As used in this act:

5

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

9

10 **8-2-101. Distribution of statutes, supplements and**
11 **session laws.**

12

13 (a) Statutes, supplements and session laws shall be
14 distributed as provided by contract with the publisher or
15 as directed by the management council, to the following,
16 without charge:

17

18 (i) Nine (9) copies to the county clerk of each
19 county in Wyoming, for use in the county offices and the
20 district court, plus one (1) additional copy for each
21 ~~justice of the peace~~, magistrate serving pursuant to W.S.
22 5-9-206 and circuit judge in each county;

23

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

4
5 (a) In addition to other duties prescribed by law,
6 each district attorney has exclusive jurisdiction to:

7
8 (iv) Appear before any ~~justice of the peace or~~
9 judge in the preliminary examination of persons charged
10 with any offense in his district;

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

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

23

1 **11-19-505. Owners to be jointly and severally liable;**
2 **when arrest necessary; service of summons and complaint.**

3

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

15

16 **11-28-108. Liability for breach into lawful enclosure**
17 **by animal; civil action or arbitration.**

18

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

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

18

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

22

23 (a) Prior to the filing of an information or
24 indictment charging a violation of W.S. 14-3-104 or

1 14-3-105, neither the names of the person accused or the
2 victim nor any other information reasonably likely to
3 disclose the identity of the victim shall be released or
4 negligently allowed to be released to the public by any
5 public employee except as authorized by the judge ~~or~~
6 ~~justice~~ with jurisdiction over the criminal charges. The
7 name of the person accused may be released to the public to
8 aid or facilitate an arrest.

9

10 **14-3-208. Temporary protective custody; order; time**
11 **limitation; remedial health care.**

12

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

1 responsible for his welfare, would be in imminent danger of
2 his life or health. The local child protective agency shall
3 be notified of the order.

4

5 **14-6-203. Jurisdiction; confidentiality of records.**

6

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

12

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

16

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

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

10

11 **15-1-103. General powers of governing bodies.**

12

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

14

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

19

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

23

1 **15-3-402. Actions; recovering penalty or fine;**
2 **generally.**

3

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

10

11 **18-3-513. Appeal on disallowance of claim.**

12

13 (b) When the appeal is perfected, the clerk of the
14 board shall immediately give notice to the county attorney.
15 The clerk shall make a brief return of the proceedings
16 before the board with the decision properly certified and
17 file the same together with the bond and all papers in the
18 case in his possession with the clerk of the district
19 court. The appeal shall be entered, tried and determined
20 and costs awarded the same as appeals from ~~justice~~ circuit
21 courts. This section does not apply to claims under W.S.
22 1-39-101 through 1-39-119.

23

1 **18-3-907. Officers not liable to impeachment; removal**
2 **by commissioners; grounds; procedure; testimony; filling**
3 **vacancies; right of appeal.**

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

15

16 **18-5-106. Powers of county commissioners upon appeal;**
17 **appeal from commissioners to district court and supreme**
18 **court.**

19

20 (b) The decision of the county commissioners upon any
21 exception made may be reviewed by the district court of the
22 county upon appeal taken thereto in the same manner as an
23 appeal from ~~justice~~circuit courts in civil cases. The
24 county clerk shall prepare a transcript of the case upon

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

1 modify or affirm the decision brought for review. An appeal
2 lies to the supreme court from the judgment of the district
3 court in the same manner as provided for civil actions.

4

5 **19-9-203. Establishing bounds for annual field**
6 **training and other missions; entry without leave;**
7 **disorderly conduct; interrupting, molesting, insulting or**
8 **obstructing officer or soldier; penalties.**

9

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

1 confined in the county jail for up to six (6) months, or
2 both.

3

4 **19-12-105. Prosecutions; appeal.**

5

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

11

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

18

19 (g) When prosecution has been by summary or special
20 courts-martial, after final judgment, sentencing and
21 approval by the convening authority, the defendant may
22 appeal to the district court of the county in which the
23 courts-martial was held in the same manner as appeals from

1 ~~justice of the peace~~ circuit courts to the district courts
2 in criminal cases.

3

4 (h) When prosecution has been in the ~~county~~ circuit
5 courts, ~~and justice of the peace court,~~ after final
6 judgment and sentencing, the defendant may appeal to the
7 district court in the same manner as in other criminal
8 cases.

9

10 **20-1-106. Who may solemnize marriage; form of**
11 **ceremony.**

12

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

21

22 **21-4-104. Duties of attendance officers.**

23

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

3

4 (ii) Give written notice to the parent,
5 guardian, or custodian of any child having an unexcused
6 absence that the attendance of such child at school is
7 required by law. If after such notice has been given, the
8 child has a second unexcused absence, which the attendance
9 officer reasonably believes was due to the willful neglect
10 or failure of the parent, guardian, or custodian of the
11 child, then he shall make and file a complaint against such
12 parent, guardian, or custodian of such child before ~~a~~
13 ~~justice of the peace of the proper county or~~ the district
14 court for the violation of W.S. 21-4-102.

15

16 **22-3-105. Investigation of voter qualifications;**
17 **striking names from registry; criteria; notice; appeal.**

18

19 (d) Any person who is denied registration has the
20 right to appeal to a ~~justice of the peace,~~ circuit court
21 within the county or to the district court within five (5)
22 days of the date of the notification. The appellant shall
23 not be required to obtain legal counsel for any such
24 appeal.

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22-5-205. Nomination application form for nonpartisan office.

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

APPLICATION FOR NOMINATION BY NONPARTISAN PRIMARY

State of Wyoming)
) ss
County of)

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

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

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

3 Dated this day of,(year).

4 Signature

5

6 **22-6-126. Form of nonpartisan ballots.**

7

8 (a) The official nonpartisan ballot for a general
9 election shall be printed in substantially the following
10 form:

11

12 OFFICIAL NONPARTISAN ELECTION BALLOT

13 GENERAL ELECTION

14

15 County of, Election District, Precinct

16 Date

17

18 (here print instructions)

19

20 CANDIDATES FOR PUBLIC OFFICE

21

22 For Justice(s) of the Supreme Court

23 (Here designate the particular term,

24 such as "regular eight (8) year term",

1 or the "unexpired term of years").

2

3 Shall Justice John Roe be retained in office? Yes No

4

5 Shall Justice Richard Roe be retained in office? Yes No

6

7

8 For Judge(s) of the District Court of the Judicial
9 District

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

13

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

15

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

17

18

19 For Circuit Court Judge
20 (Here designate the particular
21 term, such as "regular four-
22 year term", or the "unexpired term of years").

23

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

1

2

Shall Judge Richard Roe be retained in office?

Yes No

3

4

5

For Magistrate

6

(Here designate the particular term,

7

such as "regular four (4) year term",

8

or the "unexpired term of years").

9

10

Shall Magistrate John Doe be retained in office?

Yes No

11

12

Shall Magistrate Richard Roe be retained in office? Yes No

13

14

15

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

16

~~(Here designate the particular one~~

17

~~term, such as "regular four~~

18

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

19

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

20

21

Align all designations of office to correspond on the

22

ballot with the listing of names of candidates for the

23

proper office and term.

24

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BALLOT PROPOSITIONS

Proposed Constitutional Amendment Letter A:	For	Against
(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>
Proposed Initiative Proposition Number One:	For	Against
(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>
Proposed Referendum Proposition Number One:	For	Against
(Ballot Statement)	<input type="checkbox"/>	<input type="checkbox"/>
Other Ballot Propositions:	For	Against
(Ballot Statement For Each Proposition)	<input type="checkbox"/>	<input type="checkbox"/>

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

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

1 **23-6-108. Record of game and fish cases; report of**
2 **convictions to department.**

3
4 (a) Every ~~justice of the peace or~~ judge of any court
5 shall keep or cause to be kept a record of every game and
6 fish complaint, game and fish citation, or other legal form
7 of game and fish charge deposited with or presented to the
8 court, and shall keep a record of every official action by
9 the court, including a record of every conviction,
10 forfeiture of bail, judgment of acquittal, and the amount
11 of fine or forfeiture resulting from every such complaint
12 or citation deposited with or presented to the court.

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

1 plea, the judgment, or whether bail was forfeited, and the
2 amount of fine, forfeiture or penalty imposed.

3

4 **23-6-302. Execution of Compact.**

5

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

10

11 Article II

12 Definitions

13

14 (a) As used in this compact, unless the context
15 required otherwise:

16

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

19

20 **31-1-203. Special enforcement officers; summons and**
21 **notice to appear for violations; deposit for appearance;**
22 **disposition of deposit.**

23

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

24

1 **31-5-1214. Record of traffic cases; reports of**
2 **convictions.**

3

4 (a) Every ~~justice of peace or~~ judge of a court shall
5 keep or cause to be kept a record of every traffic
6 complaint, traffic citation or other legal form of traffic
7 charge deposited with or presented to the court and shall
8 keep a record of every official action by the court in
9 reference thereto, including but not limited to a record of
10 every conviction, forfeiture of bail, judgment of acquittal
11 and the amount of fine or forfeiture resulting from every
12 traffic complaint or citation deposited with or presented
13 to the court.

14

15 (b) Within ten (10) days after the conviction or
16 forfeiture of bail of a person upon a charge of violating
17 any provisions of this act or other law regulating the
18 operation of vehicles on highways every ~~justice of peace of~~
19 ~~the court or~~ clerk of the court of record in which the
20 conviction was had or bail was forfeited shall prepare and
21 immediately forward to the department an abstract of the
22 record of the court covering the case in which the person
23 was so convicted or forfeited bail, which abstract must be
24 certified by the person required to prepare the same to be

1 true and correct. Report need not be made of any conviction
2 involving the illegal parking or standing of a vehicle.

3

4 **31-7-112. Application for license or permit of**
5 **persons under 18.**

6

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

16

17 **31-13-112. Release of liability for removal and**
18 **storage of, and for lost or damaged items in, abandoned**
19 **vehicles; disposition of personal property within a**
20 **vehicle; optional court action.**

21

22 (e) A property owner or person in lawful control of
23 the property upon which a vehicle is abandoned or any
24 sheriff who is authorized to sell an abandoned vehicle

1 pursuant to this act may in lieu of selling the vehicle,
2 file or cause to be filed by the county attorney if a
3 sheriff, an action in the county where the vehicle is
4 impounded in the ~~justice of the peace court or~~ circuit
5 court. The action shall be in rem and against the vehicle,
6 vehicle owner, and all known and unknown parties with an
7 interest in the vehicle. The defendants in the action
8 shall be served as provided in the Wyoming Rules of Civil
9 Procedure. Judgment in the civil action is limited to the
10 value of the vehicle as determined by its sale price at the
11 sale conducted by the sheriff after judgment is entered.
12 All expenses incident to the removal, preservation,
13 custody, sale and storage of the vehicle shall be paid.
14 Except as otherwise provided in W.S. 31-13-111(f), any
15 remaining proceeds:

16

17 **32-1-111. When court may protest paper in lieu of**
18 **notary.**

19

20 When the holder of any instrument desires it to be
21 protested, and no notary public can be found, it shall be
22 lawful for any ~~justice of the peace~~ circuit court of the
23 county wherein said instrument is required to be protested,
24 to perform the services herein required to be performed by

1 notaries public, and to be entitled to the same fees as are
2 hereinafter provided for notaries public for similar
3 services.

4

5 **33-10-111. Appeal from decision of board.**

6

7 Any person feeling himself aggrieved by the decision of the
8 board may have an appeal to the district court of the
9 county wherein his license to practice is of record. The
10 manner and procedure of appeal shall be the same as that
11 provided by law in the cases of appeals from a ~~justice~~
12 circuit court to the district court.

13

14 **33-24-143. Prosecutions.**

15

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

1 prevent the prosecution of any person for violation of this
2 act upon the information of the district attorney directly.

3

4 **34-1-113. Acknowledgment of conveyances; generally.**

5

6 Execution of deeds, mortgages or other conveyances of
7 lands, or any interest in lands, shall be acknowledged by
8 the party or parties executing same, before any judge or
9 clerk of a court of record, or before any United States
10 magistrate appointed under and by authority of the laws of
11 the United States, or any county clerk, ~~justice of the~~
12 ~~peace,~~ district court commissioner, notary public, or other
13 officer authorized under the laws of the state of Wyoming
14 to take such acknowledgments, and the officer taking such
15 acknowledgment shall endorse thereon a certificate of the
16 acknowledgment thereof, and the true date of making the
17 same, under his hand and seal of office, if there be one.

18

19 **34-1-114. Acknowledgment of conveyances; notary to**
20 **state date of expiration of term of office.**

21

22 Every notary public, ~~justice of the peace,~~ and commissioner
23 of deeds for Wyoming, who takes an acknowledgment to any
24 written instrument to be recorded in any public office in

1 Wyoming shall add to his certificate the date when
2 commission or term of office expires.

3

4 **35-10-206. Enforcement; disposal of seized fireworks.**

5

6 Wyoming peace officers shall seize all stocks of fireworks
7 held in violation of W.S. 35-10-201 through 35-10-207 and
8 shall apply to the appropriate court for the disposition of
9 the fireworks. Following a hearing determining the
10 fireworks were held in violation of W.S. 35-10-201 through
11 35-10-207, the fireworks shall be destroyed or otherwise
12 disposed of upon order of any ~~justice of the peace,~~ circuit
13 court or district court.

14

15 **36-8-309. Rules and regulations; adoption, penalty**
16 **for violation and cancellation of leases.**

17

18 The department of state parks and cultural resources has
19 full power, control and supervision over the Big Horn Hot
20 Springs State Park, located in Hot Springs county, and all
21 property thereon. The department may adopt rules and
22 regulations for the government of the state park for the
23 conservation of peace and good order within the park, and
24 for the preservation of the property of the state therein,

1 and of the property and people situated and residing or
2 being therein, and to promote the well being of the people,
3 and to declare what constitutes a nuisance within the state
4 park. Any person who violates any rule or regulation
5 adopted and published by the department is guilty of a
6 misdemeanor and shall be fined not less than five dollars
7 (\$5.00) and not more than one hundred dollars (\$100.00) or
8 imprisoned for not more than six (6) months or both. Any
9 offender convicted under this act may be permitted, in lieu
10 of cash payment of a fine thus imposed, to work out the
11 fine within the state park, at the rate of five dollars
12 (\$5.00) an hour until the amount of the fine is satisfied.
13 Any ~~justice of the peace or~~ circuit judge in ~~Hot Springs~~
14 ~~county~~ the fifth judicial district has jurisdiction of all
15 offenses under this article. A defendant convicted under
16 this article has a right to appeal to the district court as
17 provided for appeals from convictions in ~~justice of the~~
18 ~~peace~~ circuit courts and municipal courts. If any lessee of
19 the state or of the department shall refuse to comply with
20 the order, direction, rule or regulation of the department,
21 or to obey any law of the state defining and punishing
22 nuisances the department may immediately cancel the lease.

23

24 **36-9-106. Place of sale; execution of leases.**

1

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

7

8 **37-12-107. Unlawful riding on railroad trains;**
9 **prosecution of offender.**

10

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

23

1 **41-3-605. Commissioners; power to arrest; procedure**
2 **following arrests.**

3
4 The water commissioners or their assistants, within their
5 districts shall have power to arrest any person or persons
6 offending, and turn them over to the sheriff of the proper
7 county, and immediately upon delivering ~~any such~~ the person
8 so arrested into the custody of the sheriff, it shall be
9 the duty of the water commissioner making ~~such~~ the arrest,
10 to immediately in writing and upon oath, make complaint
11 before the court of proper ~~justice of the peace~~
12 jurisdiction against the person ~~so~~ arrested.

13
14 **Section 2.** W.S. 1-14-102(a)(ii), 1-14-116, 5-4-101
15 through 5-4-305, 7-10-104(a)(iv), 15-4-103, 22-5-203(a),
16 22-5-401(b)(iii) and 22-6-125(a)(v) are repealed.

17
18 **Section 3.** This act is effective immediately upon
19 completion of all acts necessary for a bill to become law
20 as provided by Article 4, Section 8 of the Wyoming
21 Constitution.

22

23

(END)