

ENROLLED ACT NO. 16, HOUSE OF REPRESENTATIVES

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING  
2008 BUDGET SESSION

AN ACT relating to courts; amending procedures for courts as specified; eliminating the duty of circuit courts to prepare affidavits for specified actions; correcting obsolete references; repealing qualifications for court reporters; and providing for an effective date.

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

**Section 1.** W.S. 1-21-203(a), 5-6-106 and 5-9-119(a) are amended to read:

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

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

**5-6-106. Procedure generally; additional rules may be provided by ordinance; appeals.**

The procedure of municipal courts shall conform to the procedure provided by law and rules of procedure for courts of limited jurisdiction. The incorporated city or town may by ordinance provide any additional rules of procedure found necessary for the proper conduct of municipal courts, provided these rules do not conflict with the general laws

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of the state. Appeals to the district court shall be allowed in all cases as now provided by law for appeals from ~~justices of the peace~~ circuit courts.

**5-9-119. Judges may hold court for each other; expenses of judge holding court in another circuit or district; disqualification of judge; change of venue prohibited.**

(a) The judges of the circuit courts may hold court for each other and ~~for justices of the peace and~~ shall do so when required by law. The expenses of any judge of a circuit court holding court in any circuit other than his own or in any district court pursuant to assignment under W.S. 5-3-112, including travel expenses and his expenses while holding court, shall be charged to the contingent fund of the circuit court in whose circuit he is holding court or to the contingent fund of the district court in whose district he is holding court pursuant to assignment under W.S. 5-3-112.

**Section 2.** W.S. 5-3-402 is repealed.

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk