

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. _____

Court procedures-amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to courts; amending procedures for courts
2 as specified; eliminating a duty of a circuit court to
3 prepare affidavits for specified actions; correcting an
4 obsolete reference; repealing qualifications for court
5 reporters; and providing for an effective date.

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

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

11

12 **1-21-203. Affidavit of claim; service of summons;**
13 **venue jurisdiction.**

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

12

13 **5-6-106. Procedure generally; additional rules may be**
14 **provided by ordinance; appeals.**

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16 The procedure of municipal courts shall conform to the
17 procedure provided by law and rules of procedure for courts
18 of limited jurisdiction. The incorporated city or town may
19 by ordinance provide any additional rules of procedure
20 found necessary for the proper conduct of municipal courts,
21 provided these rules do not conflict with the general laws
22 of the state. Appeals to the district court shall be

1 allowed in all cases as now provided by law for appeals
2 from ~~justices of the peace~~ circuit courts.

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4 **Section 2.** W.S. 5-3-402 is repealed.

5 *****Staff Comment*****

6 **This section proposed for repeal relates to**
7 **qualification procedures for court reporters.**

8

9 **Section 3.** This act is effective July 1, 2008.

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11

(END)