

HOUSE BILL NO. HB0030

Modernization of court procedures.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

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

6

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

8

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

11

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

14

15 (a) The claimant shall prepare the affidavit as set
16 forth. ~~or at his request the circuit judge shall draft it~~
17 ~~for him.~~ When the affidavit is executed by the claimant the

1 court shall file the same and have summons served on the
2 defendant at any location in the county in the manner
3 provided by law or, if the defendant resides in the county,
4 service may be made by the court by certified mail
5 addressed to the defendant at his address within the county
6 with return receipt requested. Upon receipt by the circuit
7 judge of the return receipt signed by the defendant or his
8 agent, service is complete.

9
10 **5-6-106. Procedure generally; additional rules may be**
11 **provided by ordinance; appeals.**

12
13 The procedure of municipal courts shall conform to the
14 procedure provided by law and rules of procedure for courts
15 of limited jurisdiction. The incorporated city or town may
16 by ordinance provide any additional rules of procedure
17 found necessary for the proper conduct of municipal courts,
18 provided these rules do not conflict with the general laws
19 of the state. Appeals to the district court shall be
20 allowed in all cases as now provided by law for appeals
21 from ~~justices of the peace~~ circuit courts.

22
23 **5-9-119. Judges may hold court for each other;**
24 **expenses of judge holding court in another circuit or**

1 **district; disqualification of judge; change of venue**
2 **prohibited.**

3

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

15

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

17

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

19

20 (END)