

SENATE FILE NO. SF0117

Confidentiality of domestic abuse victim information.

Sponsored by: Senator(s) Bebout, Craft and Hastert and
Representative(s) Brown, Coleman, Connolly,
Esquibel, K. and Throne

A BILL

for

1 AN ACT relating to domestic violence protection; providing
2 that the address, city and state of residence of a victim
3 of domestic abuse shall remain confidential in any court
4 proceedings to which the domestic violence victim is a
5 party; providing conforming amendments; and providing for
6 an effective date.

7

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

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10 **Section 1.** W.S. 14-3-441 and 35-21-112 are created to
11 read:

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13 **14-3-441. Confidentiality in court proceedings.**

14

15 In the event a confidentiality order has been entered
16 pursuant to W.S. 35-21-112 or any other court order

1 allowing a party to maintain confidentiality of addresses
2 or other identifying information, the address and city or
3 state of residence of the victim of domestic abuse and any
4 child residing with the victim of domestic abuse shall
5 remain confidential in any court proceedings under this
6 title.

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8 **35-21-112. Confidentiality in court proceedings.**

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10 (a) Notwithstanding any other provisions of law, in
11 any proceedings before a court of the state of Wyoming, the
12 confidentiality of the address, city and state of residence
13 or any other identifying information of a victim of
14 domestic abuse shall remain confidential as provided in
15 this section.

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17 (b) The victim of domestic abuse may at any point
18 during the court proceedings file a motion with the court
19 for entry of an order providing for the confidentiality of
20 the address, city and state of residence or any other
21 identifying information of the victim of domestic abuse and
22 any children residing with the victim of domestic abuse
23 during the court proceedings. The motion may be accompanied
24 with all relevant affidavits or documents to establish that

1 the person requesting confidentiality is a victim of
2 domestic abuse and that the person may be subject to
3 additional acts of domestic abuse if confidentiality is not
4 maintained.

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6 (c) Upon a filing of a motion pursuant to subsection
7 (b) of this section, the court shall issue an order
8 prohibiting the release of the address, city and state of
9 residence and any other identifying information a person
10 if:

11

12 (i) The person filing the motion has been
13 granted an order of protection under this act or similar
14 act in another state, territory or country and the order of
15 protection remains in effect; or

16

17 (ii) The court finds by a preponderance of the
18 evidence that the person is a victim of domestic abuse and
19 that the person may be subject to additional acts of
20 domestic abuse if confidentiality is not maintained.

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22 **Section 2.** W.S. 1-25-101, 1-25-103, 20-2-202(a)(iii),
23 20-2-309(b)(intro) and 20-5-309(a)(intro) are amended to
24 read:

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2 1-25-101. Verified petition to be presented;
3 information to be shown in petition; order of court making
4 change; record to be made.

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6 Every person desiring to change his name may petition the
7 district court of the county of the petitioner's residence
8 for the desired change. The petition shall be verified by
9 affidavit setting forth the petitioner's full name, the
10 name desired, a concise statement of the reason for the
11 desired change, the place of his birth, his place of
12 residence and the length of time he has been an actual bona
13 fide resident of the county in which the petition is filed.
14 If the court is satisfied that the desired change is proper
15 and not detrimental to the interests of any other person,
16 it shall order the change to be made, and record the
17 proceedings in the records of the court. In the event a
18 confidentiality order has been entered pursuant to W.S.
19 35-21-112 or any other court order allowing a party to
20 maintain confidentiality of addresses, city or state of
21 residence or other identifying information, the address,
22 city or state of residence or other identifying information
23 of the party shall remain confidential.

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1 **1-25-103. Notice to be given by publication.**

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3 Except in a proceeding in which the court has issued a
4 confidentiality order pursuant to W.S. 35-21-112 or any
5 other court order allowing a party to maintain
6 confidentiality of addresses, city or state of residence or
7 other identifying information, public notice of the
8 petition for a change of name shall be given in the same
9 manner as service by publication upon nonresidents in civil
10 actions.

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12 **20-2-202. Visitation.**

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14 (a) The court may order visitation it deems in the
15 best interests of each child and the court shall:

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17 (iii) Require either parent who plans to change
18 their home city or state of residence, to give written
19 notice thirty (30) days prior to the move, both to the
20 other parent and to the clerk of district court stating the
21 date and destination of the move. In the event a
22 confidentiality order has been entered pursuant to W.S.
23 35-21-112 or any other court order allowing a party to
24 maintain confidentiality of addresses or other identifying

1 information, the address, city or state of residence or
2 other identifying information of the victim of domestic
3 abuse shall remain confidential.

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5 **20-2-309. Contents of orders; change of address or**
6 **employment; income withholding entered; payment.**

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8 (b) Except in a proceeding in which the court has
9 issued a confidentiality order pursuant to W.S. 35-21-112
10 or any other court order allowing a party to maintain
11 confidentiality of addresses, city or state of residence or
12 other identifying information, all child support orders
13 shall be accompanied by a confidential statement that
14 contains the names, addresses, dates of birth, places of
15 birth and social security numbers of each party and each
16 child to whom the order relates and the names and addresses
17 of each party's employer. The confidential statement may
18 be inspected by:

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20 **20-5-309. Information to be submitted to the court.**

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22 (a) Subject to a confidentiality order entered
23 pursuant to W.S. 35-21-112 or any other court order
24 allowing a party to maintain confidentiality of addresses

1 or other identifying information or other law providing for
2 the confidentiality of procedures, addresses and other
3 identifying information, in a child custody proceeding each
4 party in its first pleading or in an attached affidavit
5 shall give information, if reasonably ascertainable, under
6 oath as to the child's present address or whereabouts, the
7 places where the child has lived during the last five (5)
8 years and the names and present addresses of the persons
9 with whom the child has lived during that period. The
10 pleading or affidavit shall state whether the party:

11

12 **Section 3.** This act is effective July 1, 2013.

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14 (END)