

HOUSE BILL NO. HB0004

Recordation of judgments and orders.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to civil procedure and courts; removing
2 requirements for recording judgments and orders relating to
3 real property, child support and adoption proceedings in a
4 separate court journal; amending requirements for clerks of
5 court to maintain records for probate cases as specified;
6 amending requirements for clerks of district court to
7 maintain an index to judgments; repealing provisions
8 requiring the clerks of district court to maintain certain
9 books and records of the court; and providing for an effective
10 date.

11

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

13

14 **Section 1.** W.S. 1-16-301(a), 1-16-307(a)(intro), (i),
15 (iii), (vii), (b) and (c)(intro), 1-22-104(d),
16 2-2-201(a)(intro) and (b) and 5-7-105 are amended to read:

1

2 **1-16-301. Recordation of judgments and orders where**
3 **real property affected.**

4

5 (a) ~~Except as provided in subsection (b) of this~~
6 ~~section, all judgments and orders must be entered in the~~
7 ~~journal of the court and specify clearly the relief granted~~
8 ~~or order made in the action.~~ When a judgment or order is made
9 determining any matter affecting the title to real property,
10 a certified copy of the judgment or order shall be recorded
11 in the office of the county clerk of the county in which the
12 property is ~~situate~~ situated.

13

14 **1-16-307. Index to judgments.**

15

16 (a) Except as provided in subsection (b) of this
17 section, the clerk shall keep ~~an index, direct and reverse,~~
18 ~~of all judgments, by the names of parties alphabetically~~
19 ~~arranged showing in separate columns~~ and make available for
20 public inspection an index of all civil judgments containing
21 the following information:

22

1 (i) The name of the judgment debtor or, for orders
2 establishing or modifying a child support obligation, the
3 obligor;

4
5 (iii) The amount of the original judgment and the
6 year ~~and term~~ when it was rendered;

7
8 (vii) ~~The number and time of issue of~~ Whether the
9 ~~execution and satisfaction thereof when~~ notice of
10 satisfaction has been ~~made~~ filed and the date the notice was
11 filed.

12
13 (b) No index shall be made of a judgment by operation
14 of law arising under W.S. 14-2-204, and no index shall be
15 made of a judgment by operation of law arising under W.S.
16 7-9-103(d) until execution is issued upon request of the
17 victim, the division of victim services or the district
18 attorney pursuant to W.S. 7-9-103(d). Judgments whose access
19 are restricted by law or court rule shall not be included in
20 the index required under subsection (a) of this section.

21
22 (c) The clerk shall include in the index required by
23 subsection (a) of this section all judgments, decrees and

1 orders establishing or modifying a child support obligation.⁷
2 ~~provided the index in such case shall show:~~

3

4 **1-22-104. Petition for adoption of minor; by whom**
5 **filed; requisites, confidential nature; inspection; separate**
6 **journal to be kept.**

7

8 (d) The petition and documents filed pursuant to this
9 section, and the interlocutory decree, if entered, and the
10 final decree of adoption shall constitute a confidential file
11 and shall be available for inspection only to the judge, or,
12 by order of court, to the parties to the proceedings or their
13 attorneys, except as provided in W.S. 35-1-416. Upon the
14 entry of the final decree of adoption, all records in the
15 proceedings shall be sealed and may be available for
16 inspection only by order of court for good cause shown. ~~The~~
17 ~~clerk of court shall maintain a separate journal for adoption~~
18 ~~proceedings to be confidential and available for inspection~~
19 ~~only by order of the court for good cause shown.~~ The court
20 may order inspection of all or part of the confidential file
21 in adoption proceedings only if it appears to the court that
22 the welfare and best interests of the child will be served by
23 the inspection.

1

2 **2-2-201. Records required; probate docket; reports to**
3 **be made by commissioner.**

4

5 (a) The clerk of district court in each county shall
6 ~~keep a book~~ maintain a system for the recording of wills and
7 probate ~~containing~~ including:

8

9 (b) ~~A separate set of books shall be kept for~~ The clerk
10 of district court shall maintain a system for the recording
11 of each decedent's estate ~~recording~~ including all proceedings
12 concerning the probate of each will, ~~and showing~~ the entry of
13 the inventory appraisal, ~~and~~ all claims allowed, including
14 costs of the final distribution of the estate, and ~~showing~~
15 the final settlement of the estate.

16

17 **5-7-105. Clerk to record proceedings of court.**

18

19 The clerk shall ~~keep the journals, records, books and papers~~
20 ~~appertaining to~~ record the proceedings of the court, ~~and~~
21 ~~record its proceedings.~~

22

1 **Section 2.** W.S. 1-16-301(b), 1-16-307(a)(ii), (iv)
2 through (vi) and (c)(i) through (iii), 5-3-211 and 5-7-106
3 are repealed.

4

5 **Section 3.** This act is effective July 1, 2019.

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(END)