

ORIGINAL HOUSE  
BILL NO. HB0004

ENROLLED ACT NO. 11, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

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

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

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

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

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

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

(a) Except as provided in subsection (b) of this section, the clerk shall keep ~~an index, direct and reverse, of all judgments, by the names of parties alphabetically arranged showing in separate columns~~ and make available for

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public inspection an index of all civil judgments containing the following information:

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

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

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

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

(c) The clerk shall include in the index required by subsection (a) of this section all judgments, decrees and orders establishing or modifying a child support obligation. ~~7 provided the index in such case shall show:~~

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

(d) The petition and documents filed pursuant to this section, and the interlocutory decree, if entered, and the

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final decree of adoption shall constitute a confidential file and shall be available for inspection only to the judge, or, by order of court, to the parties to the proceedings or their attorneys, except as provided in W.S. 35-1-416. Upon the entry of the final decree of adoption, all records in the proceedings shall be sealed and may be available for inspection only by order of court for good cause shown. ~~The clerk of court shall maintain a separate journal for adoption proceedings to be confidential and available for inspection only by order of the court for good cause shown.~~ The court may order inspection of all or part of the confidential file in adoption proceedings only if it appears to the court that the welfare and best interests of the child will be served by the inspection.

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

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

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

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

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

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

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

(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