Packet 1

Divorce
(With Minor Children)

Forms and Procedures

For Wyoming

PLAINTIFF

2014

Published by
Wyoming Supreme Court
2301 Capitol Avenue
Supreme Court Building
Cheyenne, WY 82002

LIST OF FORMS – PACKET 1
PLAINTIFF DIVORCE WITH MINOR CHILDREN

1. List of Forms
2. Overview – Divorce with Children
3. Family Law Information and Instructions
4. Checklist
5. Civil Cover Sheet
6. Vital Statistics Form
7. Complaint for Divorce (with Children)
8. Summons
9. Confidential Statement of Parties for Child Support Order
10. Acknowledgement and Acceptance of Service
11. Initial Disclosures
12. Confidential Financial Affidavit
13. Affidavit of Imputed Income
14. Child Support Computation Form & Net Income Calculation
15. Reply to Counterclaim
16. Application for Entry of Default
17. Affidavit in Support of Default
18. Entry of Default
19. Affidavit for Divorce Without Appearance of Parties
20. Request for Setting
21. Order Setting Hearing
22. Order Setting Divorce Trial and Requiring Pretrial Statements
23. Pretrial Disclosures
24. Decree of Divorce (with Children)
25. Order for Income Withholding
26. Income Withholding for Support (or, you can open up a case with your local child support enforcement agency)
27. List of Addresses for the Clerk of District Court offices

*All underlined forms are required in a divorce with children action where the parties agree.
**Other forms may be required by your Court.

OVERVIEW

People who appear for themselves without an attorney are considered to be "self-represented" and are also known as "pro se" litigants. This packet is often referred to as the **"pro se divorce packet."** These packets work best when parties are able to agree, and become more difficult when there are children, disagreements about property, financial interests, violence, harassment or coercion. Many areas of family law are very complicated, and some courts in the State of Wyoming require certain things that others courts do not. Therefore, it is not possible to include all legal solutions available to people in a divorce action in a single packet. **Again, this packet will be most useful for people involved in an uncontested divorce (i.e., you both agree on all matters)**. There are other types of actions available, including temporary orders on child custody, support, alimony and restraining orders that are not included in this packet and might be easier to obtain with an attorney. These forms have been created to benefit the majority of people who represent themselves while also understanding that people with complex or emergency circumstances may continue to find themselves better served by getting an attorney. We hope you find this packet and the resources that it contains helpful.

DOMESTIC/FAMILY VIOLENCE:

If you or your children have been a victim of family (domestic) violence, it is recommended that you find an attorney to help you. There may be assistance available even if you cannot afford an attorney. Contact the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-307-755-0992), Legal Aid of Wyoming (1-877-432-9955) or the Wyoming State Bar (1-307-632-9061) www.wyomingbar.org. If you have concerns about confidential information such as addresses and/or social security numbers, please consult an attorney and do not attempt to do this on your own. You should also know that Protection Orders and Stalking Orders are available free of charge at the circuit court clerk's office. Please call the Wyoming Coalition Against Domestic Violence & Sexual Assault for assistance in obtaining domestic violence protection or stalking orders (1-307-755-0992). If you have ever obtained a protection order involving your spouse, you should include this information in the *Complaint for Divorce* or *Counterclaim* under the "Other Proceedings" section.

- This information packet is intended to provide general information to obtain a divorce.
- There is no guarantee these forms are still accurate and/or current. The information in this packet is not intended to replace an attorney.
- If you represent yourself, YOU PROCEED AT YOUR OWN RISK. You must decide which forms apply to your situation.
- DO NOT USE all forms, as some forms may not apply.
- Fill out the necessary forms completely and correctly.

Print or type all of the documents. **DO NOT SIGN YOUR NAME WHERE THE JUDGE OR CLERK SHOULD SIGN.**

LAWS: All laws and rules that apply to attorneys apply to you. It is your responsibility to properly prepare and file the necessary documents. **The Judge will not**

sign orders that are incorrect or incomplete, nor will the Judge give you legal advice or make corrections for you.

You should read Title 20 of the Wyoming Statutes (the divorce laws), and you should also read the Wyoming Rules of Civil Procedure. Most of the District Courts in the State of Wyoming have a courthouse library or county library where these laws and rules can be read. You may also look up these laws and rules on the internet at: www.courts.state.wy.us and clicking on "law library." Some courts have special forms they want you to use in addition to the forms contained in this packet. Check with the clerk before you file your documents.

Clerks May Not Help You Fill Out the Forms. Unless your county has a court facilitator, employees in the Clerk of District Court's office and in the Judge's office cannot help you or give you legal advice.

The Judge Cannot Talk to You, Answer Your Questions or Assist You. **Ex parte** communication is communication with the Judge with only one party present. If you have something you need to tell the Judge, you must ask for a **hearing** and give **notice** to the other party or file a written statement in the Court file and send a copy of the written statement to the other party.

Situations that Need an Attorney. Federal law may impact the division of retirement benefits, employer-provided health insurance, or other benefits which arise out of the employment of either party, and your settlement terms may not be honored by the employer or the plan administrator of the employee benefits plan if your divorce decree is not properly completed or if a "qualified domestic relations order" (QDRO) is required. In addition, in the division of retirement benefits, there may be tax consequences which you may not anticipate. If your divorce involves issues like these, see an attorney to discuss tax consequences or the terms of a QDRO, or, if dealing with insurance issues or a "qualified medical child support order."

In addition to the above situations, you should consult an attorney if:

- You are a victim of domestic/family violence
- The other party hires an attorney
- You or the other party are contemplating filing bankruptcy
- You or the other party expect to receive money because of a personal injury
- You or the other party own a business
- You or the other party have significant assets or debts
- You or the other party own real estate

Truthfulness. It is absolutely essential that you be completely honest and accurate in completing all forms. There are penalties for attempting to mislead the Court. You should read Wyoming Rules of Civil Procedure, Rule 11 (representations to the court) and Wyoming Statute § 6-5-301 (perjury).

Unauthorized Practice of Law Notice. The purpose of this packet is to assist those persons who are doing their own divorce. It may be an unauthorized practice of law for a person who is not a licensed attorney to assist others in obtaining a divorce. Such practice could subject a guilty party to punishment for contempt of court.

You are reminded that if you choose to continue without an attorney, you are expected to know what to do and how to do it. The Wyoming Supreme Court has said: "A *pro se* litigant (one without an attorney) will be granted no greater right than any other litigant and he must expect and receive…the same treatment as if represented by an attorney…" **In other words, if you do not have an attorney you will be held to the same standards as a person with an attorney.**

FAMILY LAW INFORMATION AND INSTRUCTIONS

CONFIDENTIALITY: If you have concerns about keeping information confidential, such as your address and/or social security number, please consult an attorney. You should also know that Domestic Violence Protection Orders or Stalking Orders are available free of charge at the circuit court clerks' offices. You may request assistance in obtaining Domestic Violence Protection or Stalking Orders from your local domestic violence or sexual assault program or you may call the Wyoming Coalition Against Domestic Violence & Sexual Assault (844) 264-8080 (toll free) or (307) 755-0992. There are also private attorneys who may be willing to assist clients in these matters. If you have ever obtained a Protection Order against the other party, this information should be indicated in the ***Complaint for Divorce*** or the ***Counterclaim***.

Read through the following information and instructions before completing the forms to make sure you qualify to file a divorce in Wyoming. To file a complaint, either 1) you or your spouse must live in Wyoming for at least sixty (60) days immediately before you file, or 2) you must have been married in Wyoming and you or your spouse must have lived in Wyoming ever since. You must fill out all forms as completely as possible. If your forms are not complete, the Judge may reject your packet.

Step 1. Getting Started.

The following forms are required in all uncontested divorce cases. It is recommended that you complete all of these forms before you file the *Complaint for Divorce* so that they will be ready to be filed at the appropriate time:

1. Civil Cover Sheet
2. Vital Statistics form
3. Complaint for Divorce (with Children)
4. Summons
5. Acknowledgement and Acceptance of Service
6. Confidential Statement of the Parties for Child Support Order
7. Confidential Financial Affidavit
8. Affidavit for Divorce Without Appearance of Parties
9. Decree of Divorce (with Children)
10. Order for Income Withholding
11. Income Withholding for Support (or, you can open a case with your local child support enforcement agency)

*Other forms may be required depending on the Court and on your situation. If additional forms are needed, they will be discussed below where applicable.

Step 2. File your divorce case.

A divorce case begins with the filing of a ***Complaint for Divorce***. A *Complaint for Divorce* is a written request to the court for a divorce. The person who originally asks for this legal action is called the **Plaintiff** and remains the Plaintiff throughout the case.

Notarizing Signatures. You will need to sign the *Complaint for Divorce* and have it notarized. Notarial Officers may administer the oath and witness your signature, or in many cases, Clerks of Court will be willing to administer the necessary oath. Each Clerk's office has their own policy so check with them first before seeking notarization of your signature on the forms.

Where to file. You will file your case in the District Court in the county where either you or your spouse resides. The *Complaint for Divorce* is given to the **Clerk of the District Court**, whose office is usually located in the county courthouse or a branch of the county courthouse. A list of the Clerks of District Court for each Judicial District is included in the packet. A **filing fee** is required. Ask the Clerk what the amount of the filing fee is and what forms of payment are accepted.

Case Number: When you start a lawsuit by filing the paperwork with the Clerk of the District Court, a case number will be assigned by the Clerk. You must include that case number on all further paperwork in the "**caption.**" The caption is the top section of a pleading, motion, and complaint stating the name of the Plaintiff, the Defendant, the District Court the case is filed in and the case number.

Other forms to file with the Complaint.

A. When you file the *Complaint for Divorce*, you will also need to file the ***Civil Cover Sheet***. Follow the instructions that accompany this form.

B. You will also need to file the ***Vital Statistics form***. Fill out all portions of this form EXCEPT the "Decree" section, which will be completed by the Clerk when your divorce is final.

C. You will also need to fill out and file a ***Confidential Statement of the Parties for Child Support Order***. This form provides the Court with personal information (such as social security numbers and birth dates) of the parties involved in your case as required by statute, but permits the information to be located in a confidential file so that the general public does not have access to the information.

D. You will also need to have the Clerk sign (a/k/a "issue") the ***Summons*.**

How many copies. Take the original and two (2) copies of each document to the Clerk's office. The Clerk will give copies of each document back to you after stamping them with the date they were filed. This is called a "**file stamp.**" You should keep one copy of each document for your records. The other set of documents will need to be served upon the Defendant.

Summary of Step 2: To start your divorce case, you will need to file the following documents with the Clerk of the District Court's office located in the county courthouse in the county where either you or your spouse resides:

A. ***Civil Cover Sheet***
   a. Follow the instructions that accompany this form for help completing it correctly;
B. ***Vital Statistics Form***
   a. Fill out all portions, EXCEPT the "Decree" section, which will be completed by the Clerk when your divorce is final;
C. ***Complaint for Divorce (with Children)***;
D. ***Confidential Statement of the Parties for Child Support Order;*** and
E. ***Summons***;
F. Pay the ***filing fee***;
G. Take the original and two (2) copies of each document to the Clerk's office.
   a. The Clerk will give both copies back to you after file-stamping them.
   b. You should keep one copy for your records.
   c. The other set of documents will need to be served upon the Defendant (Step 3).

Step 3. Serve the Defendant.

The person against whom the original legal action is being requested is called the **Defendant** and remains the Defendant throughout the case. The Defendant is expected to file an answer to the *Complaint for Divorce*.

Once your case has been filed with the Clerk, a file-stamped copy of the paperwork must be formally given to (a/k/a **served** on) the Defendant. The Defendant needs to be served with the *Complaint for Divorce,* the *Confidential Statement of the Parties for Child Support Order,* and the *Summons* so the Court has proof that he or she received the papers. **A Sheriff must personally serve the *Complaint for Divorce, Confidential Statement of the Parties for Child Support Order*, and the *Summons* on the Defendant, unless the Defendant completes an *Acknowledgment and Acceptance of Service* form. Other forms of service exist, but these are the two easiest methods that meet the formal service requirement for a *Complaint for Divorce*. If you cannot serve the Defendant by either of these methods, ask the Clerk for additional forms for alternative methods of service. These forms are also available in Pro Se Packet 10.**

You MUST give the Defendant official notice that you have filed for divorce **within 90 days** from the date you filed the *Complaint for Divorce* and *Confidential Statement of the Parties for Child Support Order*. This is done by serving a file-stamped copy of the *Summons,* the *Complaint for Divorce,* and the *Confidential Statement of the Parties for Child Support Order* upon the Defendant or by having the Defendant sign an *Acknowledgment and Acceptance of Service* form stating that copies of those documents were received. If you do not serve the Defendant within 90 days, your case can be dismissed by the Court.

A. **How to Serve the Defendant.** Choose **ONLY ONE** of the following options to serve the Defendant:

Option 1– Service by Sheriff

Summons. It is recommended to have a Sheriff in the county where the Defendant can be found serve him or her with the papers. There will be a separate **service fee** (usually fifty

($50.00) dollars in Wyoming). You can contact the Sheriff's department in the county where the Defendant lives to determine the fee charged by the Sheriff. This is also true if your spouse is going to be served out of state. You will need to provide the Sheriff in the county where your spouse resides with a file-stamped copy of the *Summons*, *Complaint for Divorce*, and *Confidential Statement of the Parties for Child Support Order* to be served on the Defendant.

Proof of Service. The Sheriff's office will complete the last page of the *Summons* called the "***Return***" (or they may have their own form – an "***Affidavit of Service***") and will usually file the original with the Clerk's office and send you a copy. If you receive what looks like the original "*Return*" or "*Affidavit of Service*" from the Sheriff, call the Clerk's office to ensure the original has been filed. If it has not, then file the original with the Clerk's office and keep a copy for yourself. This is the proof that the Defendant was given proper notice.

> **Note**: Once the Defendant has been served, you MUST file the original *Summons* and the *Return* (or *Affidavit of Service*) with the Clerk's office so that the Judge knows that proper service was made.

OR:

Option 2 – Acknowledgement and Acceptance of Service. If the Defendant agrees, he or she may sign a form stating that a file-stamped copy of the *Summons*, *Complaint for Divorce,* and *Confidential Statement of the Parties for Child Support Order* were received. If the Defendant agrees, you will need to fill out an *Acknowledgement and Acceptance of Service* form. The Defendant must sign this document in front of a notarial officer.

Proof of Service. Once the *Acknowledgement and Acceptance of Service* form is signed, the original and two (2) copies of the signed form must go to the Clerk's office for filing. You should keep one copy for your records and provide the other copy to the Defendant.

> **Note**: You must file the signed *Acknowledgment and Acceptance of Service* **AND** the *Summons* with the Clerk's office so that the Judge knows that proper service was made on the Defendant.

Summary of Step 3: You MUST give the Defendant official notice that you have filed for divorce within 90 days from the date you filed the *Complaint for Divorce*. Choose one of the following methods:

Option 1 – Service by Sheriff

A. Provide a file-stamped copy of the *Summons*, *Complaint for Divorce*, and *Confidential Statement of the Parties for Child Support Order* to the Sheriff where the Defendant lives;
B. Pay the *service fee;* and
C. Once the Defendant is served, be sure the original *Summons* and the original *Return* or *Affidavit of Service* are filed with the Clerk's office; **OR**

Option 2 – Acknowledgement and Acceptance of Service

A. Provide a file-stamped copy of the *Summons*, *Complaint for Divorce*, and *Confidential Statement of the Parties for Child Support Order* to the Defendant;
B. Have the Defendant sign the *Acknowledgment and Acceptance of Service* form in front of a notarial officer;
C. File the original *Acknowledgment and Acceptance of Service* form with the Clerk's office; and
D. File the original *Summons* with the Clerk's office

Step 4. Wait for the Defendant's time to Answer to expire. Once the Defendant is served, he or she has 20 days (if served in the State of Wyoming) or 30 days (if served out-of-state) to file an ***Answer*** to the *Complaint for Divorce*. You must wait for the appropriate time period to expire before you can proceed with the divorce case. You must wait the 20 days (or 30 days if served out-of-state) even if the Defendant tells you that he or she is not going to file an *Answer*.

- **Computation of Time Limits**. - In computing most time limits, unless otherwise stated, the day the document is served shall not be included. The last day of the time period is included, unless it lands on a Saturday, a Sunday, or a legal holiday, or, if the Court is closed, then the time limit will be on the very next day that the Courthouse is open. **If you have questions about time limits you should seek the advice of an attorney.**

- While waiting, move on to **Step 5**. You can also use this time to continue to work on the other required forms to be sure they are filled out completely and correctly.

Summary of Step 4: You MUST wait for the Defendant's time to file an *Answer* to expire before you can proceed with your divorce case. In the meantime:

A. Mark on the calendar when the Defendant's time to *Answer* expires;
B. Move on to **Step 5** while waiting; and
C. Use this time to ensure the required forms are filled out completely and correctly.

Step 5. Initial Disclosures. The law requires certain information be made available to the other party within thirty (30) days after the Defendant's *Answer* is required to be served on the Plaintiff (use the table in 5.A. below to determine date). The information consists of a schedule of financial assets; schedule of non-financial assets; schedule of all debts owed individually or jointly; location(s) of safety deposit box(es); employment information; information regarding other income and retirement accounts; and a summary of the facts believed to support the claim of superior entitlement to custody where child custody is at issue. Both parties are required to provide this information in order to fully disclose finances of the parties relating to the calculation of child support.

Please note that "A party must make its disclosures based on the information then reasonably available to it and is not excused from making its disclosures because it has not fully completed its investigation of the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures."

A. **WHEN TO PROVIDE**: Initial Disclosures must be provided to the Defendant (or his/her attorney) WITHIN 30 DAYS AFTER THE DEFENDANT'S *ANSWER* IS REQUIRED TO BE SERVED ON YOU (use table below). **Be sure to keep a copy of your Initial Disclosures form for your records.** Use the following to determine the date when you and the Defendant are required to provide initial disclosures to one another.

1. Begin with the date the Defendant was served with the Complaint: _____

2. Next, determine when the Defendant is required to file an *Answer*:

   a. If the Defendant was served in Wyoming, add 20 days to the date in #1: _____

   OR

   b. If the Defendant signed an Acknowledgement and Acceptance of Service, add 20 days to the date in #1: _____

   OR

   c. If the Defendant was served out-of-state, add 30 days to the date in #1: _____

3. Add 30 days to the date in #2(a), (b), or (c): _____

The date set forth in #3 is the date by which you and the Defendant must provide your completed Initial Disclosures forms to one another.

B. **DO NOT FILE THE INITIAL DISCLOSURES WITH THE COURT**. This form is only given to the Defendant (or his/her attorney).

RECAP for Step 5: You MUST provide your *Initial Disclosures* to the Defendant within 30 days after the Defendant's *Answer* is required to be served on you (use the table in 5.A. above to determine date). Mark on the calendar the deadline to provide your *Initial Disclosures*; and

A. Provide your *Initial Disclosures* to the Defendant by the deadline.

B. DO NOT file the *Initial Disclosures* with the Clerk's office.

****

Step 6. Once the time for the Defendant to file an *Answer* has expired and you've sent your *Initial Disclosures* to the Defendant, then several options exist to move your case forward to get a *Decree of Divorce*. Pick the option that best describes your situation:

Option A. If the Defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all of the issues of your divorce, follow **Option A** below.

Option B. If the Defendant did not file an *Answer* or *Answer and Counterclaim*, follow **Option B** below.

Option C. If the Defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on all of the issues of your divorce, follow **Option C**.

Option A. *The following instructions apply* if the Defendant filed an *Answer* or *Answer and Counterclaim*, and you both agree on all of the issues of your divorce. If you and the Defendant agree on the issues involved in your divorce, then you will need to complete the following:

A. **Fill out a *Confidential Financial Affidavit* and attach all required documents.**

- Both parties are required to file a ***Confidential Financial Affidavit*** including the required attachments with the Court. If the Defendant does NOT file a *Confidential Financial Affidavit*, you will need to complete an ***Affidavit of Imputed Income*** to show the Court how much money the Defendant makes. This is an additional form contained in your packet.

- **Required Attachments.** The *Confidential Financial Affidavits* of the parties must be supported with documentation of both current and past earnings. Proper documentation of current earnings includes, but is not limited to, pay stubs, employer statements, or receipts and expenses if self-employed. Documentation of current earnings shall be supplemented with copies of the most recent tax return to provide verification of earnings over a longer period. Include copies of income tax returns for the previous two years and your most recent pay stub(s) to show how much you have made so far this year. Be sure to also include copies of your health insurance cards, if applicable.

B. Fill out an ***Affidavit for Divorce Without Appearance of Parties***. This form provides the admissible evidence the Court needs to enter a *Decree* without requiring the parties to attend a hearing.

C. Fill out a ***Decree of Divorce (with Children).*** This form will need to be filled out completely, signed by both you and the Defendant and both of your signatures must be notarized. **In addition to signing the *Decree*, you should also initial each page of the *Decree* to verify that each page contains the terms you agreed upon.** Here are some important laws and helpful hints in completing the *Decree of Divorce*:

- **Custody and Visitation**. You and the Defendant need to determine which custody and visitation plan will apply in your circumstances. It is unusual for the Court not to award any visitation or supervised visitation to the non-custodial parent.

    - *If there is a concern that your child(ren) may be harmed by the other parent physically and/or emotionally, you should seek advice from someone familiar with parenting and child development issues. There may be an organization in your community that can help facilitate visitation between the children and you or the other parent. You can also*

contact the facilitators of any parenting classes in your community for other ideas.

- **Factors to be considered for awarding custody and visitation.** The *Decree of Divorce* contains several options for custody and visitation arrangements. Ideally, both parents will work together to select the proper custody and visitation plan depending upon the family circumstances. In awarding custody and setting forth a visitation plan, Wyoming law requires that the Court consider the following factors:

    1. The geographic location of each parent;
    2. Each parent's willingness and ability to perform the child care duties associated with the child(ren), relative to the child(ren)'s stage of development such as feeding, changing, bathing, preparing the child(ren) for school, taking responsibility for the child(ren)'s homework, etc.;
    3. Each parent's ability to care for the child(ren)'s needs (consider not only historical involvement but a parent's willingness and ability to learn the necessary skills, as well);
    4. The lack of hostility between the parents;
    5. The ability of both parents' work schedules and the child(ren)'s schedule to accommodate extended access;
    6. The child(ren)'s age(s) and strength of attachment to each parent;
    7. The child(ren)'s relationship with his/her friends.

- **Child(ren)'s interests should control.** The use of a calendar for scheduling purposes is highly recommended. The parents' work schedules and the child(ren)'s school and extracurricular activities need to be considered when developing a visitation plan. This is especially true for those parents who do not enjoy a traditional work week. While visitation should be an enjoyable and enriching experience, it is an obligation and responsibility for each parent as well as a right and a privilege. Both parents must also have a good faith commitment to developing and carrying out a visitation plan. You need to focus on what type of schedule would be in the child(ren)'s best interest.

- **Parenting classes**. At any time, the Court may require parents to attend appropriate parenting classes, including, but not limited to, parenting classes to lessen the effects of divorce on children. Both parents are generally required to attend classes when they are ordered. If the class is ordered, you MUST file a ***Certificate of Completion*** with the Clerk's office. This certificate is provided by the class instructor.

- **Child Support Payments**. You will need to determine the amount of child support due based upon the *Confidential Financial Affidavits* you and the Defendant completed (or by the *Affidavit of Imputed Income* if the Defendant did not complete his/her own *Confidential Financial Affidavit*). You may use the

Child Support Computation Form as a guide to help you calculate the support due or contact your local child support enforcement agency for assistance. Another option is to go online to:
https://childsupport.wyoming.gov/calculator/index.html
to calculate child support.

- **You CANNOT agree that no support will be paid**. Wyoming law allows for a reduced amount of support when you agree on joint physical custody, each parent keeps the child(ren) overnight for more than twenty-five percent (25%) of the year, and both parents contribute substantially to the expenses of the children in addition to the payment of child support.

- If the difference between the noncustodial parent's net income and the self-support reserve is less than the support obligation as calculated from the tables in 20-2-304(a), the support obligation shall be set using the difference between the noncustodial parent's net income and the self-support reserve. "Self-support reserve" means the current poverty line for one (1) person as specified by the poverty guidelines updated periodically in the Federal Register by the United States department of health and human services under the authority of 42 U.S.C. 9902(2). See W.S. § 20-2-304(f).

- There are NO DEVIATIONS from the presumed support allowed UNLESS the Court CHOOSES to deviate from the set amount because the amount was unjust or inappropriate in the particular case. The Court must include the specific reasons for deviation in the *Decree of Divorce*.

- **NO AGREEMENTS FOR LESS THAN THE PRESUMED SUPPORT CAN BE APPROVED IF GOVERNMENT OR STATE BENEFITS (SUCH AS TITLE 19, KID CARE, FOOD STAMPS, POWER, ETC.) ARE BEING PROVIDED ON BEHALF OF ANY CHILD.** This means the Court cannot lower the amount of child support calculated by using the net income of you and the Defendant even if you and the Defendant agree to a lower amount of support.

- **Medical Support**. The law requires that medical support for the child(ren) be included as part of any child support order. The Court shall order either or both of the parents to provide medical support if insurance can be obtained at a reasonable cost and the benefits under the insurance policy are accessible to the children. This may include dental, optical or other health care needs for the child(ren). In addition, the Court will order that any medical expenses not covered by insurance and any deductible amount on the required insurance coverage be paid by one or both parents. If both parents are ordered to pay for expenses not covered by insurance, the Court will specify the proportion for

which each parent is responsible (for example, 50% to Plaintiff and 50% to Defendant).

D. Fill out an ***Order for Income Withholding***. The Court is required by statute to enter an *Order for Income Withholding* in every case where child support has been ordered.

E. Fill out an ***Income Withholding for Support***. This form is required if you need to have the child support paid directly from a non-custodial parent's employer. If you need assistance in filling out this form, or if you need assistance in collecting child support, you should contact the child support enforcement agency in your district. The Clerk can provide you with the agency's contact information.

F. **Other Forms**: Other forms may be required depending on the county where your case is filed. Ask the Clerk if additional forms are required before your *Decree of Divorce* will be entered.

G. **Copies and Envelopes**. Take an original and two (2) copies of each of the above documents for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the Defendant). A copy of any documents that you file (other than the *Decree of Divorce*) must be sent to the Defendant on the date that you filled out on the *Certificate of Service* on each document.

- If a hearing is not required by your Court, the Clerk will mail a copy of your *Decree of Divorce* if accepted by the Court.

- If a hearing is required by your Court, follow the next steps:

H. **Hearing**. In some Courts, a hearing is required before the Judge will sign the *Decree of Divorce*. If this is the case, you will need to request a hearing by completing the ***Request for Setting***. If you have reached an agreement, check the box that states that the parties have reached an agreement. Indicate how much time you will need for the hearing (usually 15 minutes if there is an agreement). You will file the ***Order Setting Hearing*** with the Clerk's office, and the Court will fill in the hearing date and time and mail a copy to you and the Defendant. You will need to provide an addressed, stamped envelope for you and the Defendant to the Clerk. These documents are additional forms that are contained in your packet.

I. **Evidence**. At the hearing, you will need to tell the Judge that either 1) you or your spouse have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, or 2) you and your spouse were married in Wyoming and at least one of you has lived in Wyoming ever since. You will also need to tell the Judge about irreconcilable differences in the marriage (why you want a divorce), and why the settlement you reached (who gets what) is fair.

Give the *Decree of Divorce* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law.

Following the hearing, the Judge will make any necessary changes to the *Decree of Divorce* and will sign it.

J. **When will your divorce become final**? Your divorce will not be final until the Judge signs the *Decree of Divorce* and it is filed with the Clerk. This process may take time if the Judge requires changes to the proposed *Decree*. You must verify with the Clerk that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final.

Summary of Option A: If you and the Defendant agree on all issues in the divorce and the Defendant filed an *Answer* or *Answer and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the Defendant unless otherwise stated below.

1. *Confidential Financial Affidavit;*
2. *Affidavit for Divorce Without Appearance of Parties*;
3. *Order for Income Withholding*;
4. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency);
5. *Decree of Divorce (with Children)*
   - Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the Defendant);
6. Complete and file any additional documents required by your Court;
7. If your Court requires a hearing before entering a *Decree of Divorce*, then you will also need to file and do the following:
   - *Request for Setting*
   - *Order Setting Hearing*
   - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the Defendant);
   - Attend the Hearing.

Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.

Option B. If the Defendant does not file an *Answer* or *Answer and Counterclaim*, obtain a default divorce by following these steps:

A. **Default Divorce**. After the required waiting period has expired, you may obtain what is referred to as a divorce by default if the Defendant does NOT file an *Answer* or *Answer and Counterclaim* to the *Complaint for Divorce.*

B. **Necessary forms.** Fill out and sign the ***Application for Entry of Default*** and ***Affidavit in Support of Default***. Take an original and two (2) copies of these documents to the Clerk and the blank ***Entry of Default***. If your paperwork is correct, the Clerk will sign the *Entry of Default*. These are additional forms that are contained in your packet.

C. **Additional Documents**. After the *Entry of Default* is signed by the Clerk, complete **Step 6, Option A, items A through G** above. **MAKE SURE TO MARK "DEFAULT" ON THE DECREE.**

D. **Default Hearing**. Some Courts will not enter a *Default Decree of Divorce* unless there is a hearing. Ask the Clerk if this is required for your Court. If it is, fill out a ***Request for Setting*** and request 15 minutes for the hearing. You will file the ***Order Setting Hearing*** with the Clerk's office, and the Court will fill in the hearing date and time and mail a copy to you and the Defendant. You will need to provide an addressed, stamped envelope for you and the Defendant to the Clerk.

E. **Evidence**. At the hearing, you will need to tell the Judge that either 1) you or your spouse have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, or 2) you and your spouse were married in Wyoming and at least one of you has lived in Wyoming ever since. You will also need to tell the Judge about irreconcilable differences in the marriage (why you want a divorce), and why the settlement you reached (who gets what) is fair.

Give the *Decree of Divorce* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law. Following the hearing, the Judge will make any necessary changes to the *Decree of Divorce* and will sign it.

F. **When will your divorce become final?** Your divorce will not be final until the Judge signs the *Decree of Divorce* and it is filed with the Clerk. This may take time if the Judge requires changes to the proposed *Decree*. You must verify with the Clerk that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final. The time limit to appeal a decree begins to run from the day the *Decree of Divorce* is filed with the Clerk's office.

Summary of Option B: If the Defendant did NOT file an *Answer* or *Answer and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the Defendant unless otherwise stated below.

1. *Application for Entry of Default*
2. *Affidavit in Support of Default*
3. *Entry of Default* (Clerk will sign if your paperwork is correct)
4. *Confidential Financial Affidavit*
5. *Affidavit for Divorce Without Appearance of Parties*
6. *Order for Income Withholding*
7. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
8. *Decree of Divorce (with Children)* **MAKE SURE TO MARK "DEFAULT" ON THE DECREE.**
    - Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the Defendant).

9. Complete and file any additional documents required by your Court.
10. If your Court requires a hearing before entering a *Decree of Divorce*, then you will also need to file and do the following:
    - *Request for Setting*
    - *Order Setting Hearing*
    - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the Defendant).
    - Attend the Hearing

Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.

Option C. If the Defendant *Answers* or *Answers and Counterclaims*, and you and the Defendant do NOT agree on all issues of your divorce, you will need to have a trial:

A. **You must file a *Reply* to the *Counterclaim***. If the Defendant has filed an *Answer and Counterclaim* for a divorce, you will have a time limit (usually 20 days) to file a written response (***Reply to Counterclaim***) to the counterclaim. The original, signed copy of your reply must be filed with the Clerk and a copy must be sent to the Defendant (or his/her attorney).

- **Caution: If you do not file the original *Reply to Counterclaim* with the Clerk within the time allowed, the Defendant can seek a default divorce against you and may get what he/she asked for in his/her counterclaim.**

B. **Trial.** If there is no agreement, your case will have to be heard and decided by a Judge at a trial.

- **Caution: It is strongly recommended that you hire or find an attorney to represent you at trial, though you may represent yourself. You proceed at your own risk and will be expected to know the laws.**

C. **Request a trial date.** You will need to request a hearing by completing a ***Request for Setting***. Write in "trial" where it asks the type of hearing. Indicate how much time you think it will take for you and the other party to present your evidence and write that in (usually one (1) to three (3) hours). You also need to decide whether or not you want a Court reporter to record the proceeding. SEE BELOW FOR DETAILS ON GETTING A COURT REPORTER. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not get a Court reporter to take down everything that is said at the trial.

- You must file the ***Request for Setting*** and the ***Order Setting Divorce Trial and Requesting Pretrial Statements*** with the Clerk's office, and the Court will fill in the

hearing date and time and mail a copy to you and the other party. You will need to provide an addressed, stamped envelope for you and the Defendant to the Clerk. Both the *Request for Setting* and the *Order Setting Divorce Trial and Requiring Pretrial Statements* are additional forms contained in your packet.

D. **Pretrial Disclosures**. Both parties must provide to the other party AND PROMPTLY FILE WITH THE COURT the *Pretrial Disclosures* regarding the evidence that it may present at trial. If you have questions, you should contact an attorney.

- When are the *Pretrial Disclosures* due? Unless otherwise directed by the Court, these disclosures must be made at least **30 days before trial**.

- Take the original and two (2) copies to the Clerk for filing. Keep one copy for your records and send the other copy to the Defendant (or his/her attorney).

E. **Settlement before trial.** In the event that your case settles before the trial, you must present the Court with the completed and signed *Decree of Divorce* before the Court will take the trial off of the schedule. There will be no continuances or canceling of the trial date based on telephone calls. If you need a continuance, you should contact an attorney for assistance in seeking one.

F. **Court reporter.** If you wish to have a court reporter you shall provide notice to the official court reporter as soon as possible, but no later than **three (3) working days** before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing. The Clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials.

G. **Evidence and witnesses.** At the hearing, you will need to present your evidence and witnesses. If the *Order Setting Divorce Trial and Requesting Pretrial Statements* is entered (signed by the Judge), you must follow the terms and provide the Court with the information requested in that document, including copies of exhibits you want to introduce at the trial and a list of your proposed witnesses and what their testimony is going to be about within the time frame ordered (usually 3 to 5 days prior to the trial). Under the law, the Judge cannot help you or assist you at trial. You are on your own without an attorney.

H. **Final Decision (*Decree of Divorce*).** Following the trial, the Judge will make a decision or may take the matter under advisement, meaning he or she will need to think further before making a determination. If the Judge instructs you, you must take that decision and type it into the *Decree of Divorce* incorporating the Judge's decision.

- **You are again reminded that, if you choose to continue without an attorney, you are expected to know what to do and how to do it. The Judge will not**

guide you through the trial/hearing, tell you how to proceed, or advise you on the law.

- **You MUST also file the documents outlined in Step 6, Option A, items A and C through G above.**

I. **When will your divorce become final?** Your divorce will not be final until the Judge signs the *Decree of Divorce* and it is filed with the Clerk of Court. This process may take time if the Judge requires changes to the proposed *Decree.* You must verify with the Clerk's office that the *Decree of Divorce* has been file-stamped before you can be sure your divorce is final. The time limit to appeal a decree begins to run from the day the *Decree of Divorce* is filed with the Clerk's office.

Summary of Option C: If the Defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on the issues, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the Defendant unless otherwise stated below.

1. If the Defendant filed an *Answer and Counterclaim*, file a *Reply to the Counterclaim* within 20 days after you receive the *Answer and Counterclaim*.
2. Request a trial date
   a. *Request for Setting*
   b. *Order Setting Divorce Trial and Requiring Pretrial Statements*
   c. Take an original and two (2) copies of the *Order Setting Divorce Trial and Requiring Pretrial Statements* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Order Setting Divorce Trial and Requiring Pretrial Statements* to you and the Defendant)
3. File your *Pretrial Disclosures* and *Pretrial Memorandum*
4. No later than 3 working days before the trial, request a court reporter, if desired
5. Attend the Trial
6. *Decree of Divorce (with Children)*
   a. Take an original and two (2) copies of the *Decree of Divorce* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Defendant with enough postage to cover the cost of mailing the *Decree of Divorce* to you and the Defendant)
7. *Order for Income Withholding*
8. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
9. Complete and file any additional documents required by your Court.

Your divorce is final when the *Decree of Divorce* has been signed by the Judge and filed by the Clerk.

CHECKLIST FOR PACKET 1
PLAINTIFF DIVORCE WITH MINOR CHILDREN

<u>This checklist is for your convenience and is not a substitute for the detailed instructions. Please be sure to read the detailed instructions.</u>

STEP 1. These forms are required in all divorce cases where you and the Defendant agree on all of the issues:

- Civil Cover Sheet
- Vital Statistics Form
- Complaint for Divorce (with Children)
- Summons
- Acknowledgment and Acceptance of Service
- Confidential Statement of the Parties for Child Support Order
- Confidential Financial Affidavit
- Affidavit for Divorce Without Appearance of Parties
- Decree of Divorce (with Children)
- Order for Income Withholding
- Income Withholding for Support (or, you can open up a case with your local child support enforcement agency)

*Other forms may be required based on your situation or on the Court where you are filing your divorce. If other forms are required based on your situation, they will be discussed below. You will need to check with the Clerk to determine if the Court requires further documents.

STEP 2. File your Divorce in the District Court in the county where either you or your spouse resides within the State of Wyoming. Take an original and two copies with you. The Clerk will keep the original. Keep one copy for yourself. The other copy is for service upon the Defendant as described in **Step 3**.

- ☐ *Civil Cover Sheet*
- ☐ *Vital Statistics Form*
- ☐ *Complaint for Divorce (with Children)*
- ☐ *Summons*
- ☐ *Confidential Statement of the Parties for Child Support*
- ☐ Pay filing fee (check with Clerk for amount and payment options)

STEP 3. Serve the Defendant (Choose 1 option below).

- ☐ Defendant signed the *Acknowledgement and Acceptance of Service* form

☐ File original *Acknowledgment and Acceptance of Service* form; and
☐ File original *Summons* with the Court; **OR**

☐ Defendant was personally served by the Sheriff
☐ File original *Summons* and the *Return* or *Affidavit of Service* completed by Sheriff with the Court.

STEP 4. Wait the required time for Defendant to file an *Answer* to the *Complaint*.

☐ **20 days have elapsed.** Defendant was personally served in the State of Wyoming or signed an *Acknowledgement and Acceptance of Service* form; **OR**

☐ **30 days have elapsed**. Defendant was personally served outside the State of Wyoming.

STEP 5. Complete the *Initial Disclosures*

☐ Send the *Initial Disclosures* to the Defendant within **30 days** after the Defendant was personally served by the Sheriff or signed the Acknowledgment and *Acceptance of Service* form. DO NOT FILE the *Initial Disclosures* with the Court.

STEP 6. There are three options to choose from on this step depending on your situation. Review each option carefully and pick the option that best describes your situation.

Option A: If the Defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all issues, complete **Option A.**

Option B: If the Defendant did not file an *Answer* or *Answer and Counterclaim*, complete **Option B**.

Option C: If the Defendant filed an *Answer* or *Answer and Counterclaim* and you do NOT agree on all issues, complete **Option C**.

OPTION A: If the Defendant filed an *Answer* or *Answer and Counterclaim* and you both agree on all issues, fill out and file the following documents to finish your Divorce:

☐ ***Reply to Counterclaim***. If the Defendant filed an *Answer and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the date the Defendant filed the *Answer and Counterclaim*. You do NOT need to complete this form if the Defendant only filed an *Answer*.

☐ *Confidential Financial Affidavit*
☐ If employed, attach tax returns for prior 2 years; and

- ☐ Attach statement of earnings for the current year;
- ☐ Attach documentation about health insurance if applicable OR
- ☐ If self-employed, attach verified income and expense statements for prior two years;
- ☐ Attach tax returns for prior 2 years; and
- ☐ Attach documentation about health insurance if applicable.

☐ Additional forms that may be needed:

- ☐ ***Affidavit of Imputed Income***. If the Defendant does NOT file a *Confidential Financial Affidavit,* you will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the Defendant makes. You do not need to complete this form if the Defendant filed a *Confidential Financial Affidavit*.
- ☐ *Affidavit for Divorce Without Appearance of Parties*
- ☐ *Decree of Divorce (with Children)*
- ☐ *Order for Income Withholding*
- ☐ *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency).

☐ Copies and Envelopes:

- ☐ Take an original and 2 copies of each form to the Clerk for filing.
- ☐ One envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
- ☐ One envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the Defendant.
- ☐ Mail a copy of the other forms to the Defendant and keep a copy for your records.

☐ Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.

- ☐ *Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk.)
- ☐ Copies and Envelopes for each additional form:
  - ☐ Take an original and 2 copies of each additional form to the Clerk for filing.
  - ☐ Mail a copy of any additional form filed with the Clerk to the Defendant and keep a copy for your records.

☐ Hearing. Some Courts require a hearing before the Judge will sign the *Decree of Divorce*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.

- ☐ *Request for Setting*
- ☐ *Order Setting Hearing* (Judge will fill out date and time)
- ☐ Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.
- ☐ Take an envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the Defendant.
- ☐ Mail a copy of the *Request for Setting* to the Defendant and keep a copy for your records.

☐ Attend the Hearing. Be on time, dress respectfully, and do the following:

- ☐ Tell the Judge that either 1) you or your spouse have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, or 2) you and your spouse were married in Wyoming and at least one of you has lived in Wyoming ever since.
- ☐ Tell the Judge about irreconcilable differences in the marriage (why you want a divorce).
- ☐ Tell the Judge why the settlement you reached (who gets what) is fair.
- ☐ Give the *Decree of Divorce* to the Judge. The Judge will make any necessary changes to the *Decree of Divorce* and will sign it.

Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.

OPTION B. If the Defendant does NOT file an *Answer*, fill out and file the following documents to finish your Divorce:

- ☐ *Application for Entry of Default*
- ☐ *Affidavit in Support of Default*
- ☐ Take a blank *Entry of Default* for the Clerk to sign
- ☐ *Confidential Financial Affidavit*
- ☐ Attach tax returns for prior 2 years; and
  - ☐ If employed, attach tax returns for prior 2 years;
  - ☐ Attach statement of earnings for the current year; and
  - ☐ Attach documentation about health insurance if applicable; OR
  - ☐ If self-employed, attach verified income and expense statements for prior two years;

- ☐ Attach tax returns for prior 2 years; and
- ☐ Attach documentation about health insurance if applicable.

☐ *Affidavit of Imputed Income*. You will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the Defendant makes.

☐ *Affidavit for Divorce Without Appearance of Parties*

☐ *Decree of Divorce (with Children)*

☐ *Order for Income Withholding*

☐ *Income Withholding for Support* (or, you may open up a case with your local child support agency)

☐ Copies and Envelopes.

- ☐ Take an original and 2 copies of each form to the Clerk for filing.
- ☐ Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
- ☐ Take an envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the Defendant.
- ☐ Mail a copy of the other forms to the Defendant and keep a copy for your records.

☐ Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.

- ☐ *Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
- ☐ Copies and Envelopes for each additional form:
  - ☐ Take an original and 2 copies of each additional form to the Clerk for filing.
  - ☐ Mail a copy of any additional form filed with the Clerk to the Defendant and keep a copy for your records.

☐ Hearing. Some Courts require a hearing before the Judge will sign the *Decree of Divorce*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.

- ☐ *Request for Setting*
- ☐ *Order Setting Hearing* (Judge will fill out date and time)
- ☐ Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.
- ☐ Take an envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the Defendant.

- ☐ Mail a copy of the *Request for Setting* to the Defendant and keep a copy for your records.

☐ Attend the Hearing. Be on time, dress respectfully, and do the following:

- ☐ Tell the Judge that either 1) you or your spouse have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, or 2) you and your spouse were married in Wyoming and at least one of you has lived in Wyoming ever since.
- ☐ Tell the Judge about irreconcilable differences in the marriage (why you want a divorce)
- ☐ Tell the Judge why the settlement you reached (who gets what) is fair
- ☐ Give the *Decree of Divorce* to the Judge. The Judge will make any necessary changes to the *Decree of Divorce* and will sign it

Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.

OPTION C. If the Defendant files an *Answer* or *Answer and Counterclaim*, and you both do NOT agree on all of the issues of your divorce, fill out and file the following forms and attend the trial to finish your Divorce:

***Caution: It is strongly recommended that you hire or find an attorney to represent you at trial, even though you may represent yourself. You proceed at your own risk and will be expected to know the rules and laws.**

☐ *Reply to Counterclaim*. If the Defendant filed an *Answer and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the date the Defendant filed the *Answer and Counterclaim*. You do not need to complete this form if the Defendant only filed an *Answer*.

- ☐ Take original and two copies to the Clerk for filing
- ☐ Mail copy to the Defendant and keep a copy for your records

☐ Request a Trial Date.

- ☐ *Request for Setting*
- ☐ *Order Setting Divorce Trial and Requesting Pretrial Statements* (Judge will fill out date and time)
- ☐ Take original and two copies to the Clerk for filing.
- ☐ Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Divorce Trial and Requesting Pretrial Statements* to you.
- ☐ Take an envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Order Setting Divorce Trial and Requesting Pretrial Statements* to the Defendant.

- ☐ Mail a copy of the *Request for Setting* to the Defendant and keep a copy for your records.

☐ *Pretrial Disclosures* and *Pretrial Memorandum*
- ☐ File at least **30 days** before the trial date.
- ☐ Take original and two copies to the Clerk for filing.
- ☐ Mail copy to the Defendant and keep a copy for your records.

☐ If you want the trial to be recorded by an official court reporter, provide notice to the court reporter as soon as possible, but no later than 3 working days before the trial. You can provide notice to the court reporter by phone or by a written request. If providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing.

☐ Attend the Trial: Present your evidence and witnesses.

☐ Decision by Judge: The Court will tell you at the end of the trial if it will prepare the *Decree of Divorce* or if it wants you or the other party to prepare the *Decree of Divorce* and the terms to include in it. Have a blank *Decree of Divorce* ready to fill out in case the Judge asks you to prepare the *Decree of Divorce*. This way, you can fill it out as he gives his ruling.

☐ *Decree of Divorce (with Children)* (Unless the Court is preparing this for you)

☐ *Order for Income Withholding*

☐ *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)

☐ Copies and Envelopes.
- ☐ Take an original and 2 copies of each form to the Clerk for filing.
- ☐ Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Decree of Divorce* to you.
- ☐ Take an envelope addressed to the Defendant with postage for the Clerk to mail a copy of the *Decree of Divorce* to the Defendant.
- ☐ Mail a copy of the other forms to the Defendant and keep a copy for your records.

☐ Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.
- ☐ *Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk.)
- ☐ Copies and Envelopes for each additional form:

- ☐ Take an original and 2 copies of each additional form to the Clerk for filing.
- ☐ Mail a copy of any additional form filed with the Clerk to the Defendant and keep a copy for your records.

Your divorce will be complete when the Judge signs the *Decree of Divorce* and it is filed with the Clerk.

CIVIL COVER SHEET

This civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM)

I. CAPTION

_____

_____

_____

Plaintiff Name and Current Address

v.

_____

Defendant.

Docket # _____

II. NATURE OF SUIT *(Place an "X" in One Box Only)*

GENERAL CIVIL

CONTRACT

- □ Business Organization Litigation
- □ Com. Const. Contract Litigation
- □ Contract Other (not Debt Collection)

TORT

- □ PI or WD - Environmental or Toxic Tort
- □ PI or WD - Fed Employer Liability Act
- □ PI or WD - Medical Malpractice
- □ PI or WD - Product Liability
- □ PI or WD - Vehicular
- □ Personal Injury Unspecified
- □ Property Damage
- □ Tort Unspecified
- □ Wrongful Termination of Employment

CIRCUIT COURT

- □ Small Claims
- □ Forcible Entry and Detainer
- □ Stalking Protection Order
- □ Family Violence Protection Order

DISSOLUTION OF MARRIAGE

- □ Divorce w/Minor Children
- □ Divorce w/o Minor Children
- □ Judicial Separation
- □ Annulment

DOMESTIC RELATIONS

- □ Custody/Parental Visitation
- □ Grandparental Visitation
- □ Paternity
- □ Child Support/Parental Contribution
- □ Child Support w/ Paternity
- □ UIFSA w/Paternity
- □ UIFSA
- □ Dom Register Foreign Judgment
- □ TPR State/DFS
- □ TPR Family/Private

PROPERTY

- □ Property with Mineral Rights
- □ Property w/o Mineral Rights

PROBATE

- □ Ancillary Admin/Foreign Prob
- □ Decree of Title Distribution
- □ Determination of Heirship
- □ Letters of Administration
- □ Estate Unspecified
- □ Summary Probate
- □ Testate/Intestate Estate
- □ Will Only Filings
- □ Trust Matters
- □ Guardianship
- □ Conservatorship
- □ Guardian & Conservatorship

ADOPTION

- □ Adoption
- □ Confidential Intermediary

OTHER CIVIL

- □ Appointment/Removal of a Fiduciary
- □ Arbitration Award Confirmation
- □ Birth Certificate Amendment/Establishment
- □ Debt Collection
- □ Declaratory Judgment
- □ Emancipation of Minor
- □ False or Frivolous Lien
- □ Foreign Judgment
- □ Foreign Protection Order/Foreign Stalking Order
- □ Forfeiture of Property
- □ Governmental Action Environmental Case
- □ Injunction
- □ Material Witness/Foreign Subpoena
- □ Name Change
- □ Involuntary Hospitalization
- □ Public Nuisance
- □ Specific Relief
- □ Structured Settlement Protection Act
- □ Successor to Civil Trust Appointment
- □ Transcript of Judgment
- □ Writ of Habeas Corpus
- □ Writ of Mandamus
- □ Writ of Replevin
- □ Unspecified

III. RELATED CASE(S) IF ANY *(see instructions)*

Docket No. _____ Judge _____ Court (if different) _____

Docket No. _____ Judge _____ Court (if different) _____

IV. $ AMOUNT IN CONTROVERSY, (estimated) *(see instructions)*

$_____

_____ _____

SIGNATURE OF ATTORNEY OF RECORD OR PRO SE LITIGANT DATE

INSTRUCTIONS FOR ATTORNEYS OR PRO SE LITIGANTS COMPLETING THE CIVIL COVER SHEET

Authority for Civil Cover Sheet

The civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil case filed. The attorney or pro se litigant filing a case should complete the form as follows:

I. Caption. Enter names of the plaintiff and defendant and the address for the plaintiff. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a governmental agency, identify first the agency and then the official, giving both name and title.

II. Nature of Suit. Place an "X" in the appropriate box. ONE AND ONLY ONE BOX SHOULD BE CHECKED. If the nature of suit cannot be determined, because the cause of action fits more than one nature of suit, select the most determinative. Some descriptions may require clarification. See below:

Contract Subtypes

Business Organization Litigation (Corporate, Partnership or L.L.C. dissolution or accounting)
Contract Other (not debt collection) (including Specific Performance but not Wrongful Termination)

Property Subtypes

Property with Mineral Rights (e.g., Quiet Title, Ejectment)
Property w/o Mineral Rights (e.g., Adverse Possession, Condemnation, Easements, Ejectment, Gifts, Historic Preservation Rights, Quiet Title, Solar Rights, Survivor Rights, Title, Trust, Unclaimed Property, Uniform Transfer to Minors, Property Conveyance including Mortgages and Deeds of Trust)

Tort Subtypes

PI or WD = Personal Injury or Wrongful Death
Personal Injury Unspecified (e.g., slip and fall, defamation, assault, battery, intentional infliction of emotional distress, false imprisonment, invasion of privacy)
Property Damage (e.g., negligence, trespass, nuisance)
Tort Unspecified (e.g., fraud, restraint of trade, conversion, replevin)
Wrongful Termination of Employment (sounding in Contract, Title VII, ADEA, or Breach of Implied Covenant of Good Faith and Fair Dealing)

Domestic Relations Subtypes

A petition containing a child support action should be labeled a child support case even if other actions (i.e., custody, visitation, paternity) are included in the petition.

III. Related Cases. This section is used to reference related cases, if any. If there are related cases, involving the same parties or children, insert the docket numbers and the corresponding judge names for such cases.

IV. $ Amount in Controversy. In this space, enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as preliminary injunction.

Attorney or Pro Se Litigant Signature and Date. Sign and date the civil cover sheet.

STATE OF WYOMING
Vital Statistics Services
ABSOLUTE DIVORCE OR ANNULMENT

Clerk of Court Record Number: _____ State File Number: _____

Applicant

1a. Petitioner/Plaintiff Name (*First, Middle, Last, Suffix*)		1b. Maiden/Surname (*If Applicable*)	1c. Sex (*M/F*)
2a. Residence (*City, Town or Location*)	2b. Zip Code	2c. County	2d. State
3. Birthplace (*State or Foreign Country*)		4. Date of Birth (*Month, Day, Year*)	

Spouse

5a. Respondent/Defendant Name (*First, Middle, Last, Suffix*)		5b. Maiden/Surname (*If Applicable*)	5c. Sex (*M/F*)
6a. Residence (*City, Town or Location*)	6b. Zip Code	6c. County	6d. State
7. Birthplace (*State or Foreign Country*)		8. Date of Birth (*Month, Day, Year*)	

Marriage

9a. Place of this Marriage (*City, Town or Location*)	9b. County	9c. State or Foreign Country	10. Date of marriage (*Month, Day, Year*)
11. Date Couple Last Resided in the same household (*Month, Day, Year*)	12. Number of Children under 18 in this household as a result of this marriage (*Only Children of this Marriage*) Number _____ None ☐ Other (Specify) _____		13. VSS Use ***Do Not Fill***

Attorney

14a. Name of Petitioner/Plaintiff's Attorney Pro Se ☐	14b. Address (*Street and Number or Rural Route Number, City or Town, State, Zip Code*)

Court Use Only ---------- DO NOT FILL BELOW THIS LINE ---------- Court Use Only

Decree

15. I certify that the marriage of the above named persons was dissolved on (*Month, Day, Year*)	16. Type of Decree (*Divorce or Annulment*)	17. Date Recorded (*Month, Day, Year*)
18. Number of children under 18 whose physical custody was awarded to: Petitioner ☐ ____ Joint ☐ Respondent ☐ ____ No Children ☐ Other _____	19. County of Decree	20. Title of Court
21. Signature of Certifying Official	22. Title of Certifying Officer	23. Date Signed (*Month, Day, Year*)

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

COMPLAINT FOR DIVORCE
(with Children)

PLAINTIFF, for his/her complaint against the Defendant states and alleges as follows:

1. ☐ The ☐ Plaintiff ☐ Defendant lives in the county where this *Complaint* is being filed and the ☐ Plaintiff ☐ Defendant has lived in the State of Wyoming for at least 60 days immediately prior to the filing of this *Complaint*; **OR**

☐ The marriage took place in Wyoming, the ☐ Plaintiff ☐ Defendant lives in the county where this *Complaint* is being filed, and the ☐ Plaintiff ☐ Defendant has lived in Wyoming from the marriage date to the filing of this *Complaint*. W.S.§20-2-104 and 20-2-107(a)

2. Plaintiff and Defendant were married to each other on _____ in _____
(Date of Marriage)

_____.
(City, County and State where marriage took place)

3. The Plaintiff and Defendant separated on _____.
(Date of Separation)

4. Irreconcilable differences exist in the marriage and Plaintiff is the aggrieved party in this case and should be granted a divorce from the Defendant.

5. The Defendant and I are the natural or adoptive parents of the following minor child(ren):

Child's initials:_____

Child's year of birth:_____

Present address:_____

Child's residence for the past 5 years:

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
_____/present*		
____/____		
____/____		
____/____		
____/____		
____/____		

☐ Attach a separate sheet if necessary

Child's initials:_____

Child's year of birth:_____

Present address:_____

Child's residence for the past 5 years:

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
_____/present*		
____/____		
____/____		
____/____		
____/____		
____/____		

☐ Attach a separate sheet if necessary

Child's initials:_____

Child's year of birth:_____

Present address:_____

Child's residence for the past 5 years:

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/present*		
____/____		
____/____		
____/____		
____/____		
____/____		

☐ Attach a separate sheet if necessary

Child's initials:_____

Child's year of birth:_____

Present address:_____

Child's residence for the past 5 years:

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/present*		
____/____		
____/____		
____/____		
____/____		
____/____		

☐ Attach a separate sheet if necessary

6. That the child(ren) named in this *Complaint for Divorce* ☐ have ☐ have not been in the State of Wyoming for a period of six (6) months or more immediately before filing this *Complaint*. (If not, seek the advice of a lawyer before filing.)

7. ☐ I have not participated as a party or a witness or in any other capacity in any other court case concerning the custody of the minor child(ren) and no other court proceedings concerning the minor child(ren) (including proceedings for enforcement, domestic violence protective orders, termination of parental rights or adoptions) are currently pending in the State of Wyoming or in any other state; OR

☐ I have participated as a party or witness or in another capacity in another court proceeding concerning the custody, allocation of decision-making, or visitation/parenting time of the child(ren) listed in this *Complaint for Divorce* as follows: (Please be specific and include the case number, court, state and nature of case, date of child-custody determination, if any, and the initials of the child(ren) involved)_____

_____

_____

8. ☐ I know of no person not a party to these proceedings who has physical custody of the minor child(ren) or who claims to have custody or visitation rights with respect to the minor child(ren); OR

☐ The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren): _____
(List Names and Addresses)

_____

_____

9. To the best of Plaintiff's knowledge,

☐ Neither party is pregnant, **OR**

☐ The ☐ Plaintiff ☐ Defendant is pregnant [If pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is born.]; and
The baby is due on or about _____ (date), (and, check one space below):

- ☐ The Plaintiff and Defendant are the biological parents of the child, OR
- ☐ Plaintiff is not the biological parent of the child, OR
- ☐ Defendant is not the biological parent of the child.

10. ☐ Plaintiff OR ☐ Defendant is a fit and proper person to have the primary care, custody and control over the minor child(ren) subject to the other parent's right of reasonable visitation; OR

☐ Both parties are fit and proper persons to share custody and control over the minor child(ren).

11. ☐ Plaintiff OR ☐ Defendant is capable of paying child support.

12. The Court should order that ☐ Plaintiff OR ☐ Defendant OR ☐ Both Parents provide medical insurance for the minor child(ren) if it can be obtained at a reasonable cost with benefits available to the minor child(ren) and that ☐ Plaintiff OR ☐ Defendant OR ☐ Both Parents be liable to pay any medical expenses, including any deductible or co-pay, not covered by insurance coverage.

13. The parties have accumulated certain property and debts during the course of their marriage, which should be equitably divided by the Court.

14. The Court should award ☐ Plaintiff OR ☐ Defendant spousal support/alimony in a reasonable amount to be determined by the Court based on the ☐ Plaintiff's ☐ Defendant's need and the ☐ Plaintiff's ☐ Defendant's ability to pay as follows: _____ _____(use additional paper if necessary); **OR**

☐ Neither party shall be awarded spousal support/alimony.

15. The ☐ Plaintiff's ☐ Defendant's previous name may be restored if he or she desires.

WHEREFORE, the Plaintiff respectfully requests that the Court:

1. Grant the Plaintiff a divorce from the Defendant and dissolve the marriage;

2. Award**:**
   a. ☐ The parties joint legal custody and ☐ Plaintiff or ☐ Defendant to have physical custody; **OR**
   b. ☐ The parties joint legal and joint physical custody; **OR**
   c. ☐ Plaintiff or ☐ Defendant to have sole legal and physical custody; **OR**
   d. ☐ Other (Please describe desired legal and physical custody arrangement in detail) _____ _____ _____;

3. Order that the ☐ Plaintiff OR ☐ Defendant pay child support in an amount determined by the Court using the Wyoming Child Support Guidelines;

4. Order that the ☐ Plaintiff OR ☐ Defendant, OR ☐ Both parents provide medical support for the minor child(ren);

5. Order a just and equitable division of the marital property and debts;

6. Order that:
   ☐ No party is entitled to spousal support; OR
   ☐ Reasonable spousal support should be paid by ☐ Plaintiff, OR ☐ Defendant as the circumstances and facts may require;

7. Order that the ☐ Plaintiff ☐ Defendant resume his or her previous name at the conclusion of this lawsuit if he or she wishes; and

8. Order such other and further relief as the Court deems just and equitable.

STATE OF WYOMING)
) ss.
COUNTY OF _____)

The Plaintiff, _____, under the penalty of perjury, verifies that she/he has read the *Complaint for Divorce*, knows the contents thereof, and that the statements in the *Complaint for Divorce* are true to the best of her/his own knowledge.

DATED this _____ day of _____, 20_____.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

Subscribed and sworn to before me this _____ day of _____, 20_____.
Witness my hand and official seal.

_____
Notarial Officer

My Commission Expires:

----------Fill in, if applicable----------

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court, the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

_____
Attorney's Name

Attorney's Address/Telephone:
_____
_____
_____
_____

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

SUMMONS

To the above named Defendant:
Print Defendant's Name:_____
Home Address: _____
Phone: _____
Employer Name & Address: _____

YOU ARE HEREBY SUMMONED and required to file with the Clerk and serve upon the Plaintiff or Plaintiff's attorney if s/he has one, an *Answer* to the *Complaint for Divorce* which is herewith served upon you, within 20 days after service of this *Summons* upon you, exclusive of the day of service. (If service upon you is made outside of the state of Wyoming, you are required to file and serve your answer to the *Complaint for Divorce* within 30 days after service of this *Summons* upon you, exclusive of the day of service.) If you fail to do so, judgment by default will be taken against you for the relief demanded in the *Complaint for Divorce*.

Dated _____, 20_____.

(Seal of District Court)

_____
Clerk of Court

By: _____
Deputy Clerk_____

_____
Plaintiff's Name
_____
_____
Address
_____
Phone Number

STOP: SHERIFF WILL FILL THIS OUT (Attach to *Summons*)

RETURN

STATE OF WYOMING)
) ss
COUNTY OF _____) TO BE USED BY WYOMING SHERIFF, UNDER SHERIFF OR DEPUTY

I, _____, Sheriff in and for said County of _____, in the State aforesaid, do hereby certify that I received the within *Summons*, together with a copy of the *Complaint for Divorce* and the *Confidential Statement of the Parties for Child Support Order*, filed in the above entitled matter, and that I served the same in the County aforesaid on the _____ day of _____, 20_____ by delivering a copy of the same, together with a copy of the *Complaint for Divorce*, to:_____
_____
_____
_____

_____
Sheriff

By: _____
Deputy Sheriff

Sheriff's fees: Service, $_____; Return $_____

Mileage $_____; Total $_____

_____
_____

AFFIDAVIT OF SERVICE

STATE OF_____)
)ss TO BE USED BY A PERSON OTHER THAN WYOMING
COUNTY OF _____) SHERIFF, UNDER SHERIFF OR DEPUTY

_____, being first duly sworn, on oath deposes and says that s/he is over 18 years old and is not a party to the foregoing action or interested therein, and that s/he made service of said *Summons* in the County aforesaid on the _____ day of _____, 20____, by delivering a copy of the same, together with a copy of the *Complaint for Divorce* and the *Confidential Statement of the Parties for Child Support Order*, to:

Name: _____

Address: _____

By:_____

Subscribed and sworn to before me this _____ day of _____, 20_____.

_____
Notarial Officer

My Commission Expires:

STATE OF WYOMING	)	IN THE DISTRICT COURT
	) ss	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT
Plaintiff:_____,	)	Civil Action Case No. _____
(Print name of person filing)	)	
	)	
vs.	)	**CONFIDENTIAL**
	)	
Defendant:_____.	)	
(Spouse) (Print name)		

CONFIDENTIAL STATEMENT FOR CHILD SUPPORT ORDER

Pursuant to the requirements of Wyo. Stat. §20-2-309(b), the following information is confidential and may only be accessed by the parties, their attorneys, or the Department of Family Services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act. Other persons or entities may examine this statement only if permitted by court order.

1. Information for each parent:

Name of Plaintiff:_____
Address:_____
_____
Plaintiff's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____
Plaintiff's Employer:_____
Employer's Address:_____
_____

Name of Defendant:_____
Address:_____
_____
Defendant's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____
Defendant's Employer:_____
Employer's Address:_____
_____

2. Information for each child for whom child support has been ordered in this case:

Child's Name:_____
Address:_____
_____
Child's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____

Child's Name:_____
Address:_____
_____
Child's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____

Child's Name:_____
Address:_____
_____
Child's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____

Child's Name:_____
Address:_____
_____
Child's Social Security Number:_____
Date of Birth:_____
Place of Birth:_____

☐ Add additional sheets of paper if needed to provide information for more children.

DATED this _____ day of _____, 20_____.

_____
Printed Name: _____
Address: _____
_____
Phone Number: _____

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE

I, _____, hereby acknowledge receipt of a copy of the *Summons*,
(Print Defendant's Name)
Complaint for Divorce, and *Confidential Statement of the Parties for Child Support Order*, filed in this case. In accepting service of process, I retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the *Summons* or in the service of the *Summons*. I understand that I must answer or otherwise plead within 20 days from this date (30 days if copies of the papers were received outside of Wyoming) and that if I fail to file an answer or other pleadings with the Clerk of this Court and serve the same upon the Plaintiff in accordance with the Wyoming Rules of Civil Procedure within the time limits stated, I will be in default and Plaintiff may be afforded the relief demanded in the *Complaint for Divorce* without a trial or other hearing.

DATED this _____ day of _____, 20____.

_____
Defendant's Signature
Defendant's Phone Number: _____
Defendant's Address: _____
Defendant's City/State/Zip Code:_____

Subscribed and sworn to before me on this _____ day of _____, 20_____.

WITNESS my hand and official seal.

_____
Notarial Officer

My Commission Expires:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Plaintiff/Plaintiff's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

STATE OF WYOMING	)	IN THE DISTRICT COURT
	) ss	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT

Plaintiff:_____,	)	Civil Action Case No. _____
(Print name of person filing)	)	
	)	
vs.	)	
	)	
Defendant:_____.	)	
(Spouse) (Print name)		

INITIAL DISCLOSURES

The following initial disclosures are submitted by the Plaintiff pursuant to Wyoming Rule of Civil Procedure 26(a)(1.1). This information is required in all divorce proceedings to the extent that the information pertains to a particular claim or defense in the action. This information must be made available to the opposing party's attorney (or the opposing party if he or she does not have an attorney) within thirty (30) days after the Defendant's *Answer* to the *Complaint for Divorce* is required to be served. **For any of the following disclosures that do not pertain to you, write "not applicable" on the appropriate schedule**.

1. A schedule of financial assets owned individually or jointly, such as savings or checking accounts, stocks, bonds, cash or cash equivalents, including the name and address of the depository, the date such account was established, the type of account, the account number, the current value of the account, and whether the account is acknowledged to be a marital asset or asserted to be a non-marital asset and, if asserted to be a non-marital asset, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Financial Assets**.)

2. A schedule of non-financial assets, such as personal or real property (i.e. house, land, vehicles, household items, etc.) owned individually or jointly, including the purchase price and the date of purchase or acquiring the property, the present market value, any indebtedness relating to such asset, the state of record ownership, the current location of the asset, whether

purchased from marital assets or obtained by gift or inheritance, and whether acknowledged to be a marital asset or asserted to be a non-marital asset and, if asserted to be a non-marital asset, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Non-Financial Assets**.)

3. A schedule of all debts owed individually or jointly, identifying the date any obligation was incurred, the spouse in whose name the debt was incurred, the present amount of all debts and monthly payments, the use to which the money was put which caused the debt to arise, identification of any asset which serves as security for such debt, and an acknowledgement of whether each debt is a marital or non-marital debt, and if asserted to be a non-marital debt, an explanation of the legal and factual basis for such assertion. (See attached **Schedule of Debts**.)

4. A schedule of safe deposit boxes, including the name and address of the institution where the box is located, the box number, the name and address of the individual(s) who has access to the box, an inventory of the contents, and the value of the assets located therein. (See attached **Schedule of Safety Deposit Boxes**.)

5. A schedule of employment, including the name and address of your employer; gross monthly wage; payroll deduction(s), specifically identifying the type and amount; the amount of other benefits including transportation, employer contributions to health care, and employer contributions to retirement accounts; and outstanding bonuses. (See attached **Schedule of Employment**.)

6. A schedule of all other sources of income, including the name and address of the source and the amount and date the income was received. (See attached **Schedule of Other Income**.)

7. A schedule of all retirement accounts or benefits, including the name and address of the institution holding the accounts or benefits, the present value if readily ascertainable, the initial date of any account, the expected payment upon retirement and the specific retirement date, and the value of the account at the date of the marriage if the account existed prior to marriage. (See attached **Schedule of Retirement Accounts or Benefits**.)

8. If seeking custody, or a change in custody, set forth the facts believed to support your claim of superior entitlement to custody. In addition, as to a change of custody, set forth the facts comprising a substantial change in circumstances and disclose any supporting documentation. (See attached **Schedule of Custody**.)

9. **NOTE:** ***Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1): A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

> **A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.**

DATED this _____ day of _____, 20___.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number ____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

A NOTE ABOUT MARITAL vs. NON-MARITAL ASSETS AND DEBTS

In the following tables you will be asked to distinguish marital property/debt from non-marital (separate) property/debt. Marital property/debt will be divided between you and your spouse as part of the divorce; non-marital property/debt usually will not be divided (depending on the situation).

The general rule is that marital property and debt is any property or debt acquired during the marriage for the benefit of the marriage, regardless of who paid for it or whose name is on it. However, just because a party acquired property before marriage does not necessarily mean that it won't be considered marital property. A spouse's premarital separate property can become marital when a married couple demonstrates an intent, through their words or actions during marriage, to treat one spouse's separate property as marital property. Gifts and inheritances are generally separate property, although gifts for the benefit of the marriage, such as a dishwasher, may be considered marital property.

"During the marriage" generally means from the time of marriage until the time of separation.

People often dispute what property/debt is marital or how long the marriage lasted. When this happens, you are urged to consult with an attorney to learn about the various legal arguments that may be available to you.

If you want to read more about divorce and property division, you can review that information here, http://www.legalhelpwy.org/.

SCHEDULE-A

☐ Not Applicable

Financial Assets

Type of Account Checking, Savings, Stocks, Bonds, Cash, Cash Equivalents, other Financial Assets	**Name and Address of Depository** List bank, credit union, brokerage or other location where the financial asset is held.	**Date Account Opened**	**Present Market Value**	**Last 4 digits of Account Number**	**Record Ownership** (Plaintiff, Defendant, Jointly Owned, Other-describe)	**Source of Funds** (Marital assets, Gift, Inheritance, Separate assets, Before this marriage, Other-describe)	**Asserted as Marital or Non-Marital Asset?** **If not a marital asset, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
a.							
b.							
c.							
d.							
e.							
f.							
g.							

☐ Attach additional sheets of paper if needed

SCHEDULE-B

☐ Not Applicable

Non-Financial Assets

Description of Asset	**Purchase Price**	**Date Acquired/ Purchased**	**Present Market Value**	**Amount of debt related to asset**	**Record Ownership** (Plaintiff Defendant, Jointly Owned, Other-describe)	**Where is asset recorded or registered <u>and</u> where is it currently located** (County & State)	**How acquired: (**Marital assets, Gift, Inheritance, Separate assets, or Before this marriage)	**Asserted as Marital or Non-Marital Asset?** **If not a marital asset, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
List Personal Property (i.e., household furnishings, jewelry, antiques, guns, collectables, etc.) a.								
b.								
c.								
d.								
e.								
f.								
g.								
h.								
i.								
j.								
k.								
l.								
m.								

☐ Attach additional sheets of paper if needed

☐ Not Applicable

Non-Financial Assets Cont.

Description of Asset	**Purchase Price**	**Date Acquired/ Purchased**	**Present Market Value**	**Amount of debt related to asset**	**Record Ownership** (Plaintiff Defendant, Jointly Owned, Other-describe)	**Where is asset recorded or registered <u>and</u> where is it currently located** (County & State)	**How acquired: (**Marital assets, Gift, Inheritance, Separate assets, or Before this marriage)	**Asserted as Marital or Non-Marital Asset?** **If not a marital asset, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
List All Vehicles by Year, Model & VIN a.								
b.								
c.								
d.								
Real Property (house, land, etc.) (Describe) a.								
b.								
c.								
d.								

☐ Attach additional sheets of paper if needed

☐ Not Applicable

Non-Financial Assets Cont.

Description of Asset	**Purchase Price**	**Date Acquired/ Purchased**	**Present Market Value**	**Amount of debt related to asset**	**Record Ownership** (Plaintiff Defendant, Jointly Owned, Other-describe)	**Where is asset recorded or registered <u>and</u> where is it currently located** (County & State)	**How acquired: (**Marital assets, Gift, Inheritance, Separate assets, or Before this marriage)	**Asserted as Marital or Non-Marital Asset?** **If not a marital asset, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
Interest in any business (Describe) a.								
b.								
c.								
Any other non-financial assets: (Describe) a.								
b.								
c.								
d.								
e.								

☐ Attach additional sheets of paper if needed

SCHEDULE-C

☐ Not Applicable

Debts (Incurred Individually or Jointly)

Name of Creditor and Last 4 Digits of Account #	Date Debt Was Incurred	Who Incurred the debt? (Plaintiff Defendant, Jointly Owned, Other-describe)	Current Balance of Debt	Monthly Payment	What You Received For Debt or Use to Which Money was Put	Asset serving as security for Debt	Asserted as Marital or Non-Marital Debt? **If not a marital debt, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
a. Acct. #:							
b. Acct. #:							
c. Acct. #:							
d. Acct. #:							
e. Acct. #:							
f. Acct. #:							
g. Acct. #:							
h. Acct. #:							
i. Acct. #:							
j. Acct. #:							

☐ Attach additional sheets of paper if needed

SCHEDULE-D

☐ Not Applicable

Safe Deposit Boxes

Name and Address of Institution where box is located	**Box Number**	**All Name(s) to whom the box is registered**	**Names and Addresses of All Individuals Who Have Access to the Box**	**Inventory of Contents**	**Value of Contents**
a.					
b.					
c.					

☐ Attach additional sheets of paper if needed

SCHEDULE-E

☐ Not Applicable

Employment/ Self-Employment

Employer's Name and Address	**Gross Monthly Wage and Payroll Deductions** (Identify Type and Amount)	**Other Benefits and Amount Received** (including transportation, employer contributions to health care, and employer contributions to retirement account)	**Outstanding Bonuses** (owed to you but not yet received List **Amount** and **Due Date**
a.	Gross: Fed Tax: FICA (Social Security): Medicare: Children's Health Ins. Premiums: Total Deductions: Net:		Amount: Due Date:
b.	Gross: Fed Tax: FICA (Social Security): Medicare: Children's Health Ins. Premiums: Total Deductions: Net:		Amount: Due Date:
c.	Gross: Fed Tax: FICA (Social Security): Medicare: Children's Health Ins. Premiums: Total Deductions: Net:		Amount: Due Date:

☐ Attach additional sheets of paper if needed

SCHEDULE-F

☐ Not Applicable

Other Income (Not Previously Indicated Herein)

Name and Address of Source of Other Income:	Amount Received	Date Received
1. Disability (Indicate type, i.e., Temporary total, permanent partial, permanent total, etc)		
2. Unemployment		
3. Worker's Compensation		
4. Retirement		
5. Any Other Payments Made By Any Payor (describe)		

☐ Attach additional sheets of paper if needed

SCHEDULE-G

Retirement Accounts or Benefits

☐ Not Applicable (Pensions, Profit Sharing, IRA's, 401K's, Retirement Plans, etc.)

Name and Address of Institution, Carrier, or Plan Administrator holding the account or benefit	**Who owns the plan?** Plaintiff or Defendant)	**Last 4 Digits of Account or ID Number**	**Type of Plan**	**Date Plan Acquired**	**Value of Account on Date of Marriage**	**Present Value**	**Loans Against Plan**	**Expected Date of Retirement and Expected Payment Amount**	**Asserted as Marital or Non-Marital Asset?** **If not a marital asset, an explanation of legal and factual basis for such assertion is required. Please attach additional sheets of paper if more space is needed.
1.								Date: Payment:	
2.								Date: Payment:	
3.								Date: Payment:	
4.								Date: Payment:	
5.								Date: Payment:	

☐ Attach additional sheets of paper if needed

SCHEDULE-H

☐ Not Applicable

Custody

1. If you are seeking custody, set forth the facts supporting your claim to superior entitlement to custody:

A. I have been the primary caretaker of the child(ren) as follows:

B. I have a good quality of relationship with the child(ren) as follows:

C. I have the ability to take care of the child(ren) as follows:

D. I am the more fit and competent parent to have custody as follows:

E. I am willing to support my child(ren) maintaining a relationship with both parents as follows:

F. I have the physical ability to care for the child(ren) as follows:

G. Other

☐ Attach additional sheets of paper if needed

STATE OF WYOMING) IN THE DISTRICT COURT
) ss
COUNTY OF _____) _____ JUDICIAL DISTRICT

Plaintiff:_____,) Civil Action Case No. _____
(Print name of person filing))
)
vs.) **CONFIDENTIAL**
)
Defendant:_____.)
(Print name of other parent)

CONFIDENTIAL
FINANCIAL AFFIDAVIT
W.S. §20-2-308

A financial affidavit must be completed by each parent. You must attach copies of your tax returns and W-2 forms for the most recent two years and a copy of the total amount of wages you have earned so far this year. **Parents who are self-employed must supply verified income and expense statements from their business for the two most recent years.**

THE UNDERSIGNED, _____, hereby swears or affirms,
(Print Your Name)
under penalty of perjury, that the following answers are correct and complete.

PERSONAL INFORMATION

1. Your Name: (First, Middle, Last) _____

   Gender: ☐ Male ☐ Female

2. Your Present Address: _____

   City, State, Zip Code: _____

   How long have you resided at this location? _____

   Your Mailing Address (if different from above) _____

   City, State, Zip Code: _____

3. Your Home Phone Number: (___) _____

   Your Cell Phone Number: (____) _____

A Message Phone Number: (___)_____

4. Your Social Security Number is: _____

5. Your Date of Birth is:_____

6. Your Education is: _____years of high school; _____years of college;

_____ years of trade school; _____ years other (list training) _____

7. List your degree(s) or certificate(s):_____

8. List all child(ren) involved in **this matter**:

Child's Name	**Sex**	**Birth Date**	**Social Security No.**	**Does this child live with you?**
	☐ **M** ☐ **F**			☐ **Yes** ☐ **No**
	☐ **M** ☐ **F**			☐ **Yes** ☐ **No**
	☐ **M** ☐ **F**			☐ **Yes** ☐ **No**
	☐ **M** ☐ **F**			☐ **Yes** ☐ **No**
	☐ **M** ☐ **F**			☐ **Yes** ☐ **No**

☐ Additional sheets of paper are attached (if needed)

9. List **YOUR** minor children (not named above) who **live with you**:

Child's Name	**Birth Date**	**Social Security No.**

☐ Additional sheets of paper are attached (if needed)

10. List **YOUR** minor children (not named above) who do **not live with you** but for whom **YOU** are court-ordered to pay child support:

Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)

☐ Additional sheets of paper are attached (if needed)

11. Do you owe back child support (arrears) in this case? If so, how much? $_____.

12. List any income-qualified state or federal benefits that your child(ren) receive (POWER, Medicaid, Kid Care, Title 19, General Assistance, Food Stamps, Supplemental Security Income, etc.):

CHILD'S NAME	BIRTH DATE	STATE	TYPE OF BENEFIT

☐ Additional sheets of paper are attached (if needed)

INCOME & EXPENSE INFORMATION

13. Are you currently: ☐ Employed ☐ Self-Employed ☐ Unemployed

☐ If you are employed, please provide the following:

Job No. 1:

Employer's Name: _____

Employer's Address: _____

City, State, Zip Code: _____

Employer's Phone: _____

Your Occupation: _____

Your Hourly Wage or Monthly Salary: _____

Job No. 2:

Employer's Name: _____

Employer's Address: _____

City, State, Zip Code: _____

Employer's Phone: _____

Your Occupation: _____

Your Hourly Wage or Monthly Salary: _____

Job No. 3:

Employer's Name: _____

Employer's Address: _____

City, State, Zip Code: _____

Employer's Phone: _____

Your Occupation: _____

Your Hourly Wage or Monthly Salary: _____

☐ Add additional sheets of paper if necessary to list additional jobs.

How many hours do you work each week?

Job No. 1:	**Job No. 2:**	**Job No. 3**
Regular _____	Regular _____	Regular _____
Overtime _____	Overtime _____	Overtime _____
Total _____	Total _____	Total _____

How often do you receive overtime compensation? _____

How often are you paid:

Job No. 1:	**Job No. 2:**	**Job No. 3**
☐ weekly	☐ weekly	☐ weekly
☐ every two weeks	☐ every two weeks	☐ every two weeks
☐ twice per month	☐ twice per month	☐ twice per month
☐ monthly	☐ monthly	☐ monthly
☐ annually	☐ annually	☐ annually

Date of your last salary increase or decrease: _____

14. List all income you have received for the last 12 months:

Income Source	**Monthly Amount**	**Income Source**	**Monthly Amount**
Gross Wages**	Job 1 - $ _____ Job 2 - $_____ Job 3 - $_____	Annuity	$
Unemployment	$	Spousal Support	$
Workers' Compensation	$	Contract Receipts	$
Social Security Benefits (Excluding SSI)	$	Rental Income	$
Retirement	$	Fringe Benefits/Bonuses	$
Interest/Dividend Income	$	Profit (Loss) from Self-Employment	$
Reimbursements	$	Other _____	$
Veterans' Disability	$	Other _____	$

****Gross Wage -** Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly (every two weeks) amounts by 26 and dividing by 12; and multiplying semi-monthly (i.e., paid on the 1st and 15th) amounts by 24 and dividing by 12.

☐ Additional sheets of paper are attached (if needed)

15. **IF YOU ARE EMPLOYED:** Please complete list and calculate the following:

A. **Gross income**: $_____ per month
(Amount of income from all sources before deductions)
B. Federal Income Tax: $_____ per month
C. State Income Tax: $_____ per month
D. Social Security Tax: $_____ per month
E. Medicare Tax: $_____ per month
F. Mandatory Retirement/Pension: $_____ per month
G. Premium Paid for Child(ren)'s Health Insurance: $_____ per month
H. Current Child Support Paid for Other Children: $_____ per month
I. **Total Mandatory Deductions**: $_____ per month

J. **Net Income** (line A minus line I): $_____ per month

K. Income Tax Filing Status: _____

L. Number of Dependents Claimed for Tax Purposes: _____

☐ Please provide copies of pay-stubs for all payroll deductions.

☐ Attach copies of your tax returns and W-2 forms for the most recent two years and a copy of a cumulative earning statement(s) for the current year

16. **IF YOU ARE SELF-EMPLOYED**: Please list the following:

A. **Gross income** : $_____ per month
*amount of income from all sources before deductions
B. Federal Income Tax: $_____ per month
C. State Income Tax: $_____ per month
D. Social Security Tax: $_____ per month
E. Medicare Tax: $_____ per month
F. Unreimbursed Business Expenses: $_____ per month
G. Premium Paid for Child(ren)'s Health Insurance: $_____ per month
H. Current Child Support Paid for Other Children: $_____ per month
I. **Total Mandatory Deductions**: $_____ per month

J. **Net Income** (line A minus line I): $_____ per month

K. Income Tax Filing Status: _____

L. Number of Dependents Claimed for Tax Purposes: _____

☐ **Attach <u>verified income and expense statements from your business,</u> copies of your personal and business tax returns, and 1099 forms for the most recent two years**.

17. List your work experience for the last three years:

COMPANY AND LOCATION	DATES FROM - TO	JOB DESCRIPTION/ TITLE	SALARY OR WAGE	REASON YOU LEFT

☐ Additional sheets of paper are attached (if needed)

18. Has anyone been ordered to provide health insurance for the child(ren) involved in this case, or is there any other medical provision in an existing court order? ☐ YES ☐ NO

If yes, please list who is ordered to provide insurance: _____

Are the children currently covered by insurance? ☐ YES ☐ NO

If yes, please list who is providing the insurance:_____

☐ **If you are currently providing insurance for your children, you must provide current written proof from your insurance carrier verifying the names of the actual person(s) covered under your policy.**

Is health insurance available for the minor child(ren) through your employment?
☐ YES ☐ NO

If yes, how much is the monthly premium to cover **ONLY** the minor child(ren) on the policy?
$_____

19. **Attach the following to this *Confidential Financial Affidavit*:**

If Employed:

☐ **Copies of my last two years income tax returns;**
☐ **Copies of my W-2 Forms for the last two years; and**
☐ **Copies of statements of earnings from each of my employers showing cumulative pay for this year.**

If Self-Employed:

☐ V**erified income and expense statements for the business for the two most recent years; and**
☐ **Copies of my last two years personal income tax returns.**
☐ **Copies of my last two years business income tax returns.**

PERJURY STATUTE

20. Wyoming Statute § 6-5-301 (Perjury) provides:

(a) A person commits perjury if, while under a lawfully administered oath or affirmation, he knowingly testifies falsely or makes a false affidavit, certificate, declaration, deposition or statement, in a judicial, legislative or administrative proceeding in which an oath or affirmation may be required by law, touching a matter material to a point in question.

(b) Perjury is a felony punishable by imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000.00), or both.

OATH

I have read and understand the provisions of the above perjury statute. I affirm that this Confidential Financial Affidavit (including attachments) contains a complete disclosure of my income from all sources and that the representations made herein concerning my income are accurate to the best of my knowledge. I am aware that the court may punish as perjury any materially false statements knowingly made with intent to defraud or mislead.

DATED this _____ day of _____, 20____.

_____
Your Signature
(**Sign only in front of Notarial Officer or Court Clerk)**

JURAT

STATE OF _____)
) ss.
COUNTY OF _____)

Subscribed and sworn to before me on this _____ day of _____20____, by _____.

WITNESS my hand and official seal.

_____
Notarial Officer

My Commissions Expires: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this Confidential Financial Affidavit was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

STATE OF WYOMING) IN THE DISTRICT COURT
) ss
COUNTY OF _____) _____ JUDICIAL DISTRICT

Plaintiff:_____,) Civil Action Case No. _____
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

AFFIDAVIT OF IMPUTED INCOME

(Only use this form if you are unable to get the other party to complete a *Confidential Financial Affidavit.)*

I, _____, of lawful age, first being duly sworn upon my oath,
(print name)
depose and state as follows:

1. I am the ☐ Plaintiff OR ☐ Defendant in the above-captioned matter.

2. I am not able to get a *Confidential Financial Affidavit* from the other party because:_____.

3. The other party has certifications, degrees, education or training relevant to his/her employability as follows: _____

_____

_____

4. Explain, to the best of your knowledge, the other party's work history or other sources of income for the previous two years:_____

_____

_____

5. His/her income for this year is unknown, as she/he has not provided financial information and has failed, neglected or otherwise refused to file a *Confidential Financial Affidavit*.

6. I ☐ do OR ☐ do not have copies of the last two year's income tax returns showing the amount earned by ☐ Plaintiff OR ☐ Defendant. ATTACH ANY TAX

RETURNS, W-4s, CHECK STUBS OR OTHER INFORMATION ABOUT THE OTHER PARTY'S INCOME TO THIS DOCUMENT.

If you have information about the other parent's previous or current employment by area and occupation, you may be able to get information regarding wages by visiting the U.S. Department of Labor Bureau of Labor Statistics website for wage information by area and occupation http://www.bls.gov/bls/blswage.htm. Attach any relevant documentation to this Affidavit.

7. ☐ Plaintiff's OR ☐ Defendant's income is based on him/her being paid:

_____ weekly
_____ every two weeks
_____ twice per month (i.e. 1st and 15th of every month)
_____ monthly
_____annually

Convert annual, bi- weekly, bi-monthly, and weekly amounts to ***monthly*** amounts below.
**** Gross income (includes tips, commission and bonuses). Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12; annually by dividing by 12.** If only the "gross income" is known, multiply that number by .25 (or other number if instructed by Court) and then subtract that amount from the gross to arrive at the net monthly income. **If the other party has a history of only working for minimum wage or less, and is capable, to your knowledge of working 40 hours/week, the court may impute his/her income at $1,141.25 net monthly for a noncustodial parent and $1,185.67 net monthly for a custodial parent**. You may call your local child support enforcement office for more information on imputing a custodial or non-custodial parent's wage. Federal minimum wage is $7.25/hour as of July 1, 2012.

8. ☐ Plaintiff's OR ☐ Defendant's estimated gross income (before deductions) is: $_____ ***per month***, to the best of my information and belief.

"Income" means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payments made by any payor, but shall not include any earnings derived from overtime work unless the court, after considering all overtime earnings derived in the preceding twenty-four (24) month period, determines the overtime earnings can reasonably be expected to continue on a consistent basis. In determining income, all reasonable unreimbursed legitimate business expenses shall be deducted. Means tested sources of income such as Pell grants, aid under the personal opportunities with employment responsibilities (POWER) program, food stamps and supplemental security income (SSI) shall not be considered as income. Gross income also means potential income of parents who are voluntarily unemployed or underemployed.

"Net income" means income as defined in the box above, less personal income taxes, social security deductions, cost of dependent health care coverage for all dependent children, actual payments being made under preexisting support orders for current support of other children, other court-ordered support obligations currently being paid and mandatory pension deductions. Payments towards child support arrearage shall not be deducted to arrive at net income.

9. Based on the previous work history and/or income, ☐ Plaintiff OR ☐ Defendant has the ability to earn a net (after appropriate deductions) monthly income of $_____ and said amount should be used to calculate child support under the presumptive child support guidelines.

* **If the other party has a history of only working for minimum wage or less, and is capable, to your knowledge of working 40 hours/week, the court may impute his/her income at $1,141.25 net monthly for a noncustodial parent and $1,185.67 net monthly for a custodial parent**.

10. Further your affiant sayeth naught.

DATED this _____day of _____ 20_____.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

STATE OF_____)
) ss.
COUNTY OF_____)

The foregoing instrument was subscribed and sworn to before me by _____ this _____ day of _____, 20____

Witness my hand and official seal.

_____
Notarial Officer

My commission expires:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.
FOR COMPUTATION PURPOSES ONLY.
EFFECTIVE JULY 1, 2018.

§ 20-2-304. Presumptive child support:

(i) One (1) child:

Net Monthly Income of Both Parents	Percentage of Income Allocated For One Child	Base Support Plus Marginal Percentage
$ 846.00	22.0	$186.00 + 21.3% over $846.00
$2,961.00	21.5	$637.00 + 14.3% over $2,961.00
$4,652.00	18.9	$879.00 + 11.8% over $4,652.00
$5,498.00	17.8	$979.00 + 10.2% over $5,498.00
$7,613.00	15.7	$1,195.00 + 9.3% over $7,613.00
$10,151.00	14.1	$1,431.00 + 7.5% over $10,151.00
$12,900.00	12.7	$1,638.00 + 5.9% of anything over $12,900.00

(ii) Two (2) children:

Net Monthly Income of Both Parents	Percentage of Income Allocated For Two Children	Base Support Plus Marginal Percentage
$ 846.00	32.9	$278.00 + 32.8% over $846.00
$2,961.00	32.8	$971.00 + 20.7% over $2,961.00
$4,652.00	28.4	$1,321.00 + 17.4% over $4,652.00
$5,498.00	26.7	$1,468.00 + 15.2% over $5,498.00
$7,613.00	23.5	$1,789.00 + 14.3% over $7,613.00
$10,151.00	21.2	$2,152.00 + 10.4% over $10,151.00
$12,900.00	18.9	$2,438.00 + 9.5% of anything over $12,900.00

(iii) Three (3) children:

Net Monthly Income Both Parents	Percentage of Income Allocated For Three Children	Base Support Plus Marginal Percentage
$846.00	40.2	$340.00 + 39.4% over $846.00
$2,961.00	39.6	$1,173.00 + 23.9% over $2,961.00
$4,652.00	33.9	$1,577.00 + 20.9% over $4,652.00
$5,498.00	31.9	$1,754.00 + 17.9% over $5,498.00
$7,613.00	28.0	$2,132.00 + 16.8% over $7,613.00
$10,151.00	25.2	$2,558.00 + 11.6% over $10,151.00
$12,900.00	22.3	$2,877.00 + 11.6% of anything over $12,900.00

(iv) Four (4) children:

Net Monthly Income Both Parents	Percentage of Income Allocated For Four Children	Base Support Plus Marginal Percentage
$846.00	44.9	$380.00 + 43.9% over $846.00
$2,961.00	44.2	$1,309.00 + 26.8% over $2,961.00
$4,652.00	37.9	$1,763.00 + 22.9% over $4,652.00
$5,498.00	35.6	$1,957.00 + 20.1% over $5,498.00
$7,613.00	31.3	$2,383.00 + 18.5% over $7,613.00
$10,151.00	28.1	$2,852.00 + 13.1% over $10,151.00
$12,900.00	24.9	$3,212.00 + 13.0 % of anything over $12,900.00

(v)Five (5) or more children:

Net Monthly Income Both Parents	Percentage of Income Allocated For Five Children	Base Support Plus Marginal Percentage
$846.00	49.4	$418.00 + 48.3% over $846.00
$2,961.00	48.6	$1,439.00 + 29.6% over $2,961.00
$4,652.00	41.7	$1,940.00 + 24.8% over $4,652.00
$5,498.00	39.1	$2,150.00 + 22.2% over $5,498.00
$7,613.00	34.4	$2,619.00 + 20.4% over $7,613.00
$10,151.00	30.9	$3,137.00 + 14.5% over $10,151.00
$ 12,900.00	27.4	$3,535.00 + 14.3% of anything over $12,900.00

In accordance with W.S. § 20-2-304(f), if the difference between the noncustodial parent's net income and the self-support reserve is less than the support obligation as calculated from the tables above, the support obligation shall be set using the difference between the noncustodial parent's net income and the self-support reserve. "Self-support reserve" means the current poverty line for one (1) person as specified by the poverty guidelines updated periodically in the Federal Register by the United States department of health and human services under the authority of 42 U.S.C. 9902(2). See Table D on page 3.

DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.
FOR COMPUTATION PURPOSES ONLY. EFFECTIVE JULY 1, 2018.

Depending on the details of the custody arrangement, the parties may need to complete more than one table to calculate child support. Please read through the instructions for each table carefully.

CHILD SUPPORT COMPUTATION FORM

A. COMPUTATION OF BASIC SUPPORT OBLIGATIONS: WYO. STAT. §20-2-304		
1.	Plaintiff's/Petitioner's Net Monthly Income:	$
2.	Defendant's/Respondent's Net Monthly Income:	$
3.	Combined Net Monthly Income:	$
4.	Using the support tables for presumptive support at Wyo. Stat. § 20-2-304 (a), the basic joint support obligation of the parents =	$
5.	Plaintiff's/Petitioner's Proportionate Share: Line 1/Line 3 x Line 4 =	$
6.	Defendant's/Respondent's Proportionate Share: Line 2/Line 3 x Line 4 =	$
7.	MONTHLY SUPPORT DUE FROM NONCUSTODIAL PARENT (Amount from Line 5 or Line 6) =	$

NOTE: If the custody of the children is shared or split as defined under Wyo. Stat. § 20-2-304 (c) and (d) other formulas apply. If "split" (meaning each parent has physical custody of at least one (1) child), the amount shall be allocated to each parent based upon the number of those children in the physical custody of that parent (see Table C on page 3). If "shared" (meaning each parent has actual overnight custody of the children for a certain percentage of time), the amount will be allocated based on the percentage of time (Table B below).

B. SHARED PHYSICAL CUSTODY: Wyo. Stat. § 20-2-304 (c) provides for special support computation of support when each parent keeps the children overnight for more than twenty-five percent (25%) of the year ***and*** both parents contribute substantially to the expenses of the children ***in addition to*** the payment of child support. If this is the custodial arrangement, support may be computed as follows assuming all other statutory provisions apply.				
8.	a) Percent of year children will reside overnight with Plaintiff/Petitioner	____ %	b) percent of year children will reside overnight with Defendant/Respondent	____ %
9.	Plaintiff's/Petitioner's support obligation: Line 5 x 150% x Line 8b			$ _____
10.	Defendant's/Respondent's support obligation: Line 6 x 150% x Line 8a			$ _____
11.	MONTHLY SUPPORT DUE: The difference between lines 9 and 10 represents the net monthly support due from the parent having the greater support obligation.			$ _____

C. SPLIT CUSTODY: Wyo. Stat. §20-2-304 (d) provides for special computations of support when each parent has physical custody of at least one (1) child. In such cases the support should be computed as follows:		
12.	Shared responsibility child support per child: Line 4 ÷ Total children of parents.	$ _____
13.	Plaintiff's/Petitioner's support obligation for children in custody of Defendant/Respondent: Line 1/Line 3 x Number of children with Defendant/Respondent x Line 12	$ _____
14.	Defendant/Respondent's support obligation for children in custody of Plaintiff/Petitioner: Line 2/Line 3 x Number of children with Plaintiff/Petitioner x Line 12	$ _____
15.	MONTHLY SUPPORT DUE: The difference between lines 13 and 14 represents the net monthly support due from the parent having the greater support obligation.	$ _____

D. SELF-SUPPORT RESERVE COMPUTATION: Wyo. Stat. § 20-2-304 (f) provides for special computation of support when the difference between the obligor's net income and the self-support reserve is less than the support obligation as calculated using the support tables for presumptive support on page 1. In such cases, the support should be computed as follows:		
16.	Net income of the obligor or parent paying support	$ _____
17.	Self-Support Reserve: Find the current "self-support reserve" by going to the Family Law Forms at www.courts.state.wy.us/legal-assistances-and-forms/court-self-help-forms/. Enter the number provided.	$ _____
18.	Subtract line 17 from line 16.	$ _____
19.	If the amount on line 18 is less than the child support due as calculated on line 7 of Table A, line 11 of Table B, or line 15 of Table C, then line 18 is the **monthly child support obligation**. Enter the amount here. If the amount on line 18 is more than line 7 of Table A, line 11 of Table B, or line 15 of Table C, then skip to line 20.	$ _____
20.	If the amount on line 18 is more than the child support due as calculated on line 7 of Table A, line 11 of Table B, or line 15 of Table C, then the child support calculated on line 7 of Table A, line 11 of Table B, or line 15 of Table C is the **monthly child support obligation**. Enter the amount here.	$_____

DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT. FOR COMPUTATION PURPOSES ONLY.

NET INCOME CALCULATION WORKSHEET FOR CHILD SUPPORT

A. For Employed Persons:

1. **Gross income*** (amount before any deductions): $_____ per month
2. Federal Income Tax: $_____ per month
3. State Income Tax: $_____ per month
4. Social Security Tax (FICA): $_____ per month
5. Medicare Tax: $_____ per month
6. Mandatory Retirement/Pension: $_____ per month
7. Premium Paid for Child(ren)'s Health Insurance: $_____ per month
8. Child Support Actually Paid for Other Children: $_____ per month
   (Do not include payments towards back child support)

Total Mandatory Deductions: $_____ per month

9. **Net Income** (line 1 minus lines 2- 8): $_____ per month

B. For Self-Employed Persons:

1. **Gross income*** (amount before any deductions): $_____ per month
2. Federal Income Tax: $_____ per month
3. State Income Tax: $_____ per month
4. Social Security Tax: $_____ per month
5. Medicare Tax: $_____ per month
6. Unreimbursed Business Expenses: $_____ per month
7. Premium Paid for Child(ren)'s Health Insurance: $_____ per month
8. Child Support Actually Paid for Other Children: $_____ per month
   (Do not include payments towards back child support)

Total Mandatory Deductions: $_____ per month

9. **Net Income** (line 1 minus lines 2-8): $_____ per month

C. For Unemployed Persons Who Are Capable of ONLY Earning Minimum Wage:

1. Imputed Net Monthly Income (Custodial Parent): $1,185.67 per month
2. Imputed Net Monthly Income (Non-custodial Parent): $1,141.25 per month

Net Income for Plaintiff/Petitioner: $_____ per month
Net Income for Defendant/Respondent: $_____ per month

***Gross Income:** Gross income is your income from all sources, including, but not limited to, wages, draws, commissions, bonuses, social security payments, workers' compensation payments, etc. Please give the amount that you make monthly even if you are paid annually, twice a month, weekly, etc. Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12.

STATE OF WYOMING	)	IN THE DISTRICT COURT
	) ss.	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT
Plaintiff:_____, (Print name)	)	Civil Action Case No. _____
vs.	)	
Defendant:_____. (Spouse) (Print name)	)	

REPLY TO COUNTERCLAIM

Plaintiff hereby replies to Defendant's *Counterclaim for Divorce* as follows:

1. Plaintiff admits the allegations in Paragraphs _____ (list paragraphs that are accurate statements) of Defendant's *Counterclaim for Divorce*.

2. Plaintiff denies the allegations in Paragraphs _____ (list paragraphs that you believe are not accurate) of Defendant's *Counterclaim for Divorce*.

3. Plaintiff does not have information sufficient to either admit or deny the allegations in Paragraphs _____ (list paragraphs that you don't know are accurate or not) of Defendant's *Counterclaim for Divorce*.

WHEREFORE, Plaintiff respectfully requests that the court find generally in her/his favor and against the Defendant, that Defendant take nothing by way of his/her *Counterclaim for Divorce*, and for such other and further relief as the court deems just and proper.

DATED this _____ day of _____, 20___.

_____
Signature, Plaintiff
Printed Name: _____
Address: _____
_____
Phone: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

----------Fill in, if applicable----------

Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

_____
Attorney's Name

Attorney's Address/Telephone:
_____
_____
_____
_____

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

APPLICATION FOR ENTRY OF DEFAULT

The Plaintiff submits this *Application for Entry of Default* for a default judgment against the Defendant, who was served with a copy of the *Summons* and *Complaint* on _____(date), and has failed to answer the Plaintiff's *Complaint for Divorce* filed in this case or otherwise appear and respond, and the time allowed by law for answering or otherwise responding has now expired. Application is made to enter the default against the Defendant according to law.

DATED this _____ day of _____, 20____.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

Subscribed and sworn to before me on this ____ day of _____, 20_____.

WITNESS my hand and official seal.

_____
Notarial Officer

My commission expires:

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

AFFIDAVIT IN SUPPORT OF DEFAULT

STATE OF WYOMING)
) ss.
COUNTY OF _____)

The Plaintiff _____, who is of lawful age
(print name)
and being first duly sworn deposes and states as follows:

1. Plaintiff has filed a *Complaint for Divorce* in this case.

2. Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by one of the following methods:

☐ The Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by a duly authorized Deputy or the Sheriff of _____ County, State of _____ on _____.
(insert date)

OR

☐ The Defendant filed an *Acknowledgment and Acceptance of Service* acknowledging that on _____ he/she received a
(insert date)
copy of the *Complaint for Divorce* and the *Summons*.

OR

☐ An *Affidavit to Allow Service by Publication* was filed and the Defendant was served by publication in the _____ Newspaper on the following dates: _____.

OR

☐ The Defendant was served with a copy of the *Complaint for Divorce* and *Summons* by Certified Mail, Restricted Delivery, Return Receipt requested on _____, as evidenced by the green postal
(insert date)
signature card (attached).

3. More than ☐ 20 days (if served in Wyoming); ☐ 30 days (if served outside of Wyoming, by publication or by Certified Mail), excluding the day of service, have elapsed since the date of service.

4. That the Defendant failed to answer or otherwise plead as required by law. The Defendant is not a minor or incompetent and is not in the military service of the United States. This Affidavit is executed for the purpose of enabling Plaintiff to obtain an *Entry of Default* against the Defendant.

DATED this _____ day of _____, 20___.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

Subscribed and sworn to before me by _____this _____ day of _____, 20____.

Witness my hand and official seal.

_____
Notarial Officer

My Commission Expires:

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

ENTRY OF DEFAULT

The Clerk of District Court, pursuant to the ☐ Plaintiff's OR ☐ Defendant's *Application for Entry of Default* and *Affidavit in Support of Default*, does hereby enter default against the ☐ Plaintiff OR ☐ Defendant for failure to plead or otherwise defend as provided by the Wyoming Rules of Civil Procedure, as appears from examination of the records and files herein or the return upon the original *Summons* filed in this cause.

DATED this _____ day of _____, 20___.

CLERK OF THE DISTRICT COURT

BY: _____

Copies to:

Plaintiff/Plaintiff's Attorney's Name and Address

_____

_____

Defendant/Defendant's Attorney's Name and Address

_____

_____

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

AFFIDAVIT FOR DIVORCE WITHOUT APPEARANCE OF PARTIES

(With Minor Children)

(Only use if the parties have reached an agreement and both have signed the *Decree of Divorce* **or** if either party defaulted and all default paperwork has been presented to the court and an *Entry of Default* issued.)

STATE OF WYOMING)
) ss.
COUNTY OF _____)

_____, being first duly sworn, deposes and says:
(Print Name)

1. I am the ☐ Plaintiff ☐ Defendant in the case.

2. The ☐ Plaintiff ☐ Defendant lived in Wyoming for 60 days, **OR** the marriage took place in Wyoming and the ☐ Plaintiff ☐ Defendant lived in Wyoming from the time of marriage to the time of filing the *Complaint for Divorce*.

3. The ☐ Plaintiff ☐ Defendant and I were married to each other on the _____ day of _____, _____ in _____, _____.
(Month) (Year) (City) (State)

4. Plaintiff is currently a resident of _____County, State of _____.

5. Defendant is currently a resident of _____County, State of _____.

6. Plaintiff and Defendant are the parents, either natural or adoptive, of child(ren) who are either under 18 years of age, between the ages of 18 and 20 years and still in high school or a program equivalent to high school, or prevented from supporting him/herself due to a mental, emotional or physical impairment.

Child's Initials:_____ Year of Birth:_____

Child's Initials:_____ Year of Birth:_____

Child's Initials:_____ Year of Birth:_____

Child's Initials:_____ Year of Birth:_____

7. To the best of the parties' knowledge,

☐ Neither party is pregnant, **OR**

☐ The ☐Plaintiff ☐Defendant is pregnant [If pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is born.]; and The baby is due on or about _____ (date), (and, check one space below):

☐ The Plaintiff and Defendant are the biological parents of the child, OR

☐ Plaintiff is not the biological parent of the child, OR

☐ Defendant is not the biological parent of the child.

8. Irreconcilable differences exist in the marriage.

9. The ☐ Plaintiff ☐ Defendant

☐ does not desire to have a name change; **OR**

☐ former name restored to: _____
(list first, middle, and last name desired)

10. ☐ The *Decree of Divorce* equitably distributes the property and debt acquired during our marriage. In support of this assertion I am submitting the following evidence:

A. <u>Debts</u> (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

PRINT CLEARLY OR TYPE

Party Paying Debt	Creditor and Acct. # (Last 4 Digits Only)	Name(s) on Account	Date of Balance	Balance	Main Purchase(s) for Which Debt Was Incurred
				$	
				$	
				$	
				$	
				$	
				$	

☐Add additional sheets, if necessary. Clearly identify any attached documents.

Total Debt of Plaintiff: $_____

Total Debt of Defendant: $_____

B. **Real Estate** (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

PRINT CLEARLY OR TYPE

Party Paying Debt	Property Type Owned and Address (residence, condo, rental, etc.)	Name(s) on Title	Fair Market Value	Basis of Fair Market Value (i.e., appraisal, estimate, purchase price,)	1st Mortgage	2nd Mortgage

☐ Add additional sheets, if necessary. Clearly identify any attached documents.

Total Debt of Plaintiff: $_____

Total Debt of Defendant: $_____

C. **Motor Vehicles** (For Party Designation use: "P" = Plaintiff, "D " = Defendant, "J" = Joint)

PRINT CLEARLY OR TYPE

Party Keeping Vehicle	Year, Make, Model and VIN	Name(s) on Title	Name of Creditor	Fair Market Value	Amount of Debt

☐ Add additional sheets, if necessary. Clearly identify any attached documents.

Total Debt of Plaintiff: $_____

Total Debt of Defendant: $_____

D. **Cash on Hand, Bank, Checking, or Saving Accounts, CD's** (For party designation use: "P" = Plaintiff, "D" =Defendant or "J" = Joint)

PRINT CLEARLY OR TYPE

Party Keeping Property	Type of Account	Name of Bank	Account No. (Last 4 Digits Only)	Date of Balance	Balance

☐ Add additional sheets, if necessary. Clearly identify any attached documents.

Amount to Plaintiff: $_____

Amount to Defendant: $_____

E. <u>Furniture and Household Goods</u> ("Value" equals what you could sell it for in its current condition, such as at auction, not what you paid for it or cost of replacement.)

PRINT CLEARLY OR TYPE

Description of Items - Household furnishings and personal belongings (clothes, jewelry, etc.)	**Value of Plaintiff's Possessions**	**Value of Defendant's Possessions**
1. 2. 3. 4. 5. 6. 7. 8. 9. 10.	1. 2. 3. 4. 5. 6. 7. 8. 9. 10.	1. 2. 3. 4. 5. 6. 7. 8. 9. 10.
TOTAL:	$	$

☐ Add additional sheets, if necessary. Clearly identify any attached documents.

F. <u>Miscellaneous/Other Assets or Interests</u> (not listed above) List all other assets, including life insurance, stocks, bonds, retirement benefits, income tax refunds owing, money owed to you, livestock, guns, etc. as distributed in the Decree.

PRINT CLEARLY OR TYPE (For party designation use: "P" = Plaintiff, "D" =Defendant or "J" = Joint)

Party Keeping Property	**Description**	**Account, serial or other identifying number, if any - Last 4 Digits Only**	**Value**

☐ Add additional sheets, if necessary. Clearly identify any attached documents.

Amount to Plaintiff: $_____

Amount to Defendant: $_____

11. Please list why the distribution of property and debts listed above is "equitable." The Wyoming Supreme Court has held that a just and **equitable distribution** does not necessarily mean "equal."

_____
_____
_____
_____
_____

12. ☐ Neither party shall be awarded spousal support/alimony; **OR**

☐ Please tell why the Court should award the ☐ Plaintiff OR ☐ Defendant spousal support/alimony. Describe both the ☐ Plaintiff's ☐ Defendant's need and the ☐ Plaintiff's ☐ Defendant's ability to pay. (Use additional paper if necessary.)

☐ Plaintiff's ☐ Defendant's need: _____
_____
_____

☐ Plaintiff's ☐ Defendant's ability to pay: _____
_____
_____

13. The *Decree of Divorce* sets forth provisions for child custody, visitation, parental decision-making and child support that I believe is in our child(ren)'s best interest(s). In support of this statement, I provide the following evidence, under oath and to the best of my information and belief. Please address as many of the following factors as possible in your explanation of why the Decree serves the child(ren)'s best interests:

(i) The quality of the relationship each child has with each parent:_____
_____
_____

(ii) The ability of each parent to provide adequate care for each child throughout each period of responsibility, including arranging for each child's care by others as needed:_____

(iii) The relative competency and fitness of each parent:

(iv) Each parent's willingness to accept all responsibilities of parenting, including a willingness to accept care for each child at specified times and to relinquish care to the other parent at specified times:

(v) How the parents and each child can best maintain and strengthen a relationship with each other:

(vi) How the parents and each child interact and communicate with each other and how such interaction and communication may be improved:

(vii) The ability and willingness of each parent to allow the other to provide care without intrusion, respect the other parent's rights and responsibilities, including the right to privacy:

(viii) Geographic distance between the parents' residences:

(ix) The current physical and mental ability of each parent to care for each child:

(x) Any other factors you want the court to consider necessary and relevant:

(xi) The law requires the court to consider evidence of spousal abuse (domestic violence) or child abuse as being contrary to the best interest of the children. Please state whether or not there has been any domestic violence or abuse in the relationship and whether the Decree adequately makes arrangements for visitation that best protects the child(ren) and the abused party from further harm:

I REQUEST the court grant me a divorce.

OATH

I affirm that this Affidavit (including attached sheets, if relevant) contains a complete disclosure, to the best of my information and belief, of all items of property in which my spouse and I have any current interest or expect to receive in the future based upon the work or events that took place during the marriage, and all liabilities for which I am aware that either of us could be held personally responsible. I also affirm that the representations made herein concerning my income and expenses, and that of my spouse, are accurate to the best of my knowledge. I am aware that should the information provided herein prove to be fraudulent or contain material misstatements or omissions, whether inadvertent or intentional, or be found to be inaccurate, the court shall have continuing jurisdiction to enter such orders as it considers necessary in equity and law to determine the rights and duties with regard to that property right or obligation. I am also aware the court may punish as perjury any materially false statements knowingly made with intent to defraud or mislead.

Signature
Printed Name:
Address:

Phone Number:

Subscribed and sworn to before me by _____ on this _____ day of _____, 20____.

Witness my hand and official seal.

_____
Notarial Officer / Court Clerk

My Commission Expires:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

Subscribed and sworn to before me by _____ on this _____ day of _____, 20____.

Witness my hand and official seal.

_____
Notarial Officer / Court Clerk

My Commission Expires:

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

STATE OF WYOMING) IN THE DISTRICT COURT
) ss
COUNTY OF _____) _____ JUDICIAL DISTRICT

Plaintiff:_____,) Civil Action Case No. _____
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

REQUEST FOR SETTING

The Plaintiff, _____ (name) requests a time and date for a hearing/trial in the District Court. The hearing/trial will take approximately _____ ☐ hours/ _____ ☐ minutes and will address the following issues:

1) ☐ The parties have reached an agreement (both parties have signed the *Decree of Divorce* and this Court requires a hearing before it will enter a *Decree of Divorce*). (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

2) ☐ Default was entered against ☐ Plaintiff OR ☐ Defendant and this Court requires a hearing before it will enter a *Decree of Divorce*. (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

3) ☐ The parties are not able to agree on all of the terms of the divorce and a hearing is needed on the following issues:

☐ Allocation of parental responsibilities
☐ Child support
☐ Property distribution
☐ Motion for _____
☐ Other: _____

(NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

4) ☐ The parties are not able to agree on any issues and a trial is needed for a Divorce (With Minor Children). (NOTE: submit the ***Order Setting Divorce Trial and Requiring Pretrial Statements.***)

5) Any party requesting the reporting of a particular matter by the official court reporter shall make a request to the appropriate official court reporter as soon as possible, but no later than **three (3) <u>working days</u>** before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court

reporter no later than three working days prior to the hearing. The Clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not have a transcript of everything that is said at the trial. Rule 904 of the Uniform Rules of the District Courts of the State of Wyoming.

DATED this _____ day of _____, 20____.

_____
Signature
Printed Name: _____
Address: _____
Phone Number:_____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

ORDER SETTING HEARING

THIS MATTER having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

IT IS HEREBY ORDERED that a hearing on the *Complaint for Divorce* (or other items indicated in the ***Request for*** **Setting**) is hereby scheduled for Courtroom No. ____ of the _____ County Courthouse, _____, Wyoming on the _____ day of _____, 20___ commencing at __:____ o'clock __.M. (____) minutes/hour(s)/day(s) has been set aside for the trial of this matter. There will be no continuances or canceling of the hearing date based on telephone calls.

DATED this _____ day of _____, 20____.

_____
DISTRICT COURT JUDGE

Copies to:

Plaintiff/Plaintiff's Attorney's Name and Address

_____

_____

Defendant/Defendant's Attorney's Name and Address

_____

_____

STATE OF WYOMING	)	IN THE DISTRICT COURT
	) ss	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT

Plaintiff:_____,) Civil Action Case No. _____
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

ORDER SETTING DIVORCE TRIAL
AND REQUIRING PRETRIAL STATEMENTS

THIS MATTER having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

IT IS HEREBY ORDERED that a trial of the above matter is hereby scheduled for Courtroom No. ____ of the _____ County Courthouse, _____, Wyoming on the _____ day of _____, 20___ commencing at __:____ o'clock __.m.

(____) minutes/hour(s)/day(s) has been set aside for the trial of this matter.

IT IS FURTHER ORDERED that each party shall file and serve on the opposing party or their attorney, if represented, no later than five (5) days prior to the trial, the party's sworn statement setting forth the facts, to the best of the party's knowledge and belief, called for by Section "A" of the attached list of information, and a statement by counsel (attorney), if any, of the client's position and proof as called for by Section "B." These filings are required to narrow and simplify the issues, prevent surprise and to eliminate unnecessary proof. The material may be presented in narrative form but must be complete for purposes called for by this order. To avoid duplication, the parties or their attorneys, if any, may submit a joint statement of those items not in dispute.

Any party requesting the reporting of a particular matter by the official court reporter shall make a request to the appropriate official court reporter as soon as possible, but no later than three (3) <u>working days</u> before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court reporter at least three

working days prior to the hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal a decision if you do not have a transcript of everything that is said at the trial. Rule 904 of the Uniform Rules of the District Courts of the State of Wyoming.

In the event that this case settles, the parties are informed that there will be no change in the scheduling of this matter by the Court until such time as the settlement is reduced to writing and a written agreement is presented to the court. There will be no continuances or canceling of the trial date based on telephone calls.

DATED this _____ day of _____, 20____.

_____
DISTRICT COURT JUDGE

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address
_____
_____

Defendant/Defendant's Attorney's Name and Address
_____
_____

SECTION "A"
SWORN STATEMENT OF PARTY

Items to be included:

1. Personal data and history relevant to the issues, including name, age, prior marriages, if any, children (**use children's initials only**), present living situation of the parties and their immediate family. **For instance, where each party and the children are residing, with whom the children are residing, and how the children are being cared for during the day.** This item calls for a brief but comprehensive statement of the party's personal history as it may relate to the divorce litigation.
2. Present employment, including identity and location of employer, nature of the job, length of employment, gross and net income and benefits, including health and accident coverage, if any, its convertibility to non-group plan in event of loss of employment, terms of retirement program, all deductions from salary or wages, and prospects for the continuation of the employment.
3. Employment history and employability, including previous employment and incomes, education, training and work experience affecting employability. Include any other factors substantially affecting employability.
4. Other income, whatever the source.
5. All assets showing source of the asset (i.e., jointly purchased, gift prior to marriage), present value, basis of statement of value and statement of present salability. (**Use the last 4 digits of any financial account numbers only.**)
6. Liabilities, including amount, source, terms of the indebtedness.
7. Any other information which counsel, or the party, believe to be material to the determination of the issues.

SECTION "B"
STATEMENT OF COUNSEL

Statement of the case by counsel of the client's position with respect to:

1. Division of assets and allocation of liabilities.
2. Amount of child support:
    a. Amount called for by the child support guidelines;
    b. Why, if it is urged, there should be departure from the guidelines.
3. If alimony is claimed, the basis of the claim and the amount and duration proposed by the party.
4. If client claims exclusive or superior entitlement to "the divorce," the reasons for that position.
5. If superior suitability for primary custody of children is claimed and disputed, reasons for the claim.
6. Reasons, if any, for departure from "standard rules for custody and visitation."
7. List of witnesses and specific summary of expected testimony.
8. Exhibits.

STATE OF WYOMING	)	IN THE DISTRICT COURT
	) ss	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT

Plaintiff:_____,) Civil Action Case No. _____
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

PRETRIAL DISCLOSURES

NOTE: Unless otherwise directed by the court, these disclosures must be made **at least 30 days before trial**. Within 14 days thereafter, unless a different time is specified by the court, a party may serve **and promptly file with the Clerk of District Court** a list disclosing (i) any objections to the use under Rule 32 (a) of a deposition designated by another party under Rule 26(a)(3)(B), and (ii) any objection, together with the grounds therefore, that may be made to the admissibility of materials identified under Rule 26(a)(3)(C). Objections not so disclosed, other than objections under Rules 402 and 403 of the Wyoming Rules of Evidence, are waived unless excused by the court for good cause.

Plaintiff submits the following initial disclosures, pursuant to Wyoming Rule of Civil Procedure 26(a)(3), required in pretrial proceedings. This information must be made available to the opposing party or the opposing party's counsel and the Court at least thirty (30) days before the trial.

A. The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

B. The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically (i.e. by a court reporter), a transcript of the pertinent portions of the deposition testimony.

C. An appropriate identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

NOTE: ***Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1) states that: A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

DATED this _____ day of _____, 20___.

Signature_____
Printed name: _____
Address: _____
_____
Phone Number: _____

CERTIFICATE OF SERVICE

I certify that on _____ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by ☐ Hand Delivery OR ☐ Faxed to this number _____ OR ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Defendant/Defendant's Attorney's Name and Address)

TO: _____

_____

_____

_____
Your signature

_____
Print name

(check one)

Name of Witness	Address and Telephone Number	Expect to call witness to testify	*May* call witness to testify if the need arises

☐ Additional sheets of paper are attached if needed

(check one)

Document or Exhibit	Summary of Evidence	Expect to offer	*May* offer if the need arises

☐ Additional sheets of paper are attached if needed

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

DECREE OF DIVORCE WITH MINOR CHILDREN

NOTE: ALL APPLICABLE BOXES MUST BE CHECKED OR THE JUDGE WILL NOT SIGN YOUR DECREE.

This matter came before the Court by:

☐ Default (and *Entry of Default* has been issued); OR
☐ Agreement of the parties (both parties have signed this Decree); OR
☐ Trial

1. Immediately prior to filing the *Complaint for Divorce*: The ☐ Plaintiff ☐ Defendant lived in Wyoming for 60 days, **OR** the marriage took place in Wyoming and the ☐ Plaintiff ☐ Defendant lived in Wyoming from the time of marriage to the time of filing the *Complaint for Divorce*.

2. The child(ren) lived in the State of Wyoming for a period of six (6) months or more immediately before filing the *Complaint for Divorce*.

3. The Defendant was served:
   ☐ Personally (by the sheriff) on _____; **OR**
   (Date)
   ☐ Defendant accepted service (*Acknowledgement and Acceptance of Service* must be filed); **OR**
   ☐ By publication (*Copy of Affidavit of Publication* must be filed); **OR**
   ☐ By *Registered or Certified Mail* (Return receipt must be filed and Clerk must have entered certificate of service.)

4. At least twenty (20) days have passed since the *Complaint for Divorce* was filed.

5. Defendant filed
☐ an *Answer*
☐ an *Answer and Counterclaim*
☐ no response (default must be entered, unless there is a waiver of right to answer)
☐ no response but both parties have signed and agreed to the entry of this Decree of Divorce.

6. The parties were married to each other on the _____ day of _____, _____, in _____.
(month) (year) (City, County and State)

7. The parties have irreconcilable differences constituting grounds for divorce.

8. The parties are the natural or adoptive parents of the following minor child(ren):

Child's Initials:_____ Year of Birth:_____
Child's Initials:_____ Year of Birth:_____
Child's Initials:_____ Year of Birth:_____
Child's Initials:_____ Year of Birth:_____

☐ Additional sheets of paper are attached if needed

9. This court has jurisdiction in all necessary particulars of this case.

10. Custody of the child(ren) should be as follows:

Unless defined another way in this Decree, "Joint Legal Custody" means that both parties have access to the records of the child(ren) including school records, activities, teachers and teachers' conferences, as well as medical and dental treatment providers and mental health records. Both parties have these rights unless the Court limits that access.

☐ The parties to have joint legal custody and ☐ Plaintiff or ☐ Defendant to have physical custody; **OR**
☐ The parties to have joint legal and joint physical custody; **OR**
☐ Plaintiff or ☐Defendant to have sole legal and physical custody; **OR**
☐ Other (Please describe desired legal and physical custody arrangement in detail) _____
_____
_____

11. The parties have an obligation to contribute to the support of the parties' minor child(ren).

12. To the best of the parties' knowledge,

☐ Neither party is pregnant, **OR**

☐ The ☐Plaintiff ☐Defendant is pregnant [If pregnant, consult an attorney. Your divorce may not be able to be final until after the baby is born.]; and The baby is due on or about _____ (date), (and, check one space below):

☐ The Plaintiff and Defendant are the biological parents of the child, OR

☐ Plaintiff is not the biological parent of the child, OR

☐ Defendant is not the biological parent of the child.

13. The parties

☐ have acquired property and debts during the marriage and the division set forth below in this Decree is just and equitable; **OR**

☐ did not acquire any property or debts during the marriage.

14. The Court should order that

☐ No party is entitled to alimony/spousal support; **OR**

☐ The Plaintiff shall pay to the Defendant reasonable alimony; **OR**

☐ The Defendant shall pay to the Plaintiff reasonable alimony.

15. The ☐ Plaintiff ☐ Defendant

☐ does not desire to have a name change; **OR**

☐ former name restored to: _____

(list first, middle, and last name desired)

IT IS THEREFORE ORDERED:

1. That ☐ Plaintiff or ☐ Defendant is awarded a Decree of Divorce and a divorce is granted.

2. **CHILD CUSTODY, VISITATION AND SUPPORT:**

A. **Custody:**

☐ The parties shall have joint legal custody and ☐ Plaintiff or ☐ Defendant shall have physical custody; **OR**

☐ The parties shall have joint legal and physical custody. The parties shall share physical custody of the minor children as described on the attached sheet of paper.

☐ **Attach** a schedule describing the sharing of physical custody.

☐ **Skip** to Section C – Child Support; **OR**

☐ Plaintiff OR ☐ Defendant shall have sole legal and physical custody. List the reasons why joint legal custody is not appropriate: _____

_____

_____

OR

☐ Other (Please describe desired legal and physical custody arrangement in detail): _____

_____

_____

B. **Visitation**:

The child(ren) shall spend time with the non-custodial parent as the parties may agree, but if they cannot agree, then time shall be spent with the child(ren) as follows:

B.1. **WEEKENDS**: The child(ren) shall spend time with ☐ Plaintiff **OR** ☐ Defendant ☐ every weekend ☐ every weekend when Friday is an even date ☐ every weekend when Friday is an odd date ☐ other (specific weekends such as 1st and 3rd):_____from ___ a.m./p.m. to _____a.m./p.m.

B.2. **OTHER VISITATION**: In addition to the Weekend visitation above, the child(ren) shall also spend time with ☐ Plaintiff **OR** ☐ Defendant as follows (specify specific days and times such as each Wednesday from 4:00 p.m. to 8:00 p.m., etc.): _____

_____

☐ Additional sheets of paper are attached (if necessary).

B.3. **SUMMER SCHEDULE**: **(Choose one)**

Option 1: ☐ Plaintiff OR ☐ Defendant shall have visitation with the parties' child(ren) beginning _____and continuing until _____ (i.e. ten days after school lets out from 5:00 p.m. and continuing until ten days prior to school starting up again at 5:00 p.m.).

The other parent shall have the same Weekend and Other Visitation as described in paragraphs B.1 and B.2 above during the summer; **OR**

Option 2: ☐ The summer schedule will remain the same as during the school year; **OR**

Option 3: ☐ The summer schedule will be as follows:_____

_____

☐ Additional sheets of paper are attached (if necessary).

B.4. **HOLIDAY SCHEDULE**: The following holiday schedule will take priority over the regular weekday, weekend, and summer schedules described above. Fill in the blanks below with Plaintiff or Defendant to indicate who the child(ren) will be with for the holidays. Provide beginning and ending times. If a holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent they are normally scheduled to be with.

Location of exchange and transportation arrangements for the following holidays or events shall follow the instructions set forth in paragraph **2.B.11.** unless stated otherwise.
(Be very specific about the days, times, and location where exchanges will take place)

Holiday/Event	**Odd numbered years**	**Even numbered years**	**Every year**	**Day, Time and Place of Exchange** Describe from start to end (*for example, Friday when school lets out until Monday at 6 p.m.*)
	(Plaintiff or Defendant)			
☐Mother's Day Weekend				
☐Memorial Day Weekend				
☐Father's Day Weekend				
☐July 4th				
☐Labor Day Weekend				
☐ Thanksgiving Break **First part**				
☐ Thanksgiving Break **Second part**				
☐Winter Break **First part**				

☐Winter Break **Second part**				
☐Spring Break **First part**				
☐Spring Break **Second part**				
☐Child(ren)'s Birthdays				
Religious/Other Events				
☐ (Specify):				
☐ (Specify):				
☐ (Specify):				

☐ Additional sheets of paper are attached (if necessary).

B.5. ☐ **OTHER (including no visitation or supervised visitation)**: If you require a schedule that is difficult to explain in the format above or if your situation is unique such that visitation is not appropriate or requires supervision, please provide a detailed visitation schedule that fits your needs or an explanation of why visitation is not appropriate on a separate sheet of paper and attach it.

B.6. **TEMPORARY CHANGES TO THE SCHEDULE:** Any schedule for sharing time with the child(ren) may be changed as long as both parents agree to the changes ahead of time, in writing.

B.7. **PERMANENT CHANGES TO THE SCHEDULE:** Once the judge signs the final *Decree of Divorce* in your case and approves this Visitation Plan, any permanent changes must be agreed to by both parties or modified by the court.

B.8. **PARENT-CHILD COMMUNICATION:** Both parents and child(ren) shall have the right to communicate by telephone, in writing or by electronic means during reasonable hours without interference or monitoring by the other parent, unless otherwise ordered by the Court.

B.9. **MUTUAL RESPECT:** Parents will not say things or knowingly allow others to say things in the presence of their child(ren) that would take away the child(ren)'s love and respect for the other parent such as saying negative things about the other parent.

B.10. **OTHER TERMS:**

A. **The party who has custody of the children or the party who is exercising visitation with the children shall:**
   i. Care for, control, protect, and reasonably discipline the child(ren);
   ii. Provide the child(ren) with adequate food, clothing, and shelter, and medical and dental care;
   iii. Promote and encourage the training and education of the child(ren);
   iv. Respect the other party's rights and responsibilities regarding the other party's time with and care of the child(ren).

B. **Visitation MAY NOT be reduced or denied because support is not paid.**

C. Add any other items regarding the child(ren) you would like to include concerning visitation. _____
_____
_____
_____

☐ Additional sheets of paper are attached (if necessary).

B.11. **EXCHANGE OF CHILD(REN)/COST OF TRANSPORTATION:** Both parents shall have the child(ren) ready on time and at the agreed-upon time of exchange. All clothing that accompanied the child(ren) shall be returned to the other parent at the end of that particular visitation. All transportation in connection with the visiting parent's exercise of his/her visitation shall be the responsibility of and/or paid for as follows:

Option 1: ☐ While both parents continue to reside within ____ miles of each other, both parents shall be responsible for transportation costs for one-way of the children's transportation. ☐ Plaintiff ☐ Defendant shall pick up the child(ren) from_____ at the beginning of the
(location)
visitation and ☐ Plaintiff ☐ Defendant shall pick up the child(ren) at the end of the visitation from _____. If either party moves
(location)
_____ miles or more away, then the costs for transportation shall be as follows:_____
_____; **OR**

Option 2: ☐ The visiting parent shall be responsible for all of the child(ren)'s transportation costs. ☐ Plaintiff ☐ Defendant shall pick up the child(ren) from_____ at the beginning of the visitation
(location)
and shall return the children to_____ at the end
(location)
of the visitation; **OR**

Option 3: ☐ Other: (provide details exchange and transportation costs):_____
_____
_____

ONCE FILED, THE PARTIES MAY ONLY MAKE SUBSTANTIAL, PERMANENT MODIFICATIONS TO THIS VISITATION PLAN BY WRITTEN AGREEMENT SIGNED BY BOTH PARTIES, APPROVED BY THE JUDGE AND FILED WITH THE COURT. MINOR, TEMPORARY CHANGES MAY BE MADE ANY TIME ONLY IF BOTH PARTIES AGREE TO THE CHANGES.

C. **CHILD SUPPORT:**

The child support amount may depend on the custodial arrangement that is ordered by the court. If each parent keeps the children overnight for more than twenty-five percent (25%) of the year ***and*** both parents contribute substantially to the expenses of the children ***in addition to*** the payment of child support, a "shared responsibility child support" obligation shall be determined by use of the tables. Also, when each parent has physical custody of at least one (1) of the children, a "shared responsibility child support" obligation for all of the children shall be determined by use of the tables. See Wyo. Stat. §20-2-304(c) and (d). **For assistance in calculating child support, go to the following website**: http://laramiecounty.com/_officials/DistrictCourtClerk/calculator.aspx or call your local child support enforcement agency.

In accordance with Wyo. Stat. § 20-2-304, presumptive child support is calculated as follows:

a. Number of children: _____

b. Plaintiff's net monthly income is: $_____

☐ actual (Plaintiff submitted a *Confidential Financial Affidavit*); OR

☐ imputed (Plaintiff did not submit a *Confidential Financial Affidavit)*

c. Defendant's net monthly income is: $_____

☐ actual (Defendant submitted a *Confidential Financial Affidavit)*; OR

☐ imputed (Defendant did not submit a *Confidential Financial Affidavit)*

d. Total child support obligation of both parents is: $_____

e. Plaintiff's presumptive child support obligation is: $_____

f. Defendant's presumptive child support obligation is: $_____

C.1. **Restriction on reducing amount of child support:** No agreement which is *less than* the presumed child support amount in the law shall be approved if public support/benefits (such as aid under the personal opportunities with employment responsibilities (POWER) program, Title 19, Kid Care, food stamps, supplemental security income (SSI) or other similar benefits) are being paid on behalf of any of the child(ren). **CHECK ONE**:

☐ The child(ren) receive(s) public assistance; OR

☐ The child(ren) DO NOT receive(s) any public assistance.

C.2. **Amount of Child Support**: ☐ Plaintiff OR ☐ Defendant shall pay $_____ per month for child support. The amount of child support is based upon:

☐ The presumptive amount of child support determined by Wyoming's Child Support Guidelines; **OR**

☐ There is a deviation (an adjustment) ☐ upwards or ☐ downwards from the presumptive amount. (In order to deviate, there must be a specific finding that the application of the presumptive child support would be unjust or inappropriate). The reasons that the presumptive amount is unjust is because (list the specific reasons): _____

_____

_____

_____

C.3. **Time of Payments**: Child support payments shall begin:

☐ On THE FIRST DAY OF THE MONTH beginning the month of _____ _____, 20___ and shall continue to be paid on the first day of the month thereafter, until further order of the court; **OR**

☐ beginning on the ____ day of _____, 20_____and continuing as follows: _____.

C.4. **CONTINUATION OF CHILD SUPPORT:** Child support shall continue during the minor child's minority, and beyond if the child has a mental, emotional or physical impairment preventing emancipation, or while the child is attending high school or an equivalent program as a full-time student between the ages of 18 and 20. Child support shall terminate if, during the child's minority, the child marries, is emancipated, becomes self-supporting or dies.

C.5. **PLACE:**

All payments required under this Decree, shall be made to one of the two following addresses:

Clerk of the District Court, whose address is (see *District Court Clerks Addresses* in this packet):	OR	State Disbursement Unit 2300 Capitol Ave. Hathaway Bldg., 5th Floor, Suite A Cheyenne, WY 82002

_____

_____

_____

DO NOT PAY BY PERSONAL CHECK. CASH ACCEPTED IN PERSON ONLY. CASHIER'S CHECKS AND MONEY ORDERS ACCEPTED.

The Clerk or SDU shall promptly forward the support payments to the receiving parent at the address provided by that parent. **Each party shall pay, when due, all fees charged to that party by the Clerk of District Court, State Disbursement Unit, and any other agency statutorily authorized to charge a fee.**

C.6. **MODIFICATION:** Either party may seek a modification of the child support ordered herein pursuant to Wyo. Stat. §20-2-311.

MODIFICATION OF CHILD SUPPORT IS NOT EFFECTIVE UNLESS IT IS APPROVED BY A WRITTEN ORDER SIGNED BY THE JUDGE.

C.7. **ENFORCEMENT:** Wyoming law states that any payment of child support not paid when due shall automatically become a judgment against the parent who is supposed to pay on the due date. This judgment is subject to a 10% late payment penalty if it is not paid within thirty-two (32) days.

3. **MEDICAL INSURANCE**:

The ☐ Plaintiff or ☐ Defendant or ☐ Both parents shall provide health care insurance coverage for the minor child(ren) if insurance can be obtained at a reasonable cost and the benefits under the insurance policy are accessible to the child(ren).

3.A. *Proof.* The insuring parent shall provide to the Court and the other parent written proof that the insurance has been obtained within sixty (60) days

after it became available. Proof of insurance coverage shall contain, at a minimum:

i) The name of the insurer.
ii) The policy number.
iii) The address to which all claims should be mailed.
iv) A description of any restrictions on usage, such as pre-approval for hospital admission, and the manner in which to obtain pre-approval.
v) A description of all deductibles.
vi) Two (2) copies of claim forms.

3.B. *Changes.* The insuring parent shall provide written notice to the Clerk of this Court and the other parent if insurance coverage for the child is denied, revoked, or altered in any way that would affect the child's coverage, including any change relating to the information required above.

3.C. *Failure to Provide Insurance.* The Court may hold a parent in contempt for refusing to provide the ordered insurance or for failing or refusing to provide the information required above. In addition, if either parent fails to provide insurance or proof of insurance as required by this agreement, the other parent may provide such insurance and the parent who was supposed to shall be responsible to pay to the other parent the cost of such insurance plus the costs that parent had to pay for collection, including reasonable attorney's fees.

3.D. *Costs Not Paid for By Insurance.* All deductibles, co-payments and other expenses for health care that are not paid for by health insurance shall be paid by the parents as follows:

☐ 50% each by Plaintiff and Defendant; **OR**
☐ _____% by Plaintiff and _____% by Defendant.

i) If the insuring parent fails to pay the insurance premium, all health care expenses of the children not covered by insurance shall be the responsibility of that party.

ii) If the insuring parent fails to maintain insurance as required, that party may be found in Contempt of Court and may be required to pay or reimburse the expenses and costs set forth in Wyo. Stat. §20-2-401(e).

4. CHANGES IN ADDRESS AND EMPLOYMENT:

Each parent shall inform the other parent and the clerk of court in writing of any change of address, phone number, and employment:

4.A. **CHANGE OF EMPLOYMENT STATUS:** So long as there is a child support obligation, each parent shall notify the other parent and the Clerk of this Court, in writing, on forms available from the Court, within **fifteen (15) days** of any change in employment, including second jobs, changed employers, starting or ending unemployment compensation, and starting or ending of worker's compensation, or any other change in income.

4.B. **CHANGE OF ADDRESS:** So long as there is a child support obligation, if either parent plans to change his or her address, that parent must notify the other parent and the Clerk of this Court, in writing, on forms available from the Clerk of this Court, **no later than fifteen (15) days prior** to the day of the move, the destination of the move and the proposed move date.

4.C. **CHANGE OF HOME CITY OR STATE OF RESIDENCE:** Either parent who plans to change their home city or state of residence, must give written notice **thirty (30) days prior to the move**, both to the other parent and to the clerk of district court stating the date and destination of the move.

5. **INCOME WITHHOLDING ORDER**:

An income withholding order shall be entered and shall become effective as follows:

☐ Effective immediately (**Recommended**); **OR**

☐ Effective upon the date the Obligor (person who has to pay) requests withholding commence; or the date the Obligor is at least one (1) month behind in child support payments. List the reasons why good cause exists to delay the effective date for withholding income:_____; **OR**

☐ OTHER (i.e. Military allotment)_____.

6. **DIVISION OF PROPERTY:**

The parties' property shall be equitably divided as follows:

Plaintiff's Property:

6.A.1. The Plaintiff shall have as his/her sole and separate property, free and clear of any and all claims by the Defendant, but subject to any debt owing on the property, the following:

☐ All personal property held in his or name or in his or her possession, except as otherwise specifically set forth in this Decree.

☐ All bank accounts, investment accounts, and retirement accounts held in her sole name, if any, except as otherwise specifically set forth in this Decree.

☐ The following motor vehicle(s) (list year, make, model and VIN):____

_____

_____

☐ Plaintiff has OR ☐ does not have a retirement account.

Notice: A qualified domestic relations order (QDRO) or similar order may be required in order for retirement accounts to be divided. It is highly recommended that you get an attorney to draft such an order. This Court retains jurisdiction to enter, correct, or modify such orders in order to effectuate the terms of this Decree.

Specify the following for each retirement account:

Account Number and Plan Administrator: _____

_____

☐ shall not be divided with Defendant; OR

☐ shall be divided as follows:

☐ 50% of the amount accumulated from (date) _____ to (date) _____ to each party; OR

☐ $_____ to Defendant; OR

☐ Other described as follows:_____.

☐ For more than one account, attach additional sheets of paper with the above information. To divide certain qualified retirement accounts, you may need a QRDO (see above).

Defendant's Property:

6.A.2. The Defendant shall have as his or her sole and separate property, free and clear of any and all claims thereto by the Plaintiff, but subject to any indebtedness thereon, the following:

☐ All personal property held in his or her name or in his or her possession, except as otherwise specifically set forth in this Decree.

☐ All bank accounts, investment accounts, and retirement accounts, held in his or her sole name, if any, except as otherwise specifically set forth in this Decree.

☐ The following motor vehicle(s) (list year, make, model and VIN):____

_____

_____

☐ Defendant has OR ☐ does not have a retirement account.

Notice: A qualified domestic relations order (QDRO) or similar order may be required in order for retirement accounts to be divided. It is highly recommended that you get an attorney to draft such an order. This Court retains jurisdiction to enter, correct, or modify such orders in order to effectuate the terms of this Decree.

Specify the following for each account:

Account Number and Plan Administrator: _____

_____

☐ shall not be divided with Plaintiff; OR

☐ shall be divided as follows:

☐ 50% of the amount accumulated from (date) _____ to (date) _____ to each party; OR

☐ $_____ to Plaintiff; OR

☐ Other described as follows:_____.

☐ For more than one account, attach additional sheets of paper with the above information. To divide certain qualified retirement accounts, you may need a QRDO (see above).

Other Property:

6.A.3. ☐ The parties have no other property which requires division; **OR**

☐ The parties have the following property, which shall be awarded as follows:

List all possessions valued at $100.00 or more. For any bank accounts, identify by using the last 4 digits of the account number.

DESCRIPTION OF PROPERTY	AWARDED TO: **P**laintiff/**D**efendant	
1.	☐P	☐D
2.	☐P	☐D
3.	☐P	☐D
4.	☐P	☐D
5.	☐P	☐D
6.	☐P	☐D
7.	☐P	☐D
8.	☐P	☐D
9.	☐P	☐D
10.	☐P	☐D
11.	☐P	☐D
12.	☐P	☐D
13.	☐P	☐D
14.	☐P	☐D
15.	☐P	☐D

☐ Additional sheets of paper are attached if needed

Real Property:

6.A.4. ☐ The parties do not own any real property (i.e. house or land); **OR**
☐ The real property shall be divided as follows:

Option 1: ☐ Plaintiff or ☐ Defendant shall occupy the real property until sold. The property shall be listed with a real estate agency for sale no later than _____(date). Upon the sale, the net equity or loss from the sale shall be divided as follows:

_____% to Plaintiff
_____% to Defendant

Until the property is sold, the mortgage (including taxes and insurance) shall be paid by ☐ Plaintiff or ☐ Defendant and the utilities shall be paid by ☐ Plaintiff or ☐ Defendant; **OR**

Other:_____
_____
_____; **OR**

Option 2: ☐ Plaintiff or ☐ Defendant shall own the real property. The party receiving the real property shall pay to the other the sum of $_____ for his/her share of equity in the property. If applicable, the party receiving the property shall use his/her best efforts to refinance the debt or modify the loan on the property and remove the other party's name from any liability for the debt no later than _____.
(Date)

Once the payment has been made and the other party's name has been removed from the debt, if applicable, then the other party shall convey by appropriate deed his/her interest in the property.

☐ If a joint debt encumbering the real property is not refinanced no later than _____, the property shall be listed with a real estate agent and sold for no
(Date)
less than the appraised value; **OR**

Option 3: ☐ Other:_____
_____
_____
_____

7. **DIVISION OF DEBTS:**

NOTICE: This decree does not necessarily affect the ability of a creditor to proceed against a party or a party's property, even though the party is not responsible under the terms of the decree for an account, any debt associated with an account or any debt.

Each party shall pay the debts they have accumulated since the parties' separation. The parties shall pay the following debts acquired prior to the separation:

Type of Debt	Name of Creditor and Last 4 Digits of Account No.	Amount owed	Will Be Paid By: **P**laintiff/**D**efendant
1.			☐P ☐D
2.			☐P ☐D
3.			☐P ☐D
4.			☐P ☐D
5.			☐P ☐D
6.			☐P ☐D
7.			☐P ☐D
8.			☐P ☐D
9.			☐P ☐D

☐ Additional sheets of paper are attached if needed

☐ Other – If the debt will be paid by both parties other than 50/50, please list how much each party will pay for each debt on a separate sheet of paper and attach it.

8. **DEBTS OR LIABILITIES DISCOVERED AFTER THE DECREE IS ENTERED:** If any debts or liabilities not listed above exist or become known after entry of this Decree, the person in possession of the merchandise purchased, or the person who received the services, shall be responsible for the debt.

9. **TITLE TRANSFER:** Parties shall sign all documents necessary to complete all transfers of title ordered in this Decree, such as motor vehicles and bank accounts. Otherwise, this Decree can be used as a transfer of title and can be recorded.

10. **SPOUSAL SUPPORT/ALIMONY:**

☐ The Court finds as follows regarding the ☐ Plaintiff ☐ Defendant's ability to pay and the ☐ Plaintiff ☐ Defendant's need for spousal support/alimony: _____ _____ (use additional paper if necessary)
AND therefore the ☐ Plaintiff ☐ Defendant is ordered to pay the other spouse the sum of $_____ per month spousal support/alimony BEGINNING THE FIRST DAY OF THE MONTH beginning _____, 20 ____, and continuing to be paid on the same day each month until the receiving party is:

☐ remarried; OR
☐ deceased; OR
☐ until _____

If no terminating event is specified above, spousal support/alimony payments shall end if the receiving party is remarried or deceased. Payments made shall be included in receiving spouse's taxable income and are tax deductible from the paying spouse's income as required by law.

11. **FILING INCOME TAX:** [If Decree entered between January 1st and April 15th]

For previous calendar years, pursuant to IRS rules and regulations, the parties will file:

☐ Joint federal and state income tax returns and hold the other harmless (meaning other party won't be responsible) from half of all additional income taxes, if any, and other costs, and each will share equally in any refunds; **OR**

☐ Separate federal and state income tax returns; **OR**

☐ Other, explain:_____

For this calendar year and continuing thereafter, each party will file separate federal and state income tax returns.

12. **TAX EXEMPTION:** The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows:

Initials of Child(ren)	Parent Entitled to Claim	Year Allowed to Claim
_____	☐ Plaintiff ☐ Defendant	☐ every ☐ odd ☐ even ☐ Other: _____
_____	☐ Plaintiff ☐ Defendant	☐ every ☐ odd ☐ even ☐ Other: _____
_____	☐ Plaintiff ☐ Defendant	☐ every ☐ odd ☐ even ☐ Other: _____
_____	☐ Plaintiff ☐ Defendant	☐ every ☐ odd ☐ even ☐ Other: _____

provided that the party required to pay child support is only entitled to claim the exemption(s) if he/she is current on his/her child support obligation as of December 31st of the year in which the exemption(s) is claimed. The parties shall sign all necessary tax forms to allow the other party to claim the exemption(s) as stated above.

13. **RESTORATION OF NAME**: (This is ☐Plaintiff ☐Defendant's sole decision.)
☐ The ☐ Plaintiff ☐ Defendant's former name is restored to:
_____; **OR**
(List the first, middle and last name desired)
☐ The ☐ Plaintiff ☐ Defendant does not desire a name change.

14. **ENFORCEMENT OF ORDER:** Either party or, when appropriate, the department of family services has the right to petition to enforce an order pursuant to Wyo. Stat. §20-2-201 through 20-2-204, 20-2-310 and 20-2-311(d).

> **Contempt - Pursuant to Wyo. Stat. §20-2-204 and 20-2-310, a court having jurisdiction to enforce or revise the decree may, upon appropriate motion of either parent, require a parent to appear before the court and show just cause why the parent should not be held in contempt, upon a showing that the parent has willfully violated the decree as to the care, custody, visitation and maintenance of the children. The court may, in addition to any assessment it may impose upon a finding that the parent is in contempt of court, award attorney's fees, costs, and such other and further relief as the court may deem necessary under the circumstances, to the parent aggrieved by the violation of the decree, in order to enforce and require future compliance with the decree.**

15. **DEFAULT:** In the event that either party hereto shall fail to perform, in whole or in part, any obligation or duty imposed by the terms of this Decree, such defaulting party shall be responsible for the payment of all reasonable attorney fees, costs, and expenses incurred by the other party as a result of such failure or default.

16. **EXECUTION OF INSTRUMENTS: Each party is ordered to take all steps necessary to carry out the terms of the Decree, including but not limited to the execution of documents.**

17. **LIMITED REPRESENTATION**: Following Rule 1.2(c) of the Wyoming Rules of Professional Conduct, any attorney who has entered a limited appearance for the purpose of obtaining a divorce decree is now discharged.

DONE this _____ day of _____, 20____.

BY THE COURT:

_____
DISTRICT COURT JUDGE

CHECK ONLY ONE BOX, AND SIGN WHERE INDICATED IN THAT SECTION ONLY:

☐ ***If the parties have agreed (both sign and have signatures notarized):***

I certify that I have read the foregoing *Decree of Divorce With Minor Children* and that I understand and agree to the terms and agree to the entry of this Decree.

_____
Plaintiff's signature

STATE OF _____)
) ss
COUNTY OF _____)

Subscribed and sworn to before me by _____, this _____ day of _____, 20_____.

Witness my hand and official seal

_____
Notarial Officer

My Commission Expires:

I certify that I have read the foregoing *Decree of Divorce With Minor Children* and that I understand and agree to the terms and agree to the entry of this Decree.

_____
Defendant's signature

STATE OF _____)
) ss
COUNTY OF _____)

Subscribed and sworn to before me by _____, this _____ day of _____, 20_____.

Witness my hand and official seal:

_____
Notarial Officer

My Commission Expires:

☐ ***If default has been entered and the Defendant did not respond:***

The above is true and accurate and I want the court to approve:

_____
Plaintiff's signature

☐ ***If a court hearing was held***:

APPROVED AS TO FORM:

_____ _____
Plaintiff's signature Defendant's signature

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address
_____
_____

Defendant/Defendant's Attorney's Name and Address
_____
_____

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

Plaintiff:_____,)
(Print name of person filing))
)
vs.)
)
Defendant:_____.)
(Spouse) (Print name)

Civil Action Case No. _____

ORDER FOR INCOME WITHHOLDING

THE COURT ORDERS any payor of_____ (name of Obligor, person owing child support), to pay child support to _____ (name of Obligee, person owed child support) commencing on _____(date). Payments are due on the _____ day of every _____(specify time period, i.e. monthly). Total arrears (past due support) owed as of _____(date) for child support is $_____.

☐ The Court orders the immediate activation of an order for income withholding against the Obligor, pursuant to Wyo. Stat. § 20-6-204.

Income withheld must be paid to one of the two following addresses:

Clerk of the District Court, whose address is (see *District Court Clerks' Addresses* in this packet):

_____

_____

_____

OR State Disbursement Unit
2300 Capitol Ave.
Hathaway Bldg., 5th Floor, Suite A
Cheyenne, WY 82002

DO NOT PAY BY PERSONAL CHECK. CASH ACCEPTED IN PERSON ONLY. CASHIER'S CHECKS AND MONEY ORDERS ACCEPTED.

The Clerk or SDU shall promptly forward the support payments to the receiving parent at the address provided by that parent. **Each party shall pay, when due, all fees charged to that party by the Clerk of District Court, State Disbursement Unit, and any other agency statutorily authorized to charge a fee.**

OR

☐ Pursuant to Wyo. Stat. § 20-6-204, this order for income withholding is not subject to immediate activation because either:

☐ Both parties have agreed in writing to an alternative arrangement. (When the parties agree to an alternative arrangement, the arrangement shall be in writing, signed by the parties and reviewed and entered in the record by the court.)

OR

☐ The Court finds there is good cause not to require the immediate activation of an order for income withholding because: (The court shall include in the record its findings of good cause, including a statement explaining why implementation of immediate income withholding would not be in the best interests of the child and, in cases involving modification of child support, proof of timely payments.)

_____
_____
_____
_____
_____
_____
_____
_____
_____

Any order for income withholding not subject to immediate activation shall become effective upon the date the Obligor requests withholding commence; or the date the Obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order as set forth in Wyo. Stat. § 20-6-205.

IT IS FURTHER ORDERED that upon receipt of a notice of *Income Withholding for Support*, every employer or other person now or in the future owing income to the Obligor shall comply with all terms of the notice and shall withhold a portion of the Obligor's income and remit it to the Clerk at the address in the *Income Withholding for Support* form.

For purposes of this order: "INCOME" means any form of periodic payment or return in money to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability and permanent partial disability, worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payment made by any payor.

Furthermore, no employer may discharge, discipline, refuse employment to, or otherwise penalize an Obligor because of this *Order for Income Withholding* or a subsequently issued *Income Withholding for Support* form.

IT IS FURTHER ORDERED that the payor comply with all the terms of an issued *Income Withholding for Support* form and all subsequent notices served upon the payor;

The last known addresses of the Obligor and Obligee are as follows:

Obligor (person owing child support): _____

Address: _____

_____

Obligee (person to receive child support): _____

Address: _____

_____

IT IS, FURTHER, ORDERED that each party shall notify the Clerk of District Court, in writing, on forms available from the Clerk, within fifteen (15) days of any changes in address or employment status.

At the time this *Order for Income Withholding* is entered, the Clerk shall mail a copy of the order and the support order to the last known address of the Obligor and the Obligee as listed below.*

DATED this _____ day of _____, 20_____.

BY THE COURT:

_____
District Court Judge

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address

_____

_____

Defendant/Defendant's Attorney's Name and Address

_____

_____

* **Be sure to include addressed/stamped envelopes for you and the defendant when filing this *Order for Income Withholding* so that copies of this Order can be mailed by the Clerk as required by law.**

INCOME WITHHOLDING FOR SUPPORT

☐ **ORIGINAL INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)**
☐ **AMENDED IWO**
☐ **ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT**
☐ **TERMINATION of IWO**

Date: _____

☐ Child Support Enforcement (CSE) Agency ☐ Court ☐ Attorney ☐ Private Individual/Entity (Check One)

NOTE: This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/publication.htm#forms). If you receive this document from someone other than a State or Tribal CSE agency or a Court, a copy of the underlying order must be attached.

State/Tribe/Territory _____
City/County/Dist./Tribe _____
Private Individual/Entity _____

Remittance Identifier (include w/payment) _____
Order Identifier _____
CSE Agency Case Identifier _____

_____
Employer/Income Withholder's Name

_____
Employer/Income Withholder's Address

_____

_____

Employer/Income Withholder's FEIN _____

RE: _____
Employee/Obligor's Name (Last, First, Middle)

_____
Employee/Obligor's Last 4 digits of SSN

_____
Custodial Party/Obligee's Name (Last, First, Middle)

Child(ren)'s Initials	Child(ren)'s Year of Birth
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

***ORDER INFORMATION**:* This document is based on the support or withholding order from _____ (State/Tribe). You are required by law to deduct these amounts from the employee/obligor's income until further notice.

$ _____ Per_____ current child support
$ _____ Per_____ past-due child support - **Arrears greater than 12 weeks?** ☐ Yes ☐No
$ _____ Per_____ current cash medical support
$ _____ Per_____ past-due cash medical support
$ _____ Per_____ current spousal support
$ _____ Per_____ past-due spousal support
$ _____ Per_____ other (must specify) _____ .

for a **Total Amount to Withhold** of **$** _____ per _____.

AMOUNTS TO WITHHOLD: You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

$ _____ per weekly pay period
$ _____ per biweekly pay period (every two weeks)
$ _____ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.
$ _____ per semimonthly pay period (twice a month)
$ _____ per monthly pay period

***REMITTANCE INFORMATION**:* If the employee/obligor's principal place of employment is Wyoming, you must begin withholding no later than the first pay period that occurs after the date of service of this notice. Send payment within 7 working days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold up to_____% of disposable income for all orders. If the employee/obligor's principal place of employment is not Wyoming, obtain withholding limitations, time requirements, and any allowable employer fees at http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm for the employee/obligor's principal place of employment.

Document Tracking Identifier_____

OMB 0970-0154

For electronic payment requirements and centralized payment collection and disbursement facility information (State Disbursement Unit [SDU]), see http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm.

Include the ***Remittance Identifier*** **with the payment** and if necessary this FIPS code: _____ .

Remit payment to: Wyoming Child Support, State Disbursement Unit, 2300 Capitol Ave., Hathaway Building, 5th Floor, Suite A,, Cheyenne, WY 82002.

☐ **Return to Sender [Completed by Employer/Income Withholder].** Payment must be directed to an SDU in accordance with 42 USC §666(b)(5) and (b)(6) or Tribal Payee (see Payments to SDU below). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you *must* check this box and return the IWO to the sender.

Signature of Judge/Issuing Official (if required by State or Tribal law): _____
Print Name of Judge/Issuing Official: _____
Title of Judge/Issuing Official: _____
Date of Signature: _____

If the employee/obligor works in a State or for a Tribe that is different from the State or Tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.
☐ If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

ADDITIONAL INFORMATION FOR EMPLOYERS/INCOME WITHHOLDERS

State-specific contact and withholding information can be found on the Federal Employer Services website located at: http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm

Priority: Withholding for support has priority over any other legal process under State law against the same income (USC 42 §666(b)(7)). If a Federal tax levy is in effect, please notify the sender.

Combining Payments: When remitting payments to an SDU or Tribal CSE agency, you may combine withheld amounts from more than one employee/obligor's income in a single payment. You must, however, separately identify each employee/obligor's portion of the payment.

Payments To SDU: You must send child support payments payable by income withholding to the appropriate SDU or to a Tribal CSE agency. If this IWO instructs you to send a payment to an entity other than an SDU (e.g., payable to the custodial party, court, or attorney), you must check the box above and return this notice to the sender. Exception: If this IWO was sent by a Court, Attorney, or Private Individual/Entity and the initial order was entered before January 1, 1994 or the order was issued by a Tribal CSE agency, you must follow the "Remit payment to" instructions on this form.

Reporting the Pay Date: You must report the pay date when sending the payment. The pay date is the date on which the amount was withheld from the employee/obligor's wages. You must comply with the law of the State (or Tribal law if applicable) of the employee/obligor's principal place of employment regarding time periods within which you must implement the withholding and forward the support payments.

Multiple IWOs: If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to Federal, State, or Tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support. Follow the State or Tribal law/procedure of the employee/obligor's principal place of employment to determine the appropriate allocation method.

Lump Sum Payments: You may be required to notify a State or Tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments.

Liability: If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by State or Tribal law/procedure. _____

_____

_____

Anti-discrimination: You are subject to a fine determined under State or Tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO.

_____

_____

OMB Expiration Date – 05/31/2014. The OMB Expiration Date has no bearing on the termination date of the IWO; it identifies the version of the form currently in use.

Employer's Name: _____ Employer FEIN: _____
Employee/Obligor's Name: _____
CSE Agency Case Identifier: _____ Order Identifier: _____

Withholding Limits: You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) (15 U.S.C. 1673(b)); or 2) the amounts allowed by the State or Tribe of the employee/obligor's principal place of employment (see *REMITTANCE INFORMATION*). Disposable income is the net income left after making mandatory deductions such as: State, Federal, local taxes; Social Security taxes; statutory pension contributions; and Medicare taxes. The Federal limit is 50% of the disposable income if the obligor is supporting another family and 60% of the disposable income if the obligor is not supporting another family. However, those limits increase 5% - to 55% and 65% - if the arrears are greater than 12 weeks. If permitted by the State or Tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit indicated in this section.

For Tribal orders, you may not withhold more than the amounts allowed under the law of the issuing Tribe. For Tribal employers/income withholders who receive a State IWO, you may not withhold more than the lesser of the limit set by the law of the jurisdiction in which the employer/income withholder is located or the maximum amount permitted under section 303(d) of the CCPA (15 U.S.C. 1673 (b)).

Depending upon applicable State or Tribal law, you may need to also consider the amounts paid for health care premiums in determining disposable income and applying appropriate withholding limits.

Arrears greater than 12 weeks? If the *Order Information* does not indicate that the arrears are greater than 12 weeks, then the Employer should calculate the CCPA limit using the lower percentage.

Additional Information: _____
_____
_____

NOTIFICATION OF EMPLOYMENT TERMINATION OR INCOME STATUS: If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, an employer must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the Contact Information below:

☐ This person has never worked for this employer nor received periodic income.

☐ This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: _____ Last known phone number: _____

Last known address: _____
_____

Final payment date to SDU/ Tribal Payee:_____ Final payment amount: _____

New employer's name:_____

New employer's address:_____
_____

CONTACT INFORMATION:

To Employer/Income Withholder: If you have any questions, contact _____(Issuer name) by phone at_____, by fax at_____, by email or website at: _____ .

Send termination/income status notice and other correspondence to: _____
_____ (Issuer address).

To Employee/Obligor: If the employee/obligor has questions, contact _____(Issuer name) by phone at_____, by fax at_____, by email or website at _____ .

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

List of Addresses for the Clerk of District Court Offices

First Judicial District, Laramie County
Clerk of District Court
P.O. Box 787
Cheyenne, Wyoming 82003
(307) 633-4270

Second Judicial District, Albany County
Clerk of District Court
P.O. Box 1106
Laramie, Wyoming 82070
(307) 721-2508

Second Judicial District, Carbon County
Clerk of District Court
P.O. Box 67
Rawlins, Wyoming 82301
(307) 328-2628

Third Judicial District, Lincoln County
Clerk of District Court
925 Sage Avenue
Kemmerer, Wyoming 83101
(307) 877-3320

Third Judicial District, Sweetwater County
Clerk of District Court
P.O. Box 430
Green River, WY 82935
(307) 872-6448

Third Judicial District, Uinta County
Clerk of District Court
P.O. Box 1906
Evanston, Wyoming 82931
(307) 783-0456

Fourth Judicial District, Johnson County
Clerk of District Court
620 W. Fetterman, Ste. 208
Buffalo, Wyoming 82834
(307) 684-7271

Fourth Judicial District, Sheridan County
Clerk of District Court
224 S. Main Street, Suite B11
Sheridan, Wyoming 82801
(307) 674-2960

Fifth Judicial District, Big Horn County
Clerk of District Court
P.O. Box 670
Basin, Wyoming 82410-0670
(307) 568-2381

Fifth Judicial District, Hot Springs County
Clerk of District Court
415 Arapahoe
Thermopolis, Wyoming 82443
(307) 864-3323

Fifth Judicial District, Park County
Clerk of Court
P.O. Box 1960
Cody, Wyoming 82414-1960
(307) 527-8690

Fifth Judicial District, Washakie County
Clerk of District Court
P.O. Box 862
Worland, Wyoming 82401
(307) 347-4821

Sixth Judicial District, Campbell County
Clerk of District Court
P.O. Box 817
Gillette, Wyoming 82717
(307) 682-3424

Sixth Judicial District, Crook County
Clerk of District Court
P.O. Box 406
Sundance, Wyoming 82729
(307) 283-2523

Sixth Judicial District, Weston County
Clerk of District Court
1 West Main
Newcastle, Wyoming 82701
(307) 746-4778

Seventh Judicial District, Natrona County
Clerk of District Court
115 N. Center St., Suite 100
Casper, Wyoming 82601
(307) 235-9243

Eight Judicial District, Converse County
Clerk of District Court
107 North 5th St
Douglas, Wyoming 82633
(307) 358-3165

Eight Judicial District, Goshen County
Clerk of District Court
P.O. Box 818
Torrington, Wyoming 82240-0818
(307) 532-2155

Eight Judicial District, Niobrara County
Clerk of District Court
P.O. Box 1318
Lusk, Wyoming 82225
(307) 334-2736

Eight Judicial District, Platte County
Clerk of District Court
P.O. Box 158
Wheatland, Wyoming 82201
(307) 322-3857

Ninth Judicial District, Fremont County
Clerk of District Court
P.O. Box 370
Lander, Wyoming 82520
(307) 332-1134

List of Addresses for the Clerk of District Court Offices

Ninth Judicial District,
Sublette County
Clerk of District Court
P.O. Box 764
Pinedale, Wyoming 82941
(307) 367-4376

Ninth Judicial District,
Teton County
Clerk of District Court
P.O. Box 4460
Jackson, Wyoming 83001
(307) 733-2533