Packet 3

Divorce
(No Minor Children)

Forms and Procedures

For Wyoming

PLAINTIFF

2014

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*All underlined forms are required in a divorce action where the parties agree on all the issues.
**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, 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 (1-307-755-0992). 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 ensure that you qualify to file a divorce in Wyoming. To file a complaint you must live in Wyoming for at least sixty (60) days before you file. 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
4. Summons
5. Acknowledgement and Acceptance of Service
6. Affidavit for Divorce Without Appearance of Parties
7. Decree of Divorce

*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.

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 Clerk of District Court for each Judicial District is included in the packet. You will file your case in the District Court in the county where either you or your spouse reside. A case number, also called a **civil action number**, is assigned and an official court file is opened. Delivering the *Complaint for Divorce* to the Clerk's office is called **filing** a case. 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, Defendant, the District Court the case is filed in and the case number.

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 have the Clerk sign (a/k/a "issue") the ***Summons*.**

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.

RECAP for 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***; and
D. ***Summons***;
E. Pay the ***filing fee***;
F. 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. Serve the Defendant.

Once a case has been filed, a file-stamped copy must be formally given to (a/k/a **served** on) the Defendant. The person against whom the original legal action is being requested is called the **Defendant**, and he or she is expected to answer the *Complaint for Divorce*. The Defendant remains the Defendant throughout the case. **Personal service** of the *Complaint for Divorce* and *Summons* on the Defendant by a **Sheriff** is required for the *Complaint for Divorce* **unless** the Defendant completes an ***Acknowledgment and Acceptance of Service*** form. Formal service is required for the *Complaint for Divorce* so the Court has proof that the other party actually received the papers. ***Other forms of service exist, but these are the 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.***

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*. This is done by serving a file-stamped copy of the *Summons* and *Complaint for Divorce* upon the Defendant or by having the Defendant sign an *Acknowledgment and Acceptance of Service* form stating a copy 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 with a file-stamped copy of the *Summons* and *Complaint for Divorce* 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 *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 copy of the *Summons* and *Complaint for Divorce* 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.

> **Notarizing Signatures.** Some forms will require you to have your signature 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.

Proof of Service. Once the *Acknowledgement and Acceptance of Service* form is signed, take the original and two (2) copies of the signed form 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* form and the original *Summons* with the Clerk's office so that the Judge knows that proper service on the Defendant was made.

RECAP for 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 copy of the file-stamped *Summons* and *Complaint for Divorce* 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 *Return* or the *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* and *Complaint for Divorce* 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 Courthouse 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.

RECAP for 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 within thirty (30) days after the Defendant is served, including 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 all assets and debts of the parties.

> 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 SERVE**: Initial Disclosures must be sent to the Defendant (or his/her attorney) WITHIN 30 DAYS AFTER THE DEFENDANT IS SERVED. **Be sure to keep a copy of this document for your records.**

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 is served with the *Summons* and *Complaint for Divorce*.
>
> A. Mark on the calendar the deadline to send your *Initial Disclosures*; and
> B. Send your *Initial Disclosures* to the Defendant by the deadline.
> C. DO NOT file the *Initial Disclosures* with the Clerk's office.

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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 an ***Affidavit for Divorce Without Appearance of Parties***.

B. Fill out a ***Decree of Divorce*.** This form will need to be filled out completely, signed by both you and the Defendant and both of your signatures 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.

C. **Other Form(s)**: 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.

D. **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:

E. **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 entered into a settlement 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 contained in your packet.

F. **Evidence**. At the hearing, you will need to inform the Judge that you have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, the reason(s) why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and 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.

G. **When will your divorce become final**? Your divorce will not be final until the Judge approves 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.

RECAP for 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. *Affidavit for Divorce Without Appearance of Parties*
2. *Decree of Divorce*
   - 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).
3. Complete and file any additional documents required by your Court.
4. 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 located in your packet.

C. **Additional Documents**. After the *Entry of Default* is signed by the Clerk, complete **Step 6, Option A, items A through D** above. **MAKE SURE TO MARK "DEFAULT" ON 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 they 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 inform the Judge that you have lived in Wyoming for at least 60 days immediately before you filed the *Complaint for Divorce*, the reason(s) why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and 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 them.

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 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. The time limit to appeal a decree begins to run from the day the *Decree of Divorce* is filed with the Clerk's office.

RECAP for 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. *Affidavit for Divorce Without Appearance of Parties*
5. *Decree of Divorce* - **MAKE SURE TO MARK "DEFAULT" ON DECREE.**
    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).
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:
    A. *Request for Setting*
    B. *Order Setting Hearing*
    C. 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)
    D. 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. <u>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</u>:

A. **<u>You must file a *Reply* to the *Counterclaim*</u>**. 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).

- **<u>Caution:</u> 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. **<u>Trial</u>.** If there is no agreement, your case will have to be heard and decided by a Judge at a trial.

- **<u>Caution</u>: 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. **<u>Request a trial date.</u>** 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. 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 someone there 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. **<u>Pretrial Disclosures</u>**. - 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 **<u>30 days before trial</u>**.

- ➢ 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 agreement (or completed and signed *Decree of Divorce*) in writing 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 will also need to complete any additional forms that may be required by your Court.**

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.

RECAP for 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*
    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. 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 3
PLAINTIFF DIVORCE (NO MINOR CHILDREN)

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
- Summons
- Acknowledgment and Acceptance of Service
- Affidavit for Divorce Without Appearance of Parties
- Decree of Divorce

*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*
☐ *Summons*
☐ 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 the original *Summons* with the Court; **OR**

☐ Defendant was personally served by the Sheriff
  ☐ File original *Summons* and the original *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 Ackn*owledgment 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*. Instead, go to the next box.**

☐ *Affidavit for Divorce Without Appearance of Parties*

☐ *Decree of Divorce*

☐ 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 additional forms depending on the county where your case is filed. Ask the Clerk if additional forms are required.

- ☐ 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: Inform the Judge that you have lived in Wyoming for at least 60 days before you filed the *Complaint for Divorce*, the reasons why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the Judge the *Decree of Divorce* you completed.

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
- ☐ *Affidavit for Divorce Without Appearance of Parties*
- ☐ *Decree of Divorce*
- ☐ 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 additional forms depending on the county where your case is filed. Ask the Clerk if additional forms are required.

- ☐ 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: Inform the Judge that you have lived in Wyoming for at least 60 days before you filed the *Complaint for Divorce*, the reasons why there are irreconcilable differences in the marriage and the settlement you reached (who gets what) and give the Judge the *Decree of Divorce* you completed.

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*. If the Defendant only filed an *Answer*, move to the box with "Request a Trial Date."

- ☐ 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 at least 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* (Unless the Court is preparing this for you)

☐ 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 additional forms depending on the county where your case is filed. Ask the Clerk if additional forms are required.

- ☐ 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.

VITAL STATISTICS FORM
State of Wyoming
Department of Health
ABSOLUTE DIVORCE OR ANNULMENT

STATE FILE NUMBER _____

1. HUSBAND'S NAME *(First, Middle, Last)*			
2a. RESIDENCE-CITY, TOWN, OR LOCATION		2b. COUNTY	
2c. STATE	Birthplace (State or Foreign Country)	4. DATE OF BIRTH *(Month, Day, Year)*	
5a. WIFE'S NAME *(First, Middle, Last)*		5b. MAIDEN SURNAME	
6a. RESIDENCE-CITY, TOWN, OR LOCATION		6b. COUNTY	
6c. STATE	7. BIRTHPLACE *(State or Foreign Country)*	8. DATE OF BIRTH *(Month, Day, Year)*	
9a. PLACE OF THIS MARRIAGE-CITY TOWN, OR LOCATION	9b. COUNTY	9c. STATE OR FOREIGN COUNTRY	10. DATE OF THIS MARRIAGE *(Month, Day, Year)*
11. DATE COUPLE LAST RESIDED IN SAME HOUSEHOLD *(Month, Day, Year)*	12. NUMBER OF CHILDREN UNDER 18 IN THIS HOUSEHOLD AS OF THE DATE IN ITEM 11 Number _____ None ☐	13. PLAINTIFF/PETITIONER Husband ☐ Wife ☐ Both☐ Other *(Specify)*	
14a. NAME OF PLAINTIFF/PETITIONER'S ATTORNEY ----------DO NOT FILL OUT BELOW THIS LINE		14b. ADDRESS *(Street and Number or Rural Route Number, City or Town, State, Zip Code)*	
15. I CERTIFY THAT THE MARRIAGE OF THE ABOVE NAMED PERSONS WAS DISSOLVED ON : ***(Month, Day, Year)***	**16. TYPE OF DECREE-Divorce or Annulment *(Specify)***	**17. DATE RECORDED *(Month, Day, Year)*** –	
18. NUMBER OF CHILDREN UNDER 18 WHOSE PHYSICAL CUSTODY WAS AWARDED TO: **Husband ☐ Wife ☐** **Joint (Husband/Wife) ☐ Other ☐** **No Children ☐**	**19. COUNTY OF DECREE**	**20. TITLE OF COURT**	
21. SIGNATURE OF CERTIFYING OFFICIAL	**22. TITLE OF CERTIFYING OFFICIAL**	**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

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

1. Plaintiff is a resident of _____ County, Wyoming, and has lived in the State of Wyoming for more than sixty (60) days immediately prior to the filing of this Complaint. (If not, did the marriage take place in Wyoming and have you resided in this state from the time of the marriage until the filing of the complaint? ☐ yes ☐ no).

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 do not have any minor children, either natural or adoptive.

6. To the best of Plaintiff's knowledge,
   - ☐ Wife is not pregnant, **OR**
   - ☐ Wife 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.

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

8. The Court should award ☐ Plaintiff OR ☐ Defendant spousal support/alimony in a reasonable amount to be determined by the court; OR

☐ Neither party shall be awarded spousal support/alimony.

9. The wife's previous name may be restored if she desires.

WHEREFORE, the Plaintiff respectfully requests that the Court:

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

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

3. 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;

4. Order that the wife resume her previous name at the conclusion of this lawsuit if she wishes; and

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

DATED this _____ day of _____, 20_____.

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

----------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 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, to:

Name: _____

Address: _____

By:_____

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

_____
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. _____

ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE

I, _____, hereby
(Print Defendant's Name)
acknowledge receipt of a copy of the *Summons* and *Complaint for Divorce* 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)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

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

Civil Action Case No. _____

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 has been served with the *Complaint for Divorce*. **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, 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, 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** (Husband, Wife, Joint H/W, 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** (Husband, Wife, Joint H/W, Other-describe)	**State of Record Ownership** (Where asset is recorded, registered or located)	**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** (Husband, Wife, Joint H/W, Other-describe)	**Where asset is recorded, registered or located** (Which 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** (Husband, Wife, Joint H/W, Other-describe)	**Where asset is recorded, registered or located** (Which 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? (Husband, Wife, Joint H/W, 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?** (Husband Or Wife?)	**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)
) ss
COUNTY OF _____)

IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

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

Civil Action Case No. _____

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 _____of Defendant's
(list paragraphs that you don't know are accurate or not)
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
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

----------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 has been served the *Summons* and *Complaint* according to the *Affidavit/Return of Service* stating that Defendant **was served on** _____[date] and has failed to appear and answer the Plaintiff's *Complaint for Divorce* filed in this case or otherwise 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 notary 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 and
(print name)
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

(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. Plaintiff resided in the State of Wyoming for more than 60 days immediately prior to filing the *Complaint for Divorce* in this case.

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 do not have any minor children.

7. To the best of Plaintiff's knowledge,

☐ Wife is not pregnant, **OR**

☐ Wife 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 Wife

☐ does not desire to have her former name restored; **OR**

☐ her 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. #	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."

_____
_____
_____
_____
_____
_____

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:

(Print 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. _____

REQUEST FOR SETTING

The ☐ Plaintiff OR ☐ Defendant 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:

☐ Property distribution
☐ Motion for _____
☐ Other: _____

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

4) ☐ The parties are not able to agree on any issues and a trial is needed for a Divorce (No Minor Children). (NOTE: submit the ***Order Setting Divorce Trial and Requiring Pretrial Statements***); OR

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 Other Party's/Other Party'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)
) 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 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 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 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 the parties' names, ages, prior marriages, if any, present living situation of the parties and their immediate family. 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.

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. If alimony is claimed, the basis of the claim and the amount and duration proposed by the party.

3. If client claims exclusive or superior entitlement to "the divorce," the reasons for that position.

4. List of witnesses and specific summary of expected testimony.

5. Exhibits.

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. _____

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 OR ☐ Defendant 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:

(Insert Other Party's/Other Party'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

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. The Plaintiff lived in Wyoming for more than sixty (60) days immediately prior to the filing of the *Complaint for Divorce*.

2. 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.)

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

4. 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

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

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

7. The parties have no natural or adoptive minor children.

8. To the best of the parties' knowledge,
☐ Wife is not pregnant, **OR**
☐ Wife 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.

9. The parties
☐ 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.

10. The Court should order that
☐ No party is entitled to alimony/spousal support; **OR**
☐ The Wife shall pay to the Husband reasonable alimony; **OR**
☐ The Husband shall pay to the Wife reasonable alimony.

11. The Wife
☐ does not desire to have her former name restored; **OR**
☐ her 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 that the bonds of matrimony existing between the parties are dissolved.

2. **DIVISION OF PROPERTY:**

The parties' property shall be equitably divided as follows:

Wife's Property:

2.A.1. The Wife shall have as her sole and separate property, free and clear of any and all claims thereto by the Husband, but subject to any indebtedness thereon, the following:

☐ All personal property held in her name or in 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):____
_____
_____

☐ Husband 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 Wife; OR

☐ shall be divided as follows:

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

☐ $_____ to Wife; 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).

Husband's Property:

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

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

☐ All bank accounts, investment accounts and retirement accounts held in his sole name, if any, except as otherwise specifically set forth in this Decree.
☐ The following motor vehicle(s) (list year, make, model and VIN):____
_____
_____
☐ Wife 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 Husband; OR
☐ shall be divided as follows:
☐ 50% of the amount accumulated from (date) _____ to (date) _____ to each party; OR
☐ $_____ to Husband; 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:

2.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:
1.	☐ WIFE ☐ HUSBAND
2.	☐ WIFE ☐ HUSBAND
3.	☐ WIFE ☐ HUSBAND
4.	☐ WIFE ☐ HUSBAND
5.	☐ WIFE ☐ HUSBAND
6.	☐ WIFE ☐ HUSBAND

7.	☐ WIFE ☐ HUSBAND
8.	☐ WIFE ☐ HUSBAND
9.	☐ WIFE ☐ HUSBAND
10.	☐ WIFE ☐ HUSBAND
11.	☐ WIFE ☐ HUSBAND
12.	☐ WIFE ☐ HUSBAND
13.	☐ WIFE ☐ HUSBAND
14.	☐ WIFE ☐ HUSBAND
15.	☐ WIFE ☐ HUSBAND

☐ Additional sheets of paper are attached if needed

Real Property:

2.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: ☐ Wife or ☐ Husband 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 Wife
_____% to Husband

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

Other:_____
_____; **OR**

Option 2: ☐ Wife or ☐ Husband 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 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:_____

_____

_____

_____

_____

3. **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: Wife/Husband
1.			☐WIFE ☐HUSBAND
2.			☐WIFE ☐HUSBAND
3.			☐WIFE ☐HUSBAND
4.			☐WIFE ☐HUSBAND
5.			☐WIFE ☐HUSBAND
6.			☐WIFE ☐HUSBAND
7.			☐WIFE ☐HUSBAND
8.			☐WIFE ☐HUSBAND
9.			☐WIFE ☐HUSBAND

☐ 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.

4. **AFTER DISCOVERED DEBTS OR LIABILITIES:** If any debts or liabilities not listed herein exist or become known after entry of this Decree, the person in possession of the merchandise purchased, or for whose benefit the services were rendered, shall be responsible for the debt.

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

6. **SPOUSAL SUPPORT/ALIMONY:**

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

☐ Wife OR ☐ Husband 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 _____.
(Date or Event)

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.

7. **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.

8. **RESTORATION OF NAME**: (This is wife's sole decision).

☐ The wife's former name is restored to:
_____; **OR**
(List the first, middle and last name desired)
☐ The wife does not desire to have her name changed.

9. **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.

10. **EXECUTION OF INSTRUMENTS:** Each party shall promptly execute and deliver to the other party or any nominee(s) of the other party, all instruments that may be necessary, convenient, or appropriate to carry into effect, fully and fairly, all of the terms of this Decree, and the parties shall also be free to revoke any special or general powers of attorney heretofore given the other or given to any agent or nominee of the other.

11. **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* 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* 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
_____
_____

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