

Packet 2

Divorce  
(With Minor Children)

Forms and Procedures

For Wyoming

DEFENDANT

2011

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\*All underlined forms are required in a divorce with children action where the parties agree on all of the issues. The rest of the documents required to be filed with the Clerk to complete the divorce action are contained in the Plaintiff's Packet. It is recommended that you work with the Plaintiff to ensure all necessary forms are filled out correctly and completely. **You will also need to sign the *Decree of Divorce* that is contained in the Plaintiff's Packet before your divorce can be completed if you agree on all of 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.**” Although there has been a recent surge of pro se litigation in our courts, there are additional barriers that people without an attorney will inevitably face, especially in the area of family law/domestic relations. The difficulties increase when there are children, disagreements about property, financial interests, violence, harassment or coercion. Many areas of family law are very diverse and complicated, and some courts in the State of Wyoming require certain things that others courts do not. That is why it is impractical to include all legal remedies available to people in a divorce action in a single packet. **Therefore, this packet will be most beneficial for people involved in an uncontested divorce (i.e., you both agree on the issues).** There are other remedies available, including temporary orders on child custody, support, alimony and restraining orders that are not included in this packet and may be best pursued with the assistance of an attorney. The Citizen’s Access to Courts Committee is aware of the barriers that exist for low income people in our legal system and have created the forms in a manner that they believe will 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, there are concerns above and beyond the normal concerns. It is recommended that you obtain a lawyer to help you. There may be assistance available even if you cannot afford an attorney. Contact the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-800-990-3877), Wyoming Legal Services (1-800-442-6170) or the Wyoming State Bar (1-307-632-9061) [www.wyomingbar.org](http://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 (1-800-990-3877). 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 help you complete the forms and to take the steps the law requires for you 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** each and every form, as some forms say opposite things.
- For each form you decide to use, make sure you fill it out completely and correctly.

- NO ONE in the judge's office or the clerk of court's office can help complete these forms. Questions or problems may require the help of an attorney.

Where you are requested to provide additional information, use the blank spaces by either typing or printing with black ink. **You must print clearly. If the judge cannot read what you write, the judge will return the documents. DO NOT SIGN YOUR NAME WHERE THE JUDGE OR CLERK SHOULD SIGN.**

**LAWS: IF YOU DO THIS YOURSELF**, you must follow the law as if you were a lawyer. It is your responsibility to properly prepare and file the necessary documents. **The judge will not sign orders or decrees 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 Revised Statutes (the divorce laws), and you should also read the Wyoming Rules of Civil Procedure (W.R.C.P.). Most of the District Courts in the State of Wyoming have a courthouse library or county library where these law books can be read. You may also look up these law books on the internet at: [www.courts.state.wy.us](http://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.

**Clerks of Court Cannot Help You Fill Out the Forms.** Employees in the clerk of district court's office and in the office of the district judge cannot help you or advise you; if you represent yourself, you are on your own.

**The Judge Cannot Talk to You, Answer Your Questions or Assist You.** The judge cannot give you legal advice or make corrections for you. **DO NOT** contact the judge by personal letter or otherwise. All communications with the court must be during hearings or other proceedings at which all parties are present or through the legal documents you file.

**Situations that Warrant an Attorney.** Federal law may impact your division of retirement benefits, your provisions regarding employer-provided health insurance, or your provisions regarding 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. In addition, in the division or 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 "qualified domestic relations order" (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. (See Family Violence Box)
- 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

**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 Rule 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 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 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 (1-800-990-3877). There are also private attorneys that are willing to assist clients in these matters. If you have ever obtained a Domestic Violence Protection Order, this information should be indicated in the *Complaint for Divorce* or the *Counterclaim*. A Domestic Violence Protection Order generally will be in effect for up to three (3) months and any provision included in that order (such as child custody and/or support) will end when the order expires.

**Read through the following information and instructions before completing the forms.**

### **Information:**

A divorce action starts with the filing of the *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 plaintiff will file the *Complaint for Divorce* with the **Clerk of the District Court**, whose office is usually located in the county courthouse or a branch of the county courthouse. 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.

**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.

Once a case has been filed, a 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 defendant 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*.

## **Instructions:**

### **STEP 1. *Answer or Answer and Counterclaim.***

**Two options exist – you may either answer the *Complaint for Divorce* or answer and file a counterclaim. Both options are explained below:**

**OPTION A. Answer to Complaint for Divorce.** If you have been served or have signed an *Acknowledgement and Acceptance of Service* form, you should file an *Answer to Complaint for Divorce* with the Clerk of District Court where the *Complaint for Divorce* was filed. An *Answer to Complaint for Divorce* is a written document explaining to the court exactly which provisions you agree with and which provisions you deny. If you fail to answer, a default judgment may be entered against you and your spouse may be entitled the relief he or she asked for in the *Complaint for Divorce*.

You must fill in the caption. DO NOT forget to include the case number. This is located in the caption of the *Summons* and/or *Complaint for Divorce*.

- i. **Admit or Deny.** To answer the papers, you should go through each and every paragraph of the *Complaint for Divorce* and either “admit” or “deny” each paragraph. If you do not have sufficient information to either admit or deny a particular allegation, you must state that in your *Answer to Complaint for Divorce*. If you disagree with something and you fail to “deny” it in your *Answer to Complaint for Divorce*, the Judge can find that you admitted it.
- ii. **Time limit to answer. You have only a limited amount of time to file an Answer to Complaint for Divorce.** Generally, if you were served within the State of Wyoming, you will have 20 days to file the *Answer to Complaint for Divorce*. If you were served outside the State of Wyoming, you generally will have 30 days to file an *Answer to Complaint for Divorce*. If you do not file an *Answer to Complaint for Divorce* by your deadline, then your spouse may obtain a *Decree of Divorce* giving him/her everything he/she requested in the *Complaint for Divorce*.
- iii. **Computation of Time Limits.** In computing most time limits, unless otherwise stated, the day the pleading is served shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, or, when the act to be done is the filing of a paper, a day on which weather or other conditions have made the office of the clerk of the court inaccessible, in which event the period runs until the end of the next day which is not one of the aforementioned days. When the period of time prescribed or allowed is less than 11 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. A "legal holiday" includes any day officially recognized as a legal holiday in this state by designation of the legislature or appointment as a holiday by the governor.

**NOTE: If you have any question or concerns as to when the deadline to file the *Answer to Complaint for Divorce* is, you should consult an attorney.**

- iv. **REQUIRED INFORMATION FOR CHILDREN:** Certain information is required to be given **under oath** for each child, unless you have a court order or are operating under another law allowing you to maintain confidentiality of addresses or other identifying information. If the information is not provided, the court, upon motion of a party or its own motion, may stop the case from going forward until the information is provided. The information necessary is included in the *Answer* and the *Answer and Counterclaim*.
- v. **Notarizing Signatures.** You will need to sign the *Answer to Complaint for Divorce* and have it notarized. Notary Publics 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.
- vi. **Certificate of Service:** Copies of all documents sent to or filed with the court must be sent to the plaintiff before the judge will consider them. This is certificate is included at the end of each document that requires it.
- vii. **Copies.** Make two (2) copies of the document. The original will be filed by the Clerk of District Court, one copy is for the plaintiff and the other copy is for you (the defendant). You will need to repeat this step for all documents you file with the Clerk's office.

**OR**

**OPTION B. Answer and Counterclaim for Divorce.** If you want the Judge to grant relief to you (for example, give you the divorce, award property to you, order your spouse to pay alimony, take your previous last name back, etc.) you should file an **Answer and Counterclaim for Divorce.** An *Answer and Counterclaim for Divorce* responds to the *Complaint for Divorce* and gives you an opportunity to tell the court what you want to happen with the divorce. First, you will go through each and every paragraph of the *Complaint for Divorce* and either "admit" or "deny" each paragraph. Second, the *Counterclaim for Divorce* portion of the document asks the Judge to give you what you want. You must fill out all of the information in the *Answer and Counterclaim for Divorce* completely.

- i. **Restoration of Wife's previous name:** The wife should state whether or not she would like to resume her prior name in either the *Complaint for Divorce* if she is the plaintiff, or a *Counterclaim* if she is the defendant. This is the wife's choice ONLY; the husband cannot demand that his wife's name be changed.
- ii. Follow **Step A(ii)** through **Step A(vii)** above.

**NOTE: If you have any question or concerns as to when the deadline to file the *Answer and Counterclaim for Complaint for Divorce* is, you should consult an attorney.**

C. **Plaintiff's Reply to Your Counterclaim.** The plaintiff must reply to the *Counterclaim*. If you file a *Counterclaim*, the plaintiff will have 20 days to "reply" by filing a *Reply to Counterclaim*. The plaintiff will either admit or deny the separate allegations in your *Counterclaim*. If the plaintiff fails to reply to the *Counterclaim*, you may be entitled to file *Default* paperwork seeking the relief you request in your *Counterclaim*.

**STEP 2. Initial Disclosures.** The law requires certain information be made available at least 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.

**EXCEPTON: If you and the plaintiff agree on all issues in your divorce and you both are signing the *Decree of Divorce*, then you do NOT need to complete the *Initial Disclosures* and you can move on to Step 3.**

A. **WHEN TO SERVE:** Initial Disclosures must be sent to the plaintiff (or his/her attorney) **WITHIN 30 DAYS AFTER YOU ARE SERVED. Be sure to keep a copy of this document for your records.**

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

**STEP 3. Fill out a *Confidential Financial Affidavit* and attach all required documents (tax returns for previous two years and statement of earnings for the current year).**

A. **Fill out a *Confidential Financial Affidavit* and attach all required documents (tax returns for previous two years and statement of earnings for the current year).**

- Both parties are required to file a *Confidential Financial Affidavit* with the court with all the necessary supporting documentation.
- **Required Attachments.** The *Confidential Financial Affidavit* must be supported with documentation of both current and past earnings. Proper documentation of current earnings includes, but is not limited to, pay stubs, employer statements, or receipts and expenses if self-employed. Documentation of current earnings shall be supplemented with copies of the most recent tax return to provide verification

of earnings over a longer period. Include copies of income tax returns for the previous two years and your most recent pay stub(s) to show how much you have made so far this year.

- The *Confidential Financial Affidavit* may be filed with the Clerk's office at the same time you file your *Answer* or *Answer and Counterclaim*.

**STEP 4.** If you and the plaintiff agree on all of the terms in the *Decree of Divorce*, sign both documents in front of a notary public. Here is some important information about the *Decree of Divorce*:

The *Decree of Divorce* will need to be filled out completely, signed by you and the plaintiff and both of your signatures need to be notarized.

- **Custody and Visitation.** You and the plaintiff need to determine which custody and visitation plan will apply in your circumstances. It is unusual for the Court not to award any visitation or supervised visitation for the non-custodial parent.
- *If there is a concern that your child(ren) may be harmed by the other parent physically and/or emotionally, you should seek advice from someone familiar with parenting and child development issues. There may be an organization in your community that can help facilitate visitation between the children and you or the other parent. You can also contact the facilitators of any parenting classes in your community for ideas or additional resources.*
- **Child's interests should control.** The use of a calendar for scheduling purposes is highly recommended. The parents' work schedules and the child(ren)'s school and extracurricular activities need to be considered when developing a Parenting Plan. This is especially true for those parents who do not enjoy a traditional work week. While parenting time should be an enjoyable and enriching experience to both parents and child(ren), it is an obligation and responsibility for each parent as well as a right and a privilege. Both parents must also have a good faith commitment to developing and carrying out a Parenting Plan. You need to focus on what type of parenting schedule would be in the child(ren)'s best interest.
- **ASSUMPTIONS.** There are some basic assumptions behind a shared Parenting Plan, including:
  1. Both parents are fit to care for the child(ren).
  2. Both parents desire to have an ongoing relationship with each child.
  3. Both parents are able to carry out the childcare plan.
  4. Any negotiated solution with meaningful input from the parents (and, where applicable, the child(ren)), is preferred to a Court imposed solution.

5. It is usually in the child(ren)'s best interest for each parent to have frequent, meaningful and continuing access to the child(ren).
  6. That the child(ren) need(s) reliability, predictability and consistency on the part of each parent.
  7. That the child(ren) need(s) continuous access, direct experience and openness of communication with each parent and an absence of involvement in the mutual blaming of the parents.
- **GENERAL RULES.** Experience has dictated a number of common sense guidelines that should be followed in every case. Some of these guidelines are also supported by law. Except as otherwise ordered by the Court:
    1. Both parents are entitled to access to records and information on the medical care of the child(ren) directly from the health care provider as well as from the other parent. Each parent should notify the other promptly of any significant medical treatment.
    2. Both parents are entitled to access to all school records of the child(ren) and each should make arrangements with the school for access.
    3. Both parents are reminded that parenting time and child support, while they may be emotionally connected, are separate legal issues. Wyoming case law provides that parental access may not be denied due to the failure to pay child support. It also provides that child support may not be withheld due to the failure of a parent to allow access.
    4. Parents should share with each other their residence and work addresses and phone numbers.
    5. Each parent should encourage the child(ren) to initiate telephone and/or mail contact with the other parent on a regular basis.
    6. The parents should not discuss their marital problems with the child(ren). They should not try to turn the child(ren) against the other parent by discussing with the child(ren) the shortcomings of the other parent.
    7. The parents should not attempt to buy the favor of the child(ren) with presents, special treatment, special privileges or promises.
    8. Parents should not make their child(ren) choose between the two parents.
    9. Parents should not question their child(ren) regarding the activities of the other parent.
    10. Parents should not make promises that cannot be kept.
    11. Parents should not fight with the other parent in the presence of their child(ren).
    12. Parents should be prompt with appointments with the child(ren). It is unfair to keep a child waiting, and worse, to disappoint the child(ren) by not showing up at all. When unforeseen

circumstances prevent compliance within approximately fifteen (15) minutes of the scheduled time of exchange, immediate notification should be given, if possible, and appropriate alternative arrangements should be made. Alternative arrangements may include delayed scheduling, make-up access, or skipped access. For those occasional circumstances when a parent cannot meet the prearranged schedule, that parent should be responsible for the reasonable expenses incurred for child care, unless otherwise mutually agreed upon by both parents.

13. Parents should coordinate plans regarding bedtime, discipline, homework schedule and other household rules.

- **FACTORS TO BE CONSIDERED.** The *Decree of Divorce* contains several options and ideally both parents will work together to select the proper child care plan depending upon the family circumstances. Consider:
  1. The geographic location of each parent;
  2. Each parent's willingness and ability to perform the child care duties associated with the child(ren), relative to the child(ren)'s stage of development such as feeding, changing, bathing, preparing the child(ren) for school, taking responsibility for the child(ren)'s homework, etc.;
  3. Each parent's ability to care for the child(ren)'s needs (consider not only historical involvement but a parent's willingness and ability to learn the necessary skills, as well);
  4. The lack of hostility between the parents;
  5. The ability of both parents' work schedules and the child(ren)'s schedule to accommodate extended access;
  6. The child(ren)'s age(s) and strength of attachment to each parent;
  7. The child(ren)'s relationship with his/her friends.
- **Parenting classes.** At any time the Court may require parents to attend appropriate parenting classes, including, but not limited to, parenting classes to lessen the effects of divorce on children. Both parents are generally required to attend classes when they are ordered. If the class is ordered, you **MUST** file a **Certificate of Completion** with the Clerk's office. This certificate is provided by the class instructor.
- **Child Support Payments.** You will need to determine the amount of child support due based upon the *Confidential Financial Affidavits* you and the plaintiff completed. You may use the ***Child Support Computation Form*** as a guide to help you calculate the support due. Another option is to visit [www.alllaw.com/calculators/childsupport/wyoming/](http://www.alllaw.com/calculators/childsupport/wyoming/) to calculate child support.

- **You CANNOT agree that no support will be paid.** The statutes allow for a reduced amount of support when you agree on shared physical custody and each parent keeps the child(ren) overnight for more than forty percent (40%) of the year and both parents contribute substantially to the expenses of the children in addition to the payment of child support.
  - Where the combined *net monthly* income of *both* parents is less than eight hundred and thirty three dollars (\$833.00), the non-custodial parent has to pay twenty-five percent (25%) of his/her net income, but the minimum amount of child support a person has to pay cannot be less than fifty dollars (\$50.00) per month for each family unit in which there are children to whom the noncustodial parent owes a duty of support.
  - There are NO DEVIATIONS from the presumed support allowed UNLESS the Court CHOOSES to deviate from the set amount because the amount was unjust or inappropriate in the particular case. The Court must include the specific reasons for deviation in the *Decree of Divorce*.
  - **NO AGREEMENTS FOR LESS THAN THE PRESUMED SUPPORT CAN BE APPROVED IF GOVERNMENT OR STATE BENEFITS (SUCH AS MEDICAID (TITLE 19), FOOD STAMPS, POWER, ETC. ARE BEING PROVIDED ON BEHALF OF ANY CHILD.** This means the Court cannot lower the amount of child support calculated by using the net income of you and the defendant even if you and the defendant agree to a lower amount of support.
- **Medical Support.** The law requires that medical support for the child(ren) be included as part of any child support order. The Court shall order either or both of the parents to provide medical support, if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available. This may include dental, optical or other health care needs for the child(ren). In addition, the Court will order that any medical expenses not covered by insurance and any deductible amount on the required insurance coverage be paid by one or both parents. If both parents are ordered to pay for expenses not covered by insurance, the Court will specify the proportion for which each parent is responsible (for example, 50 % to plaintiff and 50 % to defendant).
  - **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. It may take several days for the judge to sign the *Decree of Divorce*. 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.

## **STEP 5. If you and the plaintiff do NOT agree on all issues of your divorce, you will need to have a trial:**

A. **Trial.** If you and the plaintiff cannot agree on all issues, your case will have to be heard and decided by a Judge at a trial.

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

B. **Request a trial date.** If the plaintiff has NOT done so, 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. If you request a Court reporter, you will be responsible for paying the fees. SEE BELOW FOR DETAILS ON GETTING A COURT REPORTER. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge’s decision if you do not get a Court reporter to take down everything that is said at the trial.

- You must file the *Request for Setting* and the *Order Setting Divorce Trial and Requesting Pretrial Statements* with the Clerk’s office and 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 plaintiff to the Clerk.

Once a trial date has been set, do the following:

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

- When are the *Pretrial Disclosures* due? Unless otherwise directed by the Court, these disclosures must be made at least **30 days before trial.**
- Take the original and two (2) copies to the Clerk for filing. Keep one copy for your records and send the other copy to the plaintiff (or his/her attorney).
- **Settlement before trial.** In the event that your case settles before the trial, you must present the Court with the completed and signed *Decree of Divorce* 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.

- **Court reporter.** If you wish to have a Court reporter you are required to provide notice to the official Court reporter at least **three (3) working days** before the matter is set for hearing. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. Payment of the **statutory reporting fee of \$45.00 per day** must be paid to the official Court reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer.

- **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.

- **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.**

- **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. It may take several days for the judge to sign the *Decree of Divorce*. 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 Defendant's Documents:**

1. File an *Answer* or *Answer and Counterclaim* within 20 days from the date you were served (or 30 days if served out of state)
  - Mail a copy to the plaintiff and keep a copy for your records
2. File a *Confidential Financial Affidavit* and the required attachments
  - Mail a copy to the plaintiff and keep a copy for your records
3. Assist the plaintiff in filling out the *Decree of Divorce* if you both agree on all of the terms.  
**Sign the *Decree of Divorce* in front of a notary public.**
4. If you and the plaintiff do NOT agree on all of the terms, and a trial is needed, follow these steps:
  - a. File a *Request for Setting and Order Setting Divorce Trial and Requiring Pretrial Statements* **ONLY** if the plaintiff has **NOT** done so.
  - b. 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 plaintiff with enough postage to cover the cost of mailing the *Order Setting Divorce Trial and Requiring Pretrial Statements* to you and the defendant).

- c. File your *Pretrial Disclosures* **30 days** before the trial date.
  - Mail a copy to the plaintiff and keep a copy for your records (do not file with the Court)
- d. At least 3 working days before the trial, request a court reporter, if desired (and if the plaintiff has not already done so)
- e. Attend the Trial
- f. 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 2 DEFENDANT DIVORCE WITH MINOR CHILDREN

These forms are required in all divorce cases where you and the plaintiff agree on all of the issues:

- *Answer to Complaint for Divorce (with Children)*; and
- *Confidential Financial Affidavit*

You will also need to work with the plaintiff to complete the *Decree of Divorce (with Children)* and sign it in front of a notary public.

**STEP 1.** If you were served with a copy of the *Summons and Complaint for Divorce* or if you signed an *Acknowledgement and Acceptance of Service*, file one of the following:

- Answer; OR*
- Answer and Counterclaim*
- Take an original and 2 copies of the *Answer* or *Answer and Counterclaim* to the Clerk for filing
  - Mail a copy to the plaintiff and keep a copy for your records.

**STEP 2.** File a *Confidential Financial Affidavit* and include the required attachments.

**Note:** This may be filed at the same time as the *Answer* or *Answer and Counterclaim*.

- Confidential Financial Affidavit*
  - Attach tax returns for prior 2 years; and
  - Attach statement of earnings for the current year.
- Take an original and 2 copies of the *Answer* or *Answer and Counterclaim* to the Clerk for filing
  - Mail a copy to the plaintiff and keep a copy for your records.

**STEP 3.** Complete the *Initial Disclosures*

- Send the *Initial Disclosures* to the plaintiff within **30 days** after you were personally served by the Sheriff or signed the *Acknowledgement and Acceptance of Service* form. **DO NOT FILE** the *Initial Disclosures* with the Court.
- Exception:** If you and the plaintiff agree on all issues in your divorce and you both are signing the *Decree of Divorce*, then you do NOT need to complete the *Initial Disclosures* and you can move on to **Step 4**.

**STEP 4.** If you and the plaintiff agree on all of the terms in the *Decree of Divorce*, sign it in front of a notary public.

- Sign the *Decree of Divorce*
- A copy will be mailed to you if the Judge signs the *Decree of Divorce*.

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

**STEP 5.** If you and the plaintiff 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.**

- If the plaintiff has **NOT** requested a trial date, you must request one.
  - 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 plaintiff and keep a copy for your records.

Once a trial date has been set, do the following:

- 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 plaintiff and keep a copy for your records
- At least 3 working days before the trial, request a court reporter if desired and if the plaintiff has not already done so.
- Attend the Trial: Present your evidence and witnesses.
- 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 plaintiff 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.**

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. \_\_\_\_\_

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**ANSWER TO COMPLAINT FOR DIVORCE (with Children)**

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The Defendant sets forth the following as the answers and responses to Plaintiff's *Complaint for Divorce (with Children)*:

1. Defendant admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that are accurate statements)  
of Plaintiff's *Complaint for Divorce*.
2. Defendant denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that you believe are not accurate)  
of Plaintiff's *Complaint for Divorce*.
3. Defendant does not have information sufficient to either admit or deny the allegations in Paragraphs \_\_\_\_\_.
4. **REQUIRED INFORMATION FOR CHILDREN:** The following information is required for each child, unless you have a court order or are operating under another law allowing you to maintain confidentiality of addresses or other identifying information. If the information in paragraphs 4 through 7 is not furnished, the court, upon motion of a party or its own motion, may stop the case from going forward until the information is furnished. Attach a separate sheet, if necessary.

Child's Initials: \_\_\_\_\_  
Year of birth: \_\_\_\_\_  
Place of birth: \_\_\_\_\_  
Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period


Attach a separate sheet if necessary

Child's Initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's Initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's Initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

5. **OTHER CASES INVOLVING CHILD(REN):** State whether you have participated as a party or witness or *in any capacity* in any other proceeding (court cases)

concerning the custody, allocation of decision-making, or visitation/parenting time of any of the children listed in this *Answer* in this *or any other state*: (If yes, please be specific regarding case number, court, state and nature of case, date of child-custody determination, if any, and child(ren)'s initials):

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6. **OTHER PROCEEDINGS, INCLUDING PROTECTION ORDERS:** State whether you have any information of any custody proceeding that could affect the current proceeding, including proceedings for enforcement and civil and criminal proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions, and if so, identify the court, the state, the case number and the nature of the proceeding and child(ren)'s initials: \_\_\_\_\_

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7. **CUSTODY AND VISITATION RIGHTS OF OTHERS:** The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren) (names and addresses of those persons): \_\_\_\_\_

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---

---

**WHEREFORE**, Defendant respectfully requests that the court find generally in her/his favor and against the Plaintiff, that Plaintiff take nothing by way of his/her *Complaint 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: \_\_\_\_\_

STATE OF WYOMING )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The Defendant, \_\_\_\_\_, under the penalty of perjury, verifies that she/he has read the *Answer to Complaint for Divorce (with Children)*, knows the contents of the *Answer*, and that the statements in the *Answer*, including the required statements about the child(ren) are true to the best of her/his own knowledge.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_

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

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

**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

-----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. \_\_\_\_\_

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**ANSWER AND COUNTERCLAIM  
TO COMPLAINT FOR DIVORCE (WITH CHILDREN)**

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The Defendant sets forth the following as the answers and responses to Plaintiff's *Complaint for Divorce (with Children)*:

1. Defendant admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that are accurate statements)  
of Plaintiff's *Complaint for Divorce*.
2. Defendant denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that you believe are not accurate)  
of Plaintiff's *Complaint for Divorce*.
3. Defendant does not have information sufficient to either admit or deny the allegations in Paragraphs \_\_\_\_\_.

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

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**COUNTERCLAIM**

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**DEFENDANT**,  **Husband**  **Wife**, sets forth the following as the counterclaim to Plaintiff's *Complaint for Divorce (with Children)*:

1. Defendant is a resident of the City of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_.

2. **DATE OF MARRIAGE:** \_\_\_\_\_ (Day/Month/Year).  
Place of marriage: \_\_\_\_\_ (City/County/State).

3. **DATE OF SEPARATION:** \_\_\_\_\_.

4. **IRRECONCILABLE DIFFERENCES:** Irreconcilable differences exist in the marriage; and

5. **AGGRIEVED PARTY:** Defendant is the aggrieved party in this case and should be granted a divorce from the Plaintiff;

6. **CHILDREN OF THE PARTIES:** The Plaintiff and I are the parents, either natural or adoptive, of child(ren) who are:

- Under 18 years of age; OR
- Between the ages of 18-20 and still in high school or a program equivalent to high school; OR
- Prevented from supporting him/herself due to a mental, emotional or physical impairment.

**NOTE: IF NO CHILDREN FALL INTO ONE OF THE ABOVE CATEGORIES, STOP. YOU SHOULD BE USING THE PACKET AND FORMS FOR A DIVORCE WITHOUT CHILDREN.**

7. **CHILD CUSTODY JURISDICTION:** That the child(ren) named in this *Counterclaim*  have  have not been in the State of Wyoming for a period of six (6) months or more immediately before filing this *Counterclaim*. (If not, seek the advice of a lawyer before filing.)

8. **CHILD CUSTODY AND VISITATION:** Custody and visitation should be determined by this court in this action; or, in the alternative, if the parties are able to agree on a parenting plan detailing custody and/or visitation in the best interests of the minor child(ren), then the court should approve the parents' plan and make it part of a *Divorce Decree* in this case;

**\*\*\*\*If there is or has been domestic violence in the parties' relationship, you should seek knowledgeable advice and guidance in developing an appropriate and safe parenting plan\*\*\*\***

9. **REQUIRED INFORMATION FOR CHILDREN:** The following information is required for each child, unless you have a court order or are operating under another law allowing you to maintain confidentiality of addresses or other identifying information. If the information in paragraphs 9 through 12 is not furnished, the court, upon motion of a party or its own motion, may stop the case from going forward until the information is furnished. Attach a separate sheet, if necessary.

Child's initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_  
 Year of birth: \_\_\_\_\_  
 Place of birth: \_\_\_\_\_  
 Present address: \_\_\_\_\_

Name(s) of person(s) with whom child/ren lived during the past 5 years	Beginning Date	Ending Date	Present address of person(s) with whom child(ren) lived during this period

Attach a separate sheet if necessary

10. **OTHER CASES INVOLVING CHILD(REN):** State whether you have participated as a party or witness or *in any capacity* in any other proceeding (court cases) concerning the custody, allocation of decision-making, or visitation/parenting time of any of the children listed in this *Counterclaim* in this *or any other state*: (If yes, please be specific regarding case number, court, state and nature of case, date of child-custody determination, if any, and child(ren)'s initials: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. **OTHER PROCEEDINGS, INCLUDING PROTECTION ORDERS:** State whether you have any information of any custody proceeding that could affect the current proceeding, including proceedings for enforcement and civil and criminal proceedings relating to domestic violence, protective orders, termination of parental rights and adoptions, and if so, identify the court, the state, the case number and the nature of the proceeding and child(ren)'s initials: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

12. **CUSTODY AND VISITATION RIGHTS OF OTHERS:** The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren) (names and addresses of those persons): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

13. **PREGNANCY:** To the best of Defendant's knowledge,  
 Wife is not pregnant, OR  
 Wife is pregnant (If wife is 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.

14. **CHILD SUPPORT:** Child support should be ordered to be paid by:  Plaintiff OR  Defendant in an amount determined by the Wyoming Child Support Guidelines;

15. **MEDICAL AND HEALTH INSURANCE:** Medical support should be ordered to be provided by the  Plaintiff OR  Defendant, OR  Both Parents, which may include dental, optical or other health care needs for the dependent children if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available; and that one (1) or both parents be liable to pay any medical expenses not covered by insurance and any deductible amount on the required insurance coverage in proportion to their respective incomes or as otherwise agreed or ordered by the court;

16. If you have already come to an agreement about the child(ren), or about support, please list that information here: \_\_\_\_\_  
(NOTE: You should read through the *Decree of Divorce* to see what issues need to be determined).

17. **PROPERTY AND DEBTS:** The court should equitably divide the parties' property and debts, or if the parties are able to agree upon an equitable division of their property and debts, then the court should adopt the parties' agreement.

18. **SPOUSAL SUPPORT/ALIMONY:** The court should award:  
 Plaintiff  Defendant  Neither party spousal support/alimony in a reasonable amount to be determined by the court; or in the alternative if the parties are able to reach an agreement that the court make the parties' agreement part of any *Decree of Divorce* in this case. (NOTE: Alimony is not required by law and, in Wyoming, the Supreme Court has held while alimony may be appropriate in some cases, an award of property is a preferable, modern substitute for alimony).

19. **WIFE'S NAME** (This is Wife's sole decision). That the Wife:  
 Wants to have her previous name of \_\_\_\_\_ restored; OR  
 Does not want to have her previous name restored.

20. **JURISDICTION:** That this court is the proper court to decide this divorce action.

**REQUESTS TO THE COURT: THE DEFENDANT** therefore requests that the court enter an Order:

1. **DIVORCE:** Granting the Defendant a divorce from the Plaintiff and dissolving the marriage;

2. **CUSTODY AND VISITATION:** Awarding custody and visitation of the child(ren) named in this *Counterclaim*, whether by birth or adoption, in the best interest of the minor child(ren) or if the parties are able to agree upon a custody and/or visitation/parenting plan that is in the child(ren)'s best interest, that the court approve the parties' agreement and make it part of any *Decree of Divorce* in this case;

3. **That both parties have a continuing duty to inform the court of any custody or other proceeding concerning the child(ren) in this or any other state which may arise during this lawsuit;**

4. **CONFIDENTIAL FINANCIAL AFFIDAVITS:** Requiring both parties to submit current *Confidential Financial Affidavits* to establish child support;

5. **CHILD SUPPORT:** Ordering that child support will be paid by:  
 Plaintiff OR  Defendant in an amount determined by the court using the Wyoming Child Support Guidelines;

6. **MEDICAL AND HEALTH INSURANCE:** Ordering that the  Plaintiff OR  Defendant, OR  Both Parents provide medical support, which may include dental, optical or other health care needs for their dependent children if insurance can be obtained through an employer or other group carrier, or if it is otherwise reasonably available; and that one (1) or both parents be liable to pay any medical expenses not covered by insurance and any deductible amount on the required insurance coverage in proportion to their respective incomes or as otherwise agreed or ordered by the court;

7. **PROPERTY AND DEBT DISTRIBUTION:** Equitably dividing the property and debts of the parties or approve an equitable division agreed upon by both Plaintiff and Defendant and submitted in writing to the court;

8. **SPOUSAL SUPPORT (ALIMONY):** (NOTE: Alimony is not required by law and, in Wyoming, the Supreme Court has held while alimony may be appropriate in some cases, an award of property is a preferable, modern substitute for alimony);

That neither party should pay the other spousal support; OR  
 That reasonable spousal support be paid by  Plaintiff, OR  Defendant as the circumstances and facts may require;

9. **NAME CHANGE:** That the wife resume her previous name at the conclusion of this lawsuit if she wishes. **NOTE:** If you are not the wife who is requesting to have her former name restored, the court must have a written request from the wife who wants her name restored to change the name;

10. **OTHER RELIEF:** For such other and further relief as the court deems just and equitable.

STATE OF WYOMING )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The Defendant, \_\_\_\_\_, under the penalty of perjury, verifies that she/he has read the *Counterclaim*, knows the contents of the *Counterclaim*, and that the statements in the *Counterclaim* are true to the best of her/his own knowledge.

**DATED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

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

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

**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

-----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 )  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Plaintiff: \_\_\_\_\_, )  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Defendant: \_\_\_\_\_ )  
(Spouse) (Print name)

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### INITIAL DISCLOSURES

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The following initial disclosures, are submitted by Defendant 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 for the divorce action 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) 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

### Schedule of Financial Assets

Pursuant to Wyoming Rule 26(a)(1.1)(A)  
*Required effective July 1, 2008*

<u>Type of Account:</u> Savings, Checking, Stocks, Bonds, Cash or Cash Equivalent	<u>Name of Financial Institution:</u> bank, credit union, or other financial institution	<u>Address of Financial Institution:</u>	<u>Date Account Opened</u> (Month/Day/Year)	<u>Last 4 Digits of Account No.</u>	<u>Asserted as marital or non-marital asset?</u> (If non-marital, explain legal & factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)

Additional sheets of paper are attached if needed

**Schedule of Non-Financial Assets**  
Pursuant to Wyoming Rule 26(a)(1.1)(B)  
*Required effective July 1, 2008*

<b>Item</b>	<b>Purchase Price</b>	<b>Date Acquired/ Purchased</b>	<b>Present Market Value</b>	<b>Debt Related to Asset</b>	<b>State of Record Ownership (Where item is registered or located)</b>	<b>Purchased w/ Marital Assets, Gift, or Inheritance</b>	<b>Asserted as marital or non-marital asset? (If non-marital, explain legal &amp; factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)</b>

Additional sheets of paper are attached if needed

**Schedule of Debts**  
Pursuant to Wyoming Rule 26(a)(1.1)(C)  
*Required effective July 1, 2008*

<b>Debt owed</b>	<b>Date Incurred (Mo./Day/Year)</b>	<b>Spouse whose name debt was incurred</b>	<b>Present Amount of Debt</b>	<b>Monthly Payment</b>	<b>Use for which debt was incurred</b>	<b>Asset serving as security for debt</b>	<b>Asserted as marital or non-marital asset? (If non-marital, explain legal &amp; factual basis) (Please attach a separate piece of paper if more space is needed, and label the paper.)</b>

Additional sheets of paper are attached if needed



**Schedule of Employment**

Pursuant to Wyoming Rule 26(a)(1.1)(E)

*Required effective July 1, 2008*

<b>Name of Employer</b>	<b>Address of Employer</b>	<b>Gross Monthly Wages (Before tax and payroll deductions are taken out)</b>	<b>Payroll Deductions (Specify type &amp; amount)(Examples: Social Security, taxes, retirement, health insurance)</b>	<b>Amount of other benefits, including transportation and employer contribution to health care &amp; retirement accounts</b>	<b>Outstanding Bonuses (owed to you, but not yet received)</b>

Additional sheets of paper are attached if needed

**Schedule of Other Income**  
Pursuant to Wyoming Rule 26(a)(1.1)(F)  
*Required effective July 1, 2008*

Name of all sources of other income*	Address of source of other income	Amount Received	Date Received (Month/Day/Year)

Additional sheets of paper are attached if needed

\*“Income” means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability, worker’s compensation payments, unemployment compensation, disability, annuity and retirement benefits and any other payments made by any payor.

**Schedule of Retirement Accounts or Benefits**

Pursuant to Wyoming Rule 26(a)(1.1)(G)

*Required effective July 1, 2008*

<b>Name of institution holding account</b>	<b>Address of institution where account is located</b>	<b>Present value of account</b>	<b>Date account was opened (Month/Day/Year)</b>	<b>Expected payment upon retirement &amp; specific date of retirement</b>	<b>Value of account at date of marriage</b>

Additional sheets of paper are attached if needed

**Schedule of Custody**

Pursuant to Wyoming Rule 26(a)(1.1)(H)

*Required effective July 1, 2008*

<b>Party seeking custody or a change in custody should state the facts believed to support the claim of why he or she should have custody of the children:</b>	<b>As to a change of custody, the party seeking a change of custody should state any facts that show a substantial change in circumstances and attach any documents that support the change in custody:</b>

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. \_\_\_\_\_

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

---

A financial affidavit must be completed by each parent. You must attach copies of your tax returns and W-2 forms for the most recent two years and a copy of a cumulative earning statement for the current year. **Parents who are self-employed must supply verified income and expense statements from their business for the two most recent years.**

All financial affidavits and records required by law to be attached to the affidavit shall constitute a confidential file and are subject to inspection by persons other than the parties, their attorneys or the department of family services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act only by court order. (Wyo. Stat. § 20-2-308(d))

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

**PERSONAL INFORMATION**

1. Your name: (First, Middle, Last) \_\_\_\_\_  
Gender:  Male  Female
2. (a) Your present address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Your home phone number: ( ) \_\_\_\_\_

A message phone number: ( ) \_\_\_\_\_

How long have you resided at this location? \_\_\_\_\_

(b) If your mailing address is different than the above address, please provide your mailing address:

\_\_\_\_\_

3. Your Social Security Number is: \_\_\_\_\_

4. Check all that apply:  Employed  Self-Employed  Both  Unemployed

**Parents who are self-employed must supply verified income and expense statements from their business for the last two years.**

5. (a) Your present employer: \_\_\_\_\_

(b) Employer's address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Employer's phone: \_\_\_\_\_

(c) Your occupation: \_\_\_\_\_

6. Your work experience for the last three years is as follows:

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

7. (a) Your education is: \_\_\_\_\_ years high school; \_\_\_\_\_ years college; \_\_\_\_\_ years trade school; \_\_\_\_\_ years other \_\_\_\_\_.

(b) List your degree(s) or certificate(s) in \_\_\_\_\_.

8. List the children you are legally responsible for supporting and *who live with you*:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

9. List any court-ordered support obligation for children who *do not* live with you:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

10. If you are the parent of any children *not named above*, list them below:

Child's Name	Birth Date	Social Security No.	COURT AND DATE OF ORDER	SUPPORT/MONTH	ARREARS (Amount Past Due)

11. If you contribute to the support of any children for whom you have no legal obligation, list below:

Child's Name	Birth Date	Social Security No.	Does this child live with you?	OTHER PARENT'S NAME AND ADDRESS	YOUR RELATIONSHIP TO THE CHILD
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		
			<input type="checkbox"/> Yes <input type="checkbox"/> No		

12. List all child(ren) involved in this civil matter:

Child's Name	Birth Date	Social Security No.	Does this child live with you?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

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

14. Do you owe back child support (arrears) on any other child support obligations? If so, how much? (List **total of all support arrearages for all children, except this case**). \$\_\_\_\_\_.

15. Means tested benefits (POWER Program, Health Care Benefits under Title XIX of the Social Security Act or similar state program, General Assistance, Food Stamps, Supplemental Security Income, etc.) are being provided to your children, as follows:

CHILD'S NAME	BIRTH DATE	STATE	TYPE OF BENEFIT	AMOUNT OF BENEFIT

**INCOME & EXPENSE INFORMATION**

16. (a) List pay dates or otherwise describe pay schedule: \_\_\_\_\_

weekly

every two weeks

twice per month (i.e. 1<sup>st</sup> and 15<sup>th</sup> of every month)

monthly

annually

My gross income\*\* (before deductions) is: \$\_\_\_\_\_ per month. (Convert annual, bi-monthly, and weekly amounts to monthly amounts).

**\*\* Gross income (includes tips, commission and bonuses. Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12.**

(b) Please list the deductions taken out of your check by your employer:  
**(Please provide copies of pay-stubs for all payroll deductions)**

Mandatory Deductions		Voluntary Deductions, Continued	
Federal Income Tax		Health, Dental, Vision Insurance	
Social Security Tax		Dues	
Medicare Tax		Bonds	
Current child support for other children		Stock Purchase Plan	
Retirement/Pension deductions (mandatory deductions only)		Flex Benefit Cafeteria Plan	
Other -		Disability Insurance	
Other -		Life Insurance	
<b>Voluntary Deductions</b>		Charity	
Bank/Credit Union (savings)		Child Care	
Bank/Credit Union (loan)		Other -	
Retirement/Deferred Compensation		Other -	
Filing Status: _____		<b>Total Monthly Deductions:</b>	\$
No. of Dependents Claimed: _____		<b>Total Monthly Net Income***</b>	\$

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

(c) How many hours do you work each week?  
 Regular \_\_\_\_\_ Overtime \_\_\_\_\_ Total \_\_\_\_\_  
 Is the overtime listed above expected to continue on a consistent basis?  YES  NO  
 How often do you receive overtime compensation? \_\_\_\_\_

(d) Date of your last salary increase or decrease: \_\_\_\_\_.

17. **YOUR INCOME FROM ALL OTHER SOURCES** (Include the monthly average of annual or sporadic income; also include any government benefits):

AMOUNT	INCOME SOURCE	ADDRESS OF SOURCE

18. Has anyone been ordered to provide health insurance, or is there any other medical provision in an existing court order?

Check one:  YES  NO

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

19. Are the child(ren) involved in this case covered by health insurance?

Check one:  YES  NO

If yes, list the children covered below:

\_\_\_\_\_  
\_\_\_\_\_

**You must provide current written proof from your insurance carrier verifying the names of the actual person(s) covered under your policy.**

20. Attached to this affidavit are:

**1) copies of my last two years income tax returns,**

**2) copies of my W-2 Forms for the last two years, and**

**3) copies of statements of earnings from each of my employers showing**

**cumulative pay for this year. Parents who are self-employed must supply verified income**

**and expense statements from their business for the two most recent years.**

### **PERJURY STATUTE**

21. Wyoming Statute § 6-5-301, (1977, as amended) [Perjury] provides:

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

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



**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. \_\_\_\_\_

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### REQUEST FOR SETTING

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

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

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

3)  Divorce (with children) (NOTE: submit the ***Order Setting Divorce Trial and Requiring Pretrial Statements***); OR

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

- Allocation of parental responsibilities
- Child support
- Property distribution
- Motion for \_\_\_\_\_
- Other: \_\_\_\_\_

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

5) Any party requesting the reporting of a particular matter by the official court reporter shall make a request by phone to the appropriate official court reporter at least **three (3) working days** before the matter is set for 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. Payment of the statutory reporting fee of **\$45.00** per day shall be paid to the official court

reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer. 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 and 905 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 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. \_\_\_\_\_

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**ORDER SETTING DIVORCE TRIAL  
AND REQUIRING PRETRIAL STATEMENTS**

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**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 by phone to the appropriate official court reporter at least three (3) working days before the matter is set for 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. Payment of the statutory**

**reporting fee of \$45.00 per day shall be paid to the official court reporter prior to the commencement of the hearing/trial. Checks for the statutory reporting fee shall be made payable to the Wyoming State Treasurer. 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 and 905 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\_\_\_\_\_.

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DISTRICT COURT JUDGE

Copies sent to:

Plaintiff/Plaintiff's Attorney's Name and Address

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Defendant/Defendant's Attorney's Name and Address

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SECTION "A"  
SWORN STATEMENT OF PARTY

Items to be included:

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

SECTION "B"  
STATEMENT OF COUNSEL

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

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

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

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

Civil Action Case No. \_\_\_\_\_

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### PRETRIAL DISCLOSURES

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**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.

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:

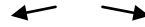
(Print Plaintiff/Plaintiff's Attorney's Name and Address)

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