

IN THE SUPREME COURT, STATE OF WYOMING

APRIL TERM, A.D. 2017

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IN THE MATTER OF RULES SUBMISSION )  
IN THE WYOMING SUPREME COURT ) General Order 17-01

**GENERAL ORDER ADOPTING  
POLICY ON SUBMISSION OF RULE CHANGES TO THE WYOMING SUPREME  
COURT**

THIS MATTER having come before the Court on its own motion in order to implement policies and procedures to accomplish the efficient submission of proposed rule changes to the Wyoming Supreme Court, and good cause appearing therefor, it is

ORDERED that the Policy on Submission of Rule Changes to the Wyoming Supreme Court, attached and incorporated by this reference, be, and hereby is, adopted effective July 1, 2017; and it is further

ORDERED that the above-referenced policy be in addition to, and does not supplant, any Rule not in conflict with this policy; and it is further

ORDERED that this policy may be revised and/or amended from time to time, as necessary.

DATED this 15<sup>th</sup> day of June, 2017.

BY THE COURT:

/s/

E. JAMES BURKE  
CHIEF JUSTICE

**POLICY ON SUBMISSION OF RULE CHANGES TO THE WYOMING  
SUPREME COURT  
Revised 06/2017**

**A. External Procedures.**

1. Proposed changes to existing rules shall be submitted to the Clerk of Court in underline/strike out format (new language underlined, old language with strike out) on a hard copy and an identical copy emailed to the Clerk of Court in Word readable format so changes or corrections can be made by the Court if necessary. The Court will not accept documents that use the “track changes” feature. Rule revisions should be sent in the same format as the rules being amended, i.e. the same paragraph and subsection numbering, consistent capitalization, etc. If the proposed changes will completely replace a set of rules, underline/strike out format is not necessary. Rules should be submitted on 8 ½ x 11 inch paper with no smaller type or font than 12 point.

2. The Clerk may refuse to accept for filing any rule that does not conform to the formats prescribed by this policy.

3. When submitting proposed new rules drafted for the Court’s consideration they shall be drafted in the following format:<sup>1</sup> Revisions to existing rules should include changes to formatting to comply with this policy.

Rule 1, Arabic number identifying the rule

(a) Subsections shall each be identified by lower case letters in parenthesis.

(i) Paragraphs within subsections shall each be identified by lower case Roman numerals in parenthesis. Paragraph headings should be in bold type.

(A) Subparagraphs within paragraphs shall be identified by upper case letters defining subparagraphs.

(I) Subdivisions of subparagraphs shall be identified by upper case Roman numerals in parenthesis.

The last Rule should state how the rules should be known and cited.

4. A memorandum should be submitted with the proposed change explaining the reasoning behind the change and any other information that would be helpful to the Court regarding the proposed rule change.

5. If the proposed changes are considered to be emergency changes, indicate the reasons. If the changes are not emergency changes, the effective date will conform with W.S. § 5-2-116 (sixty (60) days after publication in the advance sheets time frame).

6. Be prepared to meet with the Court for further explanation of the changes if necessary.

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<sup>1</sup> Formatting of rules should be consistent with the formatting of statutes pursuant to W.S. § 8-1-105 (b).

7. Send the hardcopy of proposed changes and memorandum to the attention of Clerk, Wyoming Supreme Court, 2301 Capitol Avenue, Cheyenne, WY 82002. Include contact information for the person responsible for answering questions regarding the rule.

## **B. Internal Procedures.**

1. Clerk receives proposed changes or new rules from Bar, Permanent Rules Advisory Committee sections, or others. Clerk provides a copy for the Senior Staff Attorney.

2. Clerk and Senior Staff Attorney review for conflicts with other statutes or rules.

3. Clerk and Senior Staff Attorney proofread and make any necessary technical corrections or changes.

4. The Clerk distributes the proposed rule as follows:

A. Rules initiated by BJPA:

1. Clerk distributes to appropriate Permanent Rules Advisory Committee Chair or other body for distribution to members;
2. Permanent Rules Advisory Committee Chair or other body informs Clerk of committee action.
3. If the Permanent Rules Advisory Committee or other body approves the change, the rule is submitted to the Clerk.
4. If the proposed rule has been submitted for public comment, any comments received shall be submitted to the Clerk with the proposed rule.

B. Rules initiated by person or entity other than BJPA or Permanent Rules Advisory Committee:

1. Clerk distributes to appropriate Permanent Rules Advisory Committee Chair or other body for distribution to committee members;
2. Permanent Rules Advisory Committee Chair or other body informs Clerk of committee action.
3. If the Permanent Rules Advisory Committee or other body approves the change, the rule is submitted to the Clerk.
4. If the proposed rule has been submitted for public comment, any comments received shall be submitted to the Clerk with the proposed rule.

C. Emergency proposed rules:

1. Clerk immediately distributes emergency proposed rule to Supreme Court.
2. Clerk distributes Supreme Court action on proposed rule to the BJPA and appropriate Permanent Rules Advisory Committee within thirty (30) days of Supreme Court action.

5. The proposed rules may, at the Court's discretion, be posted on the Court website for public comment. Any comments received by the Clerk shall be submitted to the Supreme Court.

6. Technical amendments mean changes to punctuation, numbering, and non-substantive typographical errors. Technical amendments may be made to existing rules without comment.

7. Clerk will distribute copies of memoranda, rules and comments to the senior staff attorney and the Supreme Court for conference. If the rules cannot be approved without further information, the Court will request a meeting with the appropriate persons, or request more information via written memoranda.

8. When approved, Clerk will file and distribute copies to the Judicial Branch personnel and the State Bar office.

9. The Chief Justice's Judicial Assistant will transmit an electronic version of the order and rules to the Law Librarian.

10. Law Librarian will transmit new rules or changes to the publishers and prepare an electronic copy for posting on the Supreme Court's web page. Law Librarian will track effective date of rules and keep a log of those dates.

11. Court IT will remove old rule and replace with new version on the Court's web site **immediately** upon the effective date of the rule.

12. The Clerk shall keep a record of rules submitted and the disposition of submissions.