

***IN THE SUPREME COURT, STATE OF WYOMING***

***October Term, A.D. 2021***

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***In the Matter of Amendments to )  
Rule 1 and )  
Adoption of Rule 3.2 )  
of the Wyoming )  
Rules of Civil Procedure )***

**ORDER AMENDING RULE 1 OF THE WYOMING  
RULES OF CIVIL PROCEDURE  
AND  
ORDER ADOPTING RULE 3.2 OF THE WYOMING  
RULES OF CIVIL PROCEDURE**

**The Chancery Court** and the Permanent Rules Advisory Committee, Civil Division, have recommended the Court amend Rule 1 of the Wyoming Rules of Civil Procedure. Those entities also recommend the Court adopt proposed Rule 3.2 of the Wyoming Rules of Civil Procedure. This Court finds the proposed amendments and the rule should be adopted. It is, therefore,

**ORDERED** that Rule 3.2 and the amendments to Rule 1 of the Wyoming Rules of Civil Procedure, attached hereto, be, and hereby are, adopted by the Court to be effective January 1, 2022; and it is further

**ORDERED** that this order and the attached rule and amendments shall be published in the advance sheets of the Pacific Reporter; the attached rule and amendments shall be published in the Wyoming Court Rules Volume; and that this order and the attached rule and amendments shall be published online at the Wyoming Judicial Branch’s website, <http://www.courts.state.wy.us>, on the “Rule Amendments” page. The rule and amendments shall also be recorded in the journal of this Court.

**DATED** this 26<sup>th</sup> day of October, 2021.

**BY THE COURT:**

/s/

**KATE M. FOX  
Chief Justice**

## Wyoming Rules of Civil Procedure

### **Rule 1. Scope and purpose.**

These rules govern the procedure in all civil actions and proceedings in the State of Wyoming courts, except ~~as for actions and proceedings in the chancery court and other exceptions~~ stated in Rule 81. They should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding

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### **Rule 3.2. Removal from district court to chancery court.**

(a) Removal to Chancery Court after Initial Pleading in District Court. An action may be removed from district court to chancery court when:

(1) All parties consent in writing within 20 days of service of the last defendant; and

(2) The case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

(b) Removal to Chancery Court after Amended Pleading in District Court. If the case stated by the initial pleading is not removable to chancery court, a notice of removal may be filed with the chancery court within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable, if all parties consent in writing and the case meets the eligibility requirements of W.S. § 5-13-115 and the W.R.C.P.Ch.C.

(c) Procedure after Removal Generally.

(1) Written Notice to the District Court. Promptly after the filing of a notice of removal of a civil action with the chancery court, the removing party shall file a copy of the notice with the clerk of such district court, which shall effect the removal and the district court shall proceed no further.

(2) Time of Removal. The case shall be deemed removed from district court to chancery court upon entry of an Order of Removal by the chancery court.

(3) Fees not returned. If an action is removed from district court to chancery court, the district court clerk shall not reimburse the filing party or parties for any filing fees paid.

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