

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 2023

IN THE SUPREME COURT
STATE OF WYOMING
FILED

IN THE MATTER OF RULES SUBMISSION)
IN THE WYOMING SUPREME COURT)

General Order 23-02

DEC 19 2023


SHAWNA GOETZ, CLERK

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

THIS MATTER came before the Court on its own motion. The Court finds it should amend its Policy on Submission of Rule Changes to the Wyoming Supreme Court. It is, therefore,

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 January 1, 2024; and it is further

ORDERED that effective January 1, 2024, the existing Policy on Submission of Rule Changes to the Wyoming Supreme Court is repealed and General Order 17-01 is of no further effect; and it is further

ORDERED that the above-referenced policy is 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 19th day of December, 2023.

BY THE COURT:



**KATE M. FOX
CHIEF JUSTICE**

POLICY ON SUBMISSION OF RULE CHANGES TO THE WYOMING SUPREME COURT

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 8½ x 11-inch paper with no smaller type or font than 12 point.

2. The Clerk of Court 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 and consistent with W.S. § 8-1-105(b)(iii – vi):

Rule 1. Arabic number identifying the rule, in bold.

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

(1) Paragraphs within subsections shall be identified with Arabic numbers in parenthesis. Paragraph headings should be in italic type.

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

(i) Subdivisions of subparagraphs shall be identified by lower case Roman numerals in parenthesis.

Revisions to existing rules should include changes to formatting to comply with this Policy. 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, including a suggested effective date of the rule or amendment.

5. If proposed changes are considered emergency changes, the memorandum shall indicate the reasons why. If the changes are not emergency changes, the effective date will conform with W.S. § 5-2-116 (60 days after publication), where application of that statute is appropriate.

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

7. Send the hardcopy of proposed changes and memorandum to the attention of the Clerk of Court, Wyoming Supreme Court, 2301 Capitol Avenue, Cheyenne, WY, 82002. Amendments may be emailed, with prior approval from the Clerk of Court. Include contact information for the person responsible for answering questions regarding the proposed changes.

B. Internal Procedures.

1. For proposed court rules or amendments not submitted by the Wyoming State Bar or a Permanent Rules Advisory Committee, the Clerk of Court shall transmit the proposed rules or amendments to the Wyoming Judicial Council. The Wyoming Judicial Council will review and transmit the proposed rules or amendment, with its written recommendation, to the appropriate Permanent Rules Advisory Committee. The Permanent Rules Advisory Committee shall make the final submission to the Clerk of Court, while noting the Wyoming Judicial Council's recommendation.

2. For proposed emergency rules or amendments changes not submitted by the Wyoming State Bar or a Permanent Rules Advisory Committee, the Clerk of Court shall transmit the proposed emergency rules or amendments to the Executive Committee of the Wyoming Judicial Council. Without undue delay, the Executive Committee shall provide its recommendation and any changes to the Clerk of Court.

3. Upon receipt of proposed rules or amendments, the Clerk of Court shall provide a copy to the Senior Staff Attorney. The Clerk of Court and Senior Staff Attorney shall review for conflicts with other rules or statutes. The Clerk of Court and Senior Staff Attorney shall proofread and make any necessary technical corrections or changes.

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

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

6. The Clerk of Court shall distribute copies of memoranda, proposed rules or amendments 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.

7. When approved, the Clerk of Court shall file and distribute copies to Judicial Branch personnel, to the Executive Director of the Wyoming State Bar, and to the Executive Director of the Wyoming Commission on Judicial Conduct & Ethics. The Executive Director of the Wyoming State Bar will provide notice of the rule changes, by email, to its members.

8. The Clerk of Court shall publish all orders adopting or amending rules on the Wyoming Judicial Branch's website, <http://www.courts.state.wy.us>.

9. The Clerk of Court shall transmit new rules or rule amendments to the publisher. The new rule or amended rule set shall also be posted to the Wyoming Judicial Branch's website upon receipt from the publisher.

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