

INSTRUCTIONS FOR RESPONSE TO MOTION FOR CONTINUANCE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Order of Protection or Petition for Order of Protection, you cannot use this form.

Before You Get Started

This form will be used if the other party (either the Petitioner or the Respondent) asked the Court to reschedule (delay) a hearing.

If the Court agrees to reschedule the hearing, it will happen on some day after the day it is currently scheduled for. The Court will decide the new day and time.

It can be helpful to let the Court know if you also want the hearing to be delayed or if you do not. You can use this form to give the Court that information.

It will be helpful to have a copy of the Motion for Continuance with you when you fill out the Response.

The top of the page on the Response to Motion for Continuance.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Petition or Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Petition or Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Petition or Order of Protection. (The number may include letters.)

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Response to Motion for Continuance.

Section 1 is for basic information.

In Section 1, which appears after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date when the Motion for Continuance was filed. That date will be on a stamp near the top of the first page of the Motion you received.

Section 2 is where you tell your opinion.

You will see two sentences with check boxes next to them. Read them carefully, then mark the box for the one you choose. Check only one box.

If you agree with the other party's request – that means you want the hearing to be rescheduled – go to the end of the form and the “Signature Section” part of the Instructions.

If you disagree, and you want the hearing to happen on the day and time it is already scheduled for, go to the series of long blank lines. In these blank lines, write your reasons for asking the Court **NOT** to delay the hearing. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you do not want the hearing to be rescheduled. You might choose to respond specifically to things the other party wrote in the Motion to help the Court understand why you disagree.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Signature Section – Important!

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

Important Things You Need to Know

What do I do after I fill out the form?

File the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk's office.

Will there be a hearing about the Motion for Continuance and my Response?

Maybe.

The judge might choose to schedule a hearing about the other party's request for delay, or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing about the Motion is scheduled.

Important Note: If there is a hearing about the Motion for Continuance, it will not be the same thing as the hearing that is already scheduled.

How will I know if the Court dismissed the Petition?

If the Court grants the other party's Motion for Continuance, the Court will send you a new Order with the **new date and time** for your hearing.

If the Court does not agree to reschedule the hearing, the Court will send you an Order Denying Motion for Continuance. If the Court **denies** the Motion, the hearing will happen on the date and time it is already scheduled for.

It is important to make sure you understand whether the hearing has been rescheduled or not. If you do not take part in the hearing when it happens, you might not get another chance.