

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____,) Case Number _____
Person listed as Petitioner on the Petition)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition)

ORDER DENYING ORDER OF PROTECTION

A hearing in this case was held on _____, 20____. After hearing the testimony and evidence presented, the Court denies the Petition for an Order of Protection. The Order of Protection is denied because the Court finds insufficient evidence was presented.

If an Ex Parte Order was entered, it is hereby vacated.

IT IS SO ORDERED.

DATED this _____ day of _____, 20_____.

JUDGE OR MAGISTRATE

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

**ORDER DISMISSING THE EX PARTE ORDER OF PROTECTION
AND THIS ACTION**

IT IS ORDERED that the Ex Parte Order of Protection filed on the _____ day of _____, 20____ is vacated and this action is dismissed for the following reasons:

- 1. The Petitioner failed to appear for the hearing.
- 2. The Petitioner requested that this action be dismissed.
- 3. Other:

DATED this _____ day of _____, 20_____.

JUDGE OR MAGISTRATE

This guide is designed to help you make decisions for yourself. It is not legal advice.
Court Clerks cannot give you legal advice or explain the information in this guide.
If you want to talk with a lawyer, you can contact the Wyoming State Bar for a list of attorneys.

ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know

There is a lot of information here. It will be helpful to read it carefully.

Here are a few very important things you need to know right away:

- ⊗ If you are the Respondent on an Order of Protection or an Ex Parte Order of Protection, the law requires you to follow all of the rules and restrictions in the Order.
- ⊗ If you break any of the rules or restrictions, you might get arrested. Under some circumstances, you could face felony criminal charges for breaking the rules or restrictions.
- ⊗ It is common to feel angry about the rules and restrictions. You might feel that they are unfair. Your feelings do not give you an excuse to break the rules and restrictions.

The information on this sheet does not assume you are guilty of doing what the Petitioner claims. It also does not assume you are innocent. The information on this sheet is here to help you:

- Understand what an Order of Protection is.
- Understand what an Ex Parte Order of Protection is.
- Understand what happens at hearings.
- Understand what you can do to communicate with the Court.

Important Things You Need to Know

Why am I called a Respondent?

Somebody asked the Court for an Order of Protection. The person who asked is called the Petitioner.

If the Petitioner asked for an Order of Protection that will restrict you, you are called the Respondent. The word “Respondent” means you are the person who will *respond* to the claims in the petition.

Is an Order of Protection the same thing as a restraining order?

An Order of Protection might also be called a restraining order, protection order, or protective order. In Wyoming, the formal name is Order of Protection.

Are there different kinds of Orders of Protection?

Yes.

In Wyoming, a person can file a Petition to ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. The Petition you were served will probably tell you near the top of the first page which kind it is.

Is this a criminal matter?

An Order of Protection and the Petition that is used to ask for one are parts of a **civil case**. A civil case is not a criminal case. But it is important to understand that **there might also be a criminal case** related to this situation.

If there is a criminal case, lawyers for the government may bring charges against you. The Petitioner cannot charge you with a crime.

Could I go to jail?

Yes.

Violating an Order of Protection – that means breaking the rules or restrictions – **is** a crime. If you violate the Order of Protection, you might get arrested.

What happens if the Petitioner asks me to break the rules and restrictions?

You can get in trouble anyway.

The Court created the rules and restrictions in the Order, and the Court is in charge of them. If you break the rules because the Petitioner asked you to do it, you are still violating the Order and you might get arrested.

What do I do if the information in the Petition is wrong?

Because a Petition was filed, the Court will schedule a hearing (meeting) so that you and the Petitioner can tell the judge what happened. At the hearing, the Petitioner will have a chance to tell their side of the situation, and you will have a chance to tell your side.

If the personal information about you (for example, your weight or age) is incorrect in the Petition, you might choose to file a form called “Optional Notice of Respondent Information.” The form tells the Court that you plan to take part in any hearings that are held, and it gives you the chance to submit your personal information. The form is optional – you do not have to file it.

It is important to understand that the form cannot be used to argue against the Petitioner’s allegations (claims) about your relationship and actions. To tell the judge your view about what happened, you must take part in the hearing.

Do I have to take part in the hearing?

Maybe.

If the Petitioner asked the Court for a *Stalking* Order of Protection or a *Sexual Assault* Order of Protection, you may be given an **Order to Appear** or a **Summons** that warns you you could be arrested if you do not go to the hearing. If you received an Order to Appear, you are required to take part in the hearing.

If the Petitioner asked the Court for a *Domestic Violence* Order of Protection, you may be given a **Notice of Hearing** or a **Summons** that tells you when the hearing will happen but

does not require you to take part. If you were not ordered to appear, you are not required to take part in the hearing.

Important Note: The Court Clerk is **not allowed** to give you advice on whether you should take part in the hearing.

Whether you were ordered to appear or not, there may be many good reasons to take part in the hearing. Read the next section for more information about this.

Is it important to take part in the hearing?

Yes.

You might be required to take part. Read the section above for more information about that. Even if you are not required to take part in the hearing, there may be many good reasons to do it.

If you want to tell the judge your side of what happened, you must take part in the hearing. The hearing is also your chance to tell the judge what you think about the “request for relief” that the Petitioner put in the Petition. The request for relief is the part of the Petition where the Petitioner asked the judge to make certain restrictions and rules that you must follow. During the hearing, you can tell the judge if some of those rules feel too difficult or unfair to you. That will be important information for the judge to consider.

Important Note: If you do not take part in the hearing, the judge is allowed to make any or all of the rules that the Petitioner asked for, and is not required to give you another chance to tell your side of the situation.

What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can talk about what happened, you may take them with you to give testimony at the hearing. If you have evidence about what happened, you may take it to the hearing and present it to the judge. Remember, if there is something you want the judge to know about your case, you must take part in the hearing and share your information with the judge.

After considering your side of the situation and the Petitioner’s side, the judge will make decisions about whether to give the Petitioner an Order of Protection, what restrictions and rules to include in it, and how long it will last.

What evidence can I use at the hearing?

Your evidence might include photographs, text messages, medical records, or other documents that explain your relationship with the Petitioner and what happened.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to the file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of storage device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk *before* the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.

What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give to the Petitioner soon after the Petition is filed. An Ex Parte Order will last for a short time (usually a few days).

The judge must hold a hearing before deciding whether to replace the Ex Parte Order with an Order that lasts longer. See the information above to learn more about hearings.

Important Note: An Ex Parte Order is a special kind of order that the judge is allowed to issue **before** hearing both sides of the situation. It might feel unfair to you, but an Ex Parte Order is real and the law requires you to follow any rules stated in the Ex Parte Order.

What should I do with the Ex Parte Order?

It is a good idea to keep the Ex Parte Order with you. You might want to keep pictures of each page on your phone. This can be helpful if you need to check whether something you want to do is allowed or restricted under the Ex Parte Order.

Do I have to follow the rules in the Ex Parte Order?

Yes.

Wyoming Statutes (laws) allow judges to issue Ex Parte Orders of Protection. Police officers and sheriffs are required to enforce them. If you do not follow the rules in the Ex Parte Order, you can be arrested.

In addition to the rules, the Ex Parte Order gives you warnings (also called “notices”). They are in the section that says “The Court orders the parties to take notice of the following.” It is important to read that section carefully and make sure you understand it.

Is it against the rules to have someone else talk to the Petitioner for me?

Read the Order carefully.

Most Orders of Protection include a rule that says you are not allowed to contact the Petitioner in any way. The Order may use words such as “sending messages through other people” or “communication through third persons.” (A “third person” or “third party” is everyone besides you and the Petitioner.)

Rules like these tell you that you are **not allowed** to ask or instruct or pay someone else to communicate with the Petitioner.

If there is already an Ex Parte Order, does a hearing really matter?

Yes.

The Ex Parte Order only lasts for a short time. The judge will use the information from the hearing to decide whether to issue an Order of Protection that will last longer. The Ex Parte Order does not mean the judge has already decided to issue a longer Order.

After the hearing, the judge might issue an Order of Protection. If the judge decides not to, the Ex Parte Order will expire and no new Order will replace it.

Does the Ex Parte Order still count after the judge issues an Order of Protection?

After the hearing, the judge might issue an Order of Protection. The Order of Protection *replaces* the Ex Parte Order. The Order of Protection will last longer and may have more

information or restrictions than the Ex Parte Order had. You must follow all the rules and restrictions in the Order of Protection. If you do not, you can be arrested.

The Order will also have a section that says “The Court orders the parties to take notice of the following.” It is important to read that section carefully and make sure you understand it.

The Court did not issue an Ex Parte Order before the hearing. Is the judge allowed to issue a long Order of Protection anyway?

Yes.

Even if the Court did not issue an Ex Parte Order before the hearing, a judge can decide to issue an Order of Protection. The judge will consider the information you share during the hearing and the information the Petitioner shares. The judge will make a decision based on all the information the Court has received and may choose to issue an Order of Protection. It does not matter whether there was an Ex Parte Order first.

What can I do if I disagree with the decisions the judge made?

The hearing on the Petition will be your opportunity to explain your view directly to the judge. It is important to take part in the hearing, and it is important to be prepared to explain your side of the situation calmly and honestly.

In addition to the hearing, you can ask the Court to do something differently by filing a specific kind of document called a “motion.” Forms for motions are available on the Wyoming Judicial Branch website.

INSTRUCTIONS FOR OPTIONAL NOTICE OF RESPONDENT INFORMATION

Read these instructions carefully.

This form is optional. You are not required to use it.

Whether you choose to use this form or not, lots of helpful information is available in a guide called *ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know*. You can find that guide on the forms pages of the Wyoming Judicial Branch website.

Before You Get Started

This form, the Optional Notice of Respondent Information, can be used by a person who was named as the Respondent in a Petition for Order of Protection. This means that someone has asked the Court for an Order of Protection against you.

If you have been served with a Petition for Order of Protection – that means if the Court had a Petition delivered or given to you – you can use this form to tell the Court some basic information about yourself.

It is important to remember that the Court will hold a hearing (a meeting with the judge), and that is when you will have the chance to tell the judge your side of the story. This optional form is only used to tell the Court a few pieces of basic information.

This form is optional. That means you are not required to fill it out or file it with the Court. You will decide whether to use this form or not.

If you want to fill out this form, the instructions below will help.

The top of the page on the Optional Notice of Respondent Information.

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 you received.

The next blanks are for the name of the Petitioner and the name of the Respondent. If you are named as the Respondent on the Petition, you are the **Respondent**. Write your name on the Respondent line. On the Petitioner line, write the name of the person who is listed as Petitioner on the Petition.

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

Section 1 is for information about the Petition you received.

In the blanks, write the date the Petition was filed. That date will be on a stamp near the top of the first page of the Petition.

Sections 2, 3, and 4 are statements you will be making.

If you choose to sign and file this form, you will be telling the Court that you are the Respondent. That is statement # 2.

In statement # 3, you will be telling the Court that you plan to take part in all of the hearings (meetings) that are about the Petition and about an Order of Protection.

Important Note: Even if you do not file this form, the Court will notify you about all of the hearings. That means the Court will tell you in advance when and where a hearing will happen. You will be given the chance to take part. In some situations, you will be required to take part.

Statement # 4 tells the Court that the form is not an admission. That means you are **not admitting** anything. When you go to the hearing about the Petition, you may choose to talk to the judge about what happened, and about which parts of the Petition are true and which parts are not true. This form is not used to admit or deny what the Petitioner wrote.

Do not change any of the words in Sections 2, 3, and 4. Do not add anything to those statements.

Section 5 is for information about you.

The Petitioner wrote personal information about you in the Petition. It is possible that the Petitioner wrote a lot of information or not very much at all. It is possible that some of the information the Petitioner wrote was inaccurate.

In Section 5 of this form, you can tell the Court accurate information about yourself. Giving the Court accurate information about you might help prevent confusing situations for you and your friends, family, roommates, or coworkers.

Signature Section – Important!

On the line labelled DATED, write the date you are signing the form.
Sign your name on the signature line.

By signing the form, you are telling the Court that everything the form says is true.
Review the information carefully before you sign the form.

Important Things You Need to Know

What do I do after I fill out the form?

If you choose to, you will file the form with the Clerk of Circuit Court in the county named at the top of the Petition for Order of Protection.

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

Is an Order of Protection the same thing as a restraining order?

An Order of Protection might also be called a restraining order, protection order, or protective order. In Wyoming, the formal name is Order of Protection.

What do I do if the information in the Petition is wrong?

Because a Petition was filed, the Court will schedule a hearing (meeting) so that you and the Petitioner can tell the judge what happened. At the hearing, the Petitioner will have a chance to tell their side of the situation, and you will have a chance to tell your side.

What is an Ex Parte Order of Protection?

An Ex Parte Order of Protection (which also might be called a temporary or emergency protection order) is a protection order that a judge might give to the Petitioner soon after the Petition is filed. An Ex Parte Order will last for a short time (usually a few days).

The judge must hold a hearing before deciding whether to replace the Ex Parte Order with an Order that lasts longer.

Important Note: An Ex Parte Order is a special kind of order that the judge is allowed to issue **before** hearing both sides of the situation. It might feel unfair to you, but an Ex Parte Order is real and the law requires you to follow any rules stated in the Ex Parte Order.

Is this a criminal matter?

An Order of Protection and the Petition that is used to ask for one are parts of a **civil case**. A civil case is not a criminal case. But it is important to understand that **there might also be a criminal case** related to this situation.

If there is a criminal case, lawyers for the government may bring charges against you. The Petitioner cannot charge you with a crime.

Could I go to jail?

Yes.

Violating an Order of Protection – that means breaking the rules or restrictions – **is** a crime. If you violate the Order of Protection, you might get arrested.

For more information on Orders of Protection, on what happens at hearings, and on how you can communicate with the Court, read *ORDERS OF PROTECTION IN WYOMING: Helpful Information for a Respondent to Know*. You can find that guide on the forms pages of the Wyoming Judicial Branch website.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT

JUDICIAL DISTRICT

Petitioner: _____,) Case Number _____
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

**OPTIONAL
NOTICE OF RESPONDENT INFORMATION**

1. A Petition for Order of Protection was filed on _____, 20__.
2. I am the Respondent named in the Petition.
3. I intend to participate fully in all proceedings related to the Petition and related to any Order of Protection the Court may issue as a result of the Petition.
4. This Notice is **not** an admission of any information or allegations contained in the Petition.
5. For the convenience of the Court, I submit the following personal information about myself:

Address

Mailing Address (if different)

City & State

Telephone Number

DATE OF BIRTH _____ RACE _____ GENDER _____

HEIGHT _____ WEIGHT _____ EYE COLOR _____ HAIR COLOR _____

Does the Respondent usually wear GLASSES? _____

Does the Respondent usually have FACIAL HAIR? _____

EMPLOYER _____

PLACE OF EMPLOYMENT Address _____

DRIVER'S LICENSE State of Issue _____

VEHICLE Make _____ Model _____ Year _____

Case Number _____

STATE and COUNTRY OF BIRTH _____
OTHER NAMES USED BY THE RESPONDENT _____

DATED _____, 20__.

Signature of Respondent

A Wyoming Judicial Branch Court Navigator helped with this form.

INSTRUCTIONS FOR
MOTION TO MODIFY AN ORDER OF PROTECTION,
MOTION TO TERMINATE AN ORDER OF PROTECTION,
MOTION TO EXTEND AN ORDER OF PROTECTION
IN WYOMING

Read these instructions carefully.

These Instructions can be used for three different kinds of Motions. If you are not the Petitioner or the Respondent on a current Order of Protection, you cannot use this form.

Before You Get Started

This form might seem complicated at first, but these Instructions can help you make sense of it.

This form will be used to ask the Court to do something. There are three different things you can use this form for, but **you can only make one request per form**. If you want to ask for two different things, you will need to file two different versions of this form.

This form can be used to ask the Court to **Modify** the Order of Protection. This means you want the Court to change some of the rules or restrictions in the Order.

Or:

This form can be used to ask the Court to **Terminate** the Order of Protection. This means you want the Court to end the rules and restrictions in the Order before its expiration date.

Or:

This form can be used to ask the Court to **Extend** the Order of Protection. This means you want the Court to make the rules and restrictions in the Order last longer than its expiration date.

No matter which of these things you want to ask for, you will fill out the top of the form the same way. Start with the instructions for “top of the page.”

The top of the page on this Motion.

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 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 Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

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

Next you will see the title of the Motion. It is written between the two long bars on the page. The title tells the Court that this is a Motion about an Order of Protection. Use the check boxes to tell the Court whether you want to Modify, Terminate, or Extend the Order. **Only check one box.**

Now you will move on to Section 1.

Section 1 is for basic information.

Mark the check box next to either Petitioner or Respondent to tell the Court who you are.

In the blanks, write the date the Order of Protection was entered. This date will be written above the judge's signature on the last page of the Order.

If you want the Court to Modify (change) the Order, move on to Section 2 now.

If you want the Court to Terminate (end) the Order, move on to Section 3 now.

If you want the Court to Extend the Order (make it last longer), move on to Section 4 now.

Section 2 is about Modifying the Order of Protection.

If you want the Court to change the Order of Protection, fill out this section.

Mark the box next to Modify.

In the first set of blank lines, tell the Court what changes you want. Be clear and specific. On these blank lines, you are only listing the changes. Do not explain your reasons here.

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.**

In the second set of blank lines, tell the Court why you want those changes. Explain your reasons as clearly as you can.

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 explaining the changes you want and your reasons, go to the end

of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 3 or Section 4.

Section 3 is about Terminating the Order of Protection.

If you want the Court to end the Order of Protection, fill out this section.

Mark the box next to Terminate.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to end before its expiration date. Explain your reasons as clearly as you can.

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 explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 4.

Section 4 is about Extending the Order of Protection.

If you want the Court to make the Order of Protection last longer, fill out this section.

Mark the box next to Extend.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to last longer than its expiration date. Explain your reasons as clearly as you can.

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 explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 3.

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?

You must 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.

Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing, 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 is scheduled.

Can I use this form for any Order of Protection?

Yes.

In Wyoming, a person can ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. You can use this form to make a Motion about the Order of Protection, no matter which kind it is.

Important Note: If the Order of Protection has already expired, you cannot use this form. More information about *when* you can use this form is below.

When can I use this form?

You can file a **Motion to Modify** when you have specific reasons to ask for changes in the Order of Protection.

You can file a **Motion to Terminate** when you have specific reasons to ask for the rules and restrictions to end.

You can file a **Motion to Extend** when the Order of Protection is getting close to its expiration date and you have specific reasons to ask for the Order to last longer. It is helpful to file the Motion to Extend at least ten days before your Order expires.

Are **Extending** and **Tolling** the same thing?

No.

According to Wyoming law, an Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

It's important to know that tolling is different from getting the Order extended.

If you want an Order of Protection to last longer because the Respondent got out of jail/prison (or will be getting out soon), you can file a Notice of Incarceration or Imprisonment to let the Court know about that. You can get a form for that Notice from the Clerk of Court's office. Important Note: It doesn't matter why the Respondent went to

jail/prison. You can use the Notice of Incarceration or Imprisonment even if the jail/prison time did not have anything to do with the Order of Protection.
If you want the Order of Protection to last longer for other reasons, you can file a Motion to Extend.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

MOTION TO

(Check the box next to what you are asking the Court to do.)

- MODIFY (Change the Order)**
 TERMINATE (End the Order)
 EXTEND (Make the Order last longer)

ORDER OF PROTECTION

1. I am the Petitioner Respondent in this case. An Order of Protection in this case was entered on _____, 20____. I am making the following request:

2. **Modify (Change the Order).**

I am asking the Court to make the following changes to the Order of Protection:
(Describe what you want the Court to change in the Order of Protection. Be specific.)

Check this box if you are adding more sheets of paper for this explanation.

I am asking the Court to make those changes to the Order of Protection for the following reasons:

(Explain why you are asking for the changes you listed above. Be specific about your reasons.)

Check this box if you are adding more sheets of paper for this explanation.

3. **Terminate (End the Order).**

I am asking the Court to end the Order of Protection for the following reasons:

(Explain why you want the Court to end the Order of Protection. Be specific about your reasons.)

Check this box if you are adding more sheets of paper for this explanation.

4. **Extend (Make the Order last longer).**

I am asking the Court to make the Order of Protection last longer for the following reasons:
(Explain why you want the Order of Protection to last longer. Be specific about your reasons.)

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20 ____.

Signature of PETITIONER
 Signature of RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

INSTRUCTIONS FOR
RESPONSE TO MOTION
TO MODIFY OR TERMINATE OR EXTEND
AN ORDER OF PROTECTION
IN WYOMING

Read these instructions carefully.

These Instructions can be used for three different kinds of Responses. If you are not the Petitioner or the Respondent on a current Order of Protection, you cannot use this form.

Before You Get Started

This form might seem complicated at first, but these Instructions can help you make sense of it.

You are one party to an Order of Protection – either the Petitioner or the Respondent. The other party asked the Court to do something. The other party did that by filing a Motion.

The Motion might ask the Court to **Modify** the Order of Protection. This means the other party wants the Court to change some of the rules or restrictions in the Order.

The Motion might ask the Court to **Terminate** the Order of Protection. This means the other party wants the Court to end the rules and restrictions in the Order before its expiration date.

The Motion might ask the Court to **Extend** the Order of Protection. This means the other party wants the Court to make the rules and restrictions in the Order last longer than its expiration date.

It is important to have the Motion with you when you fill out the Response form. Read the Motion carefully and make sure you understand what the other party asked for.

No matter which of these things the other party asked for, you can use this Response form to tell the Court your view. Start with the instructions for “top of the page.”

The top of the page on this Response.

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 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 Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

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

Next you will see the title of the Response. It is written between the two long bars on the page. The title tells the Court that this is a Response to a Motion about an Order of Protection. Use the check boxes to tell the Court what the other party asked for. The Motion you received from the other party will have a title at the top telling you what the Motion is asking for. You will check the same box on your Response form.

Section 1 is for basic information.

Mark the check box next to either Petitioner or Respondent to tell the Court who you are.

In the blanks, write the date the Motion was filed. This date will be on a stamp at the top of the first page of the Motion.

If the other party asked the Court to Modify (change) the Order, move on to Section 2 now.

If the other party asked the Court to Terminate (end) the Order, move on to Section 3 now.

If the other party asked the Court to Extend the Order (make it last longer), move on to Section 4 now.

Section 2 is about Modifying the Order of Protection.

If the other party asked the Court to change the Order of Protection, fill out this section.

Read the options next to the three check boxes. Mark the box that tells the Court your opinion. (Only mark one box.) Make sure you understand what the other party asked for before you choose a box.

If you agree with what the other party asked for, go to the end of the form and the "Signature Section" part of the Instructions.

If you disagree with what the other party asked for, fill in the first set of blank lines. Be clear and specific.

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.**

If you are not asking the Court to make changes, go to the end of the form and the "Signature Section" part of the Instructions.

If you are asking the Court to make changes, fill in the second set of blank lines. Be clear and specific.

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.

Do not write anything in Section 3 or Section 4.

Section 3 is about Terminating the Order of Protection.

If the other party asked the Court to end the Order of Protection, fill out this section.

Read the options next to the two check boxes. Mark the box that tells the Court your opinion. (Only mark one box.)

If you agree with what the other party asked for, go to the end of the form and the “Signature Section” part of the Instructions.

If you disagree with what the other party asked for, fill in the blank lines. Be clear and specific.

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.

Do not write anything in Section 2 or Section 4.

Section 4 is about Extending the Order of Protection.

If the other party asked the Court to make the Order of Protection last longer, fill out this section.

Read the options next to the two check boxes. Mark the box that tells the Court your opinion. (Only mark one box.)

If you agree with what the other party asked for, go to the end of the form and the “Signature Section” part of the Instructions.

If you disagree with what the other party asked for, fill in the blank lines. Be clear and specific.

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.

Do not write anything in Section 2 or Section 3.

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?

You must 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 and Response?

Maybe.

The judge might choose to schedule a hearing, 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 is scheduled.

If there is a hearing, do I have to go?

Taking part in the hearing is important because it will be your opportunity to explain your view to the judge. The judge might ask you questions before deciding what to do.

If you do not take part in the hearing, the judge may be allowed to make a decision about the Motion without hearing any more explanations from you.

How will I know if the Court did what the other party asked for?

The Court will issue an Order about the other party's Motion.

It might be an Order Dismissing the Motion, an Order Denying the Motion, or an Order Granting the Motion.

Orders Dismissing or Denying the Motion mean the Court will not do what the other party asked for. It is important to understand that those Orders do not mean the Court agrees with you. There are many reasons a judge might dismiss or deny a Motion. In many situations, the other party may be allowed to file a new Motion and ask again. If that happens, you will have a chance to file a new Response.

An Order Granting the Motion means the Court is at least partially doing what the other party asked for. If the Court sends you an Order Granting the Motion, read it carefully and make sure you understand what the judge did. It might not be exactly the same as what the other party asked for.

If the Court does not Extend the Order of Protection, does it end?

If the Court Dismisses or Denies a Motion to Extend, the Order of Protection will still last until its expiration date. Police Officers and Sheriffs will still enforce the rules and restrictions in the Order of Protection until it expires. The Respondent can still be arrested for violating the Order of Protection.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

RESPONSE TO MOTION TO

(Check the box next to the type of motion the other party filed.)

- MODIFY (Change the Order)**
 TERMINATE (End the Order)
 EXTEND (Make the Order last longer)

ORDER OF PROTECTION

1. I am the Petitioner Respondent in this case. A Motion was filed in this case on _____, 20____. The following is my response to the information stated in the Motion.

2. **Modify (If the other party is asking to change the Order, complete this section.)**

- I agree with the changes the other party is requesting to the Order.
 I disagree with the changes the other party is requesting, and I want the current Order to stay the same.
 I disagree with the changes the other party is requesting. I am asking the Court to make the following changes to the Order instead:

(If you disagree with the changes the other party is requesting, explain why you disagree. If you disagree and want different changes, explain why you disagree and describe what you would like the Court to change. Be specific.)

- Check this box if you are adding more sheets of paper for this explanation.

I am asking the Court to make those changes to the Order of Protection for the following reasons:

(Explain why you are asking for the changes you listed above. Be specific about your reasons.)

- Check this box if you are adding more sheets of paper for this explanation.

3. Terminate (If the other party is asking to end the Order, complete this section.)

- I agree with the request the other party has made to end the Order of Protection.
- I disagree with the request the other party has made to end the Order of Protection, and I want the current Order to stay in place.

(If you disagree with the request to end the Order of Protection, explain why you disagree. Be specific about your reasons.)

Check this box if you are adding more sheets of paper for this explanation.

4. **Extend (If the other party is asking for the Order to last longer, complete this section.)**

I agree with the request the other party has made to extend the Order of Protection, and I also want it to last longer.

I disagree with the request the other party has made to extend the Order of Protection, and I want the Order to expire on its expiration date.

(If you disagree with the request the other party has made to extend the Order, explain why you disagree.)

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20 ____.

Signature of PETITIONER
 Signature of RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

INSTRUCTIONS FOR
MOTION TO DISMISS
PETITION FOR
ORDER OF PROTECTION
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 Petition for Order of Protection, you cannot use this form.

Before You Get Started

This form will be used to ask the Court to dismiss a Petition for Order of Protection.

If the Petition is dismissed, the Court will stop working on this case. Any Ex Parte Order of Protection that has been issued for this case will expire, and the Court will not issue a new or longer Order.

It is important to think carefully before filing a Motion to Dismiss. An Order of Protection can help keep both a Petitioner and a Respondent safe. If the Court grants this Motion – that means if the Court agrees to dismiss the Petition – there will not be an Order of Protection.

Important Note: The Motion to Dismiss is used for the **civil case** between the Petitioner and the Respondent. There might also be a **criminal case** against the Petitioner or the Respondent. If there is a criminal case, this Motion may not necessarily have any effect on it.

The top of the page on this Motion to Dismiss.

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 Ex Parte 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 Ex Parte 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 Ex Parte Order of Protection. (The number may include letters.)

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

Protection.

After the Title.

In the section 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 Petition was filed. That date will be on a stamp near the top of the first page of the Petition.

Important Note: In the same sentence where you write the date, you will see the words “dismissed without prejudice.” If the Court agrees to dismiss the Petition *without prejudice* that means the Petitioner will be allowed to file a new Petition about the same situation. The Petitioner might or might not choose to do that, but it can be important to keep that option open.

Next, you will see a series of long blanks. In these blank lines, write your reasons for asking the Court to dismiss the Petition. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you are asking for dismissal.

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.

Can I use this form for any kind of Petition for Order of Protection?

Yes.

In Wyoming, a person can ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. You can use this form to make a Motion about the Petition, no matter which kind of Order of Protection was asked for.

Important Note: If there is already an Order of Protection, you cannot use this form. In that case, you might choose to file a Motion to Terminate the Order of Protection. There is more information about that kind of Motion below.

Important Note: If there is an Ex Parte Order of Protection, you can still use this form. More information about *when* you can use this form is below.

When can I use this form?

You can file a **Motion to Dismiss Petition** if a Petition has already been filed and an Order of Protection has not been issued. Usually, that is a short amount of time.

If an Ex Parte Order of Protection has been issued, you can still use this form.

If there has already been a hearing and a longer Order of Protection was issued, you cannot use this form. In that case, you might choose to file a Motion to Terminate the Order of Protection. There is more information about that kind of Motion below.

Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), 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 is scheduled.

What is a Motion to Terminate?

A Motion to Terminate is a document that asks the Court to end an Order of Protection before its expiration date. A Motion to Terminate can be filed by a Respondent or a Petitioner. You can get a form for a Motion to Terminate from the Wyoming Judicial Branch website.

How will I know if the Court dismissed the Petition?

The Court will issue an Order about the Motion.

- The Court might issue an Order Dismissing the Motion or an Order Denying the Motion. Orders Dismissing or Denying the Motion mean the Court will not dismiss the Petition. It is important to understand that there are many reasons a judge might dismiss or deny a Motion. It does not mean the judge likes one person more than the other.
- The Court might issue an Order Granting the Motion or an order called "Dismissal of the Ex Parte Order of Protection and This Action."

These Orders mean the Court is going to dismiss the Petition. If the Court sends you one

of these Orders, read it carefully and make sure you understand what it says. If there is an Ex Parte Order of Protection, pay careful attention to what the new Order says about it. (If it says the Ex Parte Order is “vacated”, that means it has ended.) If a hearing has been set, pay careful attention to what the new Order says about the hearing.

If the Court did not do what I asked for, can I file another Motion?

Yes.

There is not very much time during which you can file a Motion to Dismiss Petition. See the section above called “When can I use this form?”.

There are other kinds of Motions you can use to ask the Court to do something specific in your case. You can find forms for other Motions on the Wyoming Judicial Branch website.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION

I am the Petitioner Respondent in this case. I am asking that the Petition for Order of Protection that was filed on _____, 20____ be dismissed without prejudice. I request that this case be dismissed for the following reasons:

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20____.

PETITIONER
 RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

INSTRUCTIONS FOR RESPONSE TO MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION 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 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 dismiss a Petition for Order of Protection.

If the Petition is dismissed, the Court will stop working on this case. Any Ex Parte Order of Protection that has been issued for this case will expire, and the Court will not issue a new or longer Order.

It is important to think carefully before responding to a Motion to Dismiss. An Order of Protection can help keep both a Petitioner and a Respondent safe. If the Court grants the Motion filed by the other party – that means if the Court agrees to dismiss the Petition – there will not be an Order of Protection.

Important Note: The Motion to Dismiss is used for the **civil case** between the Petitioner and the Respondent. There might also be a **criminal case** against the Petitioner or the Respondent. If there is a criminal case, the Motion and Response may not necessarily have any effect on it.

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

The top of the page on the Response to Motion to Dismiss.

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 Ex Parte 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 Ex Parte 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 Ex Parte 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 to Dismiss Petition for Order of Protection.

Section 1 is for basic information.

In Section 1, which appears right 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 to Dismiss Petition 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 Petition to be dismissed – go to the end of the form and the "Signature Section" part of the Instructions.

If you disagree, and you want the Court to move ahead with the case, go to the series of long blank lines. In these blank lines, write your reasons for asking the Court **NOT** to dismiss the Petition. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you think it is important to move ahead with the case. 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 to Dismiss and my Response?

Maybe.

The judge might choose to schedule a hearing (meeting), 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 is scheduled.

How will I know if the Court dismissed the Petition?

The Court will issue an Order about the Motion.

- The Court might issue an Order Dismissing the Motion or an Order Denying the Motion. Orders Dismissing or Denying the Motion mean the Court will not dismiss the Petition. It is important to understand that there are many reasons a judge might dismiss or deny a Motion. It does not mean the judge likes one person more than the other.
- The Court might issue an Order Granting the Motion or an order called "Dismissal of the Ex Parte Order of Protection and This Action."

These Orders mean the Court is going to dismiss the Petition. If the Court sends you one of these Orders, read it carefully and make sure you understand what it says. If there is an Ex Parte Order of Protection, pay careful attention to what the new Order says about it. (If it says the Ex Parte Order is "vacated", that means it has ended.) If a hearing has been set, pay careful attention to what the new Order says about the hearing.

What does "dismissed without prejudice" mean?

If the Court dismisses the Petition *without prejudice* that means the person who asked for an Order of Protection (the Petitioner) will be allowed to file a new Petition about the same situation. The Petitioner might or might not choose to do that, but it can be important to keep that option open.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____ .)
Person listed as Respondent on the Petition and Order)

Case Number _____

RESPONSE TO MOTION TO DISMISS PETITION FOR ORDER OF PROTECTION

1. I am the Petitioner Respondent in this case. A Motion to Dismiss Petition for Order of Protection was filed in this case on _____, 20____. The following is my response to the Motion to Dismiss.

2. I agree with the request the other party made to dismiss the Petition.
 I disagree with the request the other party made.

(If you disagree with the request to dismiss the Petition, explain why you disagree. Be specific.)

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20____.

 PETITIONER
 RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

INSTRUCTIONS FOR MOTION AND AFFIDAVIT FOR ORDER TO SHOW CAUSE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner on a current Order of Protection.

Before You Get Started

This form will be used to ask the Court to issue an Order to Show Cause. You might choose to file this form if the Respondent (the person the protection order is against) has been breaking the rules that are listed in the Order of Protection.

The title might be confusing, but these instructions can help you understand how to fill out the form. (You can learn more about the role of this form by reading the section below called What does “show cause” mean?)

Here is what you need to know to get started:

- If the Respondent has been breaking the rules in your Order of Protection, you can file a **Motion and Affidavit for Order to Show Cause**.
- A judge will read what you wrote on the form.
- If the judge thinks the Respondent might be breaking rules, the judge will issue an **Order to Show Cause**. In the Order, a hearing (meeting) will be scheduled, and the Respondent will be required to go to the Court and explain their side of the situation.

It will be helpful to have a copy of the Order of Protection with you when you fill out this form. It also might be helpful to have a calendar.

The top of the page on this Motion and Affidavit.

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 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 Order of Protection.

The next blank is for the Case Number. Copy the number that is written on the 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 Motion and Affidavit for Order to Show Cause.

After the Title.

You will see the line “The Petitioner being duly sworn upon oath deposes and says.” These words are used because this form is a special kind of legal document called an Affidavit. You will need to sign this form in front of the Clerk or a notary (there is more information about that below), and that is when you will “swear an oath” that everything you wrote on this form is true.

Section 1 is about you.

This is a statement to let the Court know you are the Petitioner. Do not write anything in this section.

Section 2 is about the Order of Protection.

In the short blanks, write the date when the Order of Protection was issued. That date will be near the judge’s signature at the end of the Order.

Section 3 is about what the Respondent did.

In the long blank lines, explain what the Respondent did that breaks the rules listed in the Order of Protection. Explain clearly and give the judge enough information to understand the situation you are explaining. If the Respondent broke the rules on certain days, include the dates in your explanation.

Section 4 is your request.

This is a statement that tells the Court what you are asking for. You are asking the Court to issue a document called an Order to Show Cause. In that Order, a hearing will be scheduled, and the Respondent will be required to go to the Court and explain their side of the situation. Do not write anything in this section.

The space after this section is labelled “intentionally left blank” because nothing is supposed to be written there. The empty space is there so that all of the parts in the signature section will be together on the second page.

Signature Section – Important!

Do not sign this form until you are in front of the Clerk of Court or a Notary. The Clerk or the Notary must witness you signing the form.

By signing the form, you are telling the Court that everything you wrote on the form is true. If the information is not true, you might be criminally charged with perjury. Perjury is a felony punishable by imprisonment or a fine or both.

Review your answers carefully before you sign the Petition.

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 my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), 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 is scheduled.

What does "show cause" mean?

The words "show cause" can be confusing, and Courts use them in two different ways. A Court might tell a Respondent to "show cause why you failed to comply with the order." Or a Court might tell a Respondent to "show cause why you should not be held in contempt." These two things are a little bit different, but, in general, an Order to Show Cause means the Respondent has a chance to explain why they should not be in trouble for violating the Order of Protection. After the Respondent explains, the judge will decide whether the Respondent is in trouble.

Some people may refer to a show cause action as a "contempt hearing." Contempt is the word Courts use when someone is in trouble for breaking the rules in an Order (violating the Order).

If the Court does schedule a hearing, do I have to take part?

Yes.

The judge will read what you wrote on the form and decide whether to issue an Order to Show Cause. If the judge does issue the Order you are asking for, there will be a hearing. You must participate in the hearing and present your evidence about the Respondent violating the rules.

What will happen if the judge decides the Respondent did break the rules?

The judge will decide what consequences the Respondent faces.

A judge *can* send someone to jail for being in contempt, but it is important for you to understand that judges often choose other kinds of consequences. Some examples are: warning the Respondent, making the Respondent pay a fine, and making the rules harder to break. The judge will decide the consequences, and you and the Respondent will both be expected to accept them.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____ .)
Person listed as Respondent on the Petition and Order)

Case Number _____

MOTION AND AFFIDAVIT FOR ORDER TO SHOW CAUSE

The Petitioner being duly sworn upon oath deposes and says:

1. I am the Petitioner in this action.
2. An Order of Protection was issued by this Court on _____, 20__.
3. The Respondent violated the Order of Protection by:
(Be specific.)

4. I request the Court issue an Order to require the Respondent to appear for a Show Cause Hearing and respond to the assertions in the paragraph above.

[INTENTIONALLY LEFT BLANK]

DATED _____, 20 _____.

PETITIONER

(Print Name)

STATE OF WYOMING)
) ss
COUNTY OF _____)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20 _____.

Witness my hand and official seal.

CLERK OF COURT/NOTARIAL OFFICER

My commission expires: _____

A Wyoming Judicial Branch Court Navigator helped with this form.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

ORDER TO SHOW CAUSE

This matter came before the Court upon Petitioner's Motion and Affidavit for Order to Show Cause, and the Court finds as follows:

Based on the records and proceedings in this matter, Respondent _____ is **ORDERED** to appear before this court, on the _____ day of _____, 20__ at _____ a.m./p.m, to explain why Respondent should not be found in contempt of court for violating the Order of Protection dated _____, 20____. Respondent should bring to the hearing any documentation or witnesses which Respondent wishes to be considered.

IT IS FURTHER ORDERED that a copy of this Order to Show Cause be served, together with a copy of Petitioner's Motion and Affidavit for Order to Show Cause, upon the Respondent, with return of service to this court.

IT IS FURTHER ORDERED, IF THE RESPONDENT DOES NOT APPEAR, RESPONDENT MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT MAY BE ISSUED FOR RESPONDENT'S ARREST.

Dated this _____ day of _____, 20_____.

JUDGE OR MAGISTRATE

INSTRUCTIONS FOR 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 Petition for Order of Protection, you cannot use this form.

Before You Get Started

This form will be used to ask the Court to reschedule a hearing (meeting) in your Order of Protection case. You can think of the word “continuance” like “delay”. The hearing will still happen, but you are asking for it to happen on a later day.

It is important to understand that this form is for rescheduling a hearing that has already been scheduled. **You cannot use this form to ask the Court for a hearing.**

The top of the page on this 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 Ex Parte 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 Ex Parte 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 Ex Parte 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 Motion for Continuance.

After the Title.

In the section 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 that the hearing is currently scheduled for. That date will be stated clearly on a document you received from the Court. The document might be called **Notice Setting Hearing** or **Summons** or **Order to Appear**. Be sure to write the correct date on your form so the Court will know which hearing you want to reschedule.

Next, you will see a series of long blank lines. In these blank lines, write your reasons for asking the Court to reschedule the hearing. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you are asking for a continuance.

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 my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), 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 is scheduled.

How will I know if the Court rescheduled the hearing?

If the Court decides to reschedule the hearing, the Clerk will send you a document with the new date on it. It will be called something like Order Resetting Hearing or Order Granting Continuance. Pay careful attention to all of the documents you receive from the

Court.

Important Note: If the Court sends you an Order Denying Motion for Continuance, that means the Court has decided not to reschedule the hearing. If that happens, you will be responsible for attending the hearing at the date and time it was originally scheduled for.

What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can support what you want to tell the judge, you may take them with you to give testimony at the hearing. If you have evidence you want the judge to know about, you may take it to the hearing and present it to the judge.

What evidence can I use at the hearing?

Depending on what your hearing is about, your evidence might include photographs, videos, texts, or documents.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk before the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____ .)
Person listed as Respondent on the Petition and Order)

Case Number _____

MOTION FOR CONTINUANCE
(asking the Court to reschedule a hearing)

I am the Petitioner Respondent in this case. A hearing in this matter is scheduled for _____, 20____. I am asking the Court to reschedule the hearing to a later date for the following reasons:

(Explain why you want the hearing to be rescheduled. Be specific.)

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20____.

PETITIONER
 RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

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.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____ .)
Person listed as Respondent on the Petition and Order)

Case Number _____

RESPONSE TO MOTION FOR CONTINUANCE

1. I am the Petitioner Respondent in this case. A Motion for Continuance was filed in this case on _____, 20____. The following is my response to the Motion for Continuance.

2. I agree with the request the other party made to reschedule the hearing.
 I disagree with the request the other party made.

(If you disagree with the request to reschedule the hearing, explain why you disagree. Be specific.)

Check this box if you are adding more sheets of paper for this explanation.

DATED _____, 20____.

 PETITIONER
 RESPONDENT

A Wyoming Judicial Branch Court Navigator helped with this form.

STATE OF WYOMING)
) ss
COUNTY OF _____)

IN THE CIRCUIT COURT
_____ JUDICIAL DISTRICT

Petitioner: _____ ,)
Person listed as Petitioner on the Petition and Order)
)
vs.)
)
Respondent: _____)
Person listed as Respondent on the Petition and Order)

Case Number _____

ORDER ON MOTION FOR _____
(insert name of Motion)

THIS MATTER, having come before the Court on _____ Petitioner's _____ Respondent's
Motion for _____; and the Court having considered the same and being
otherwise fully advised, hereby FINDS AS FOLLOWS:

IT IS THEREFORE ORDERED:

THE MOTION IS **Denied** **Granted** **Other**

SO ORDERED this _____ day of _____, 20_____.

JUDGE OR MAGISTRATE