

ORIGINAL SENATE  
FILE NO. 0022

ENROLLED ACT NO. 12, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2004 BUDGET SESSION

AN ACT relating to courts; conforming provisions to reflect that all justice of the peace courts and county courts have been replaced by circuit courts; eliminating archaic references as specified; and providing for an effective date.

*Be It Enacted by the Legislature of the State of Wyoming:*

**Section 1.** W.S. 1-4-102, 1-11-106(a), 1-11-108(a) and (b), 1-11-119, 1-14-102(a) (i), 1-14-117, 1-14-125, 1-15-101(a) (i), 1-15-102(a) (iii), 1-15-501(a) (ii), 1-16-502, 1-17-304, 1-17-306(a), 1-17-415, 1-21-101(a) (intro), 1-21-102, 1-21-201, 1-21-202(a) and (c), 1-21-203(a), 1-21-204, 1-21-205, 1-21-401, 1-21-402, 1-21-501, 1-21-502(a) (intro), 1-21-503, 1-21-504, 1-21-510, 1-21-511, 1-21-513(a) (i), 1-21-514 through 1-21-516, 1-21-517(a), 1-21-602, 1-21-701, 1-21-703, 1-21-801, 1-21-802, 1-21-901(a), 1-21-903, 1-21-904, 1-21-906, 1-21-908, 1-21-1001, 1-21-1004, 1-21-1005, 1-21-1007, 1-21-1008, 1-21-1010 through 1-21-1012, 1-21-1014, 1-21-1015(a), 1-21-1101, 1-21-1206(c), 5-1-109(a), 5-2-119, 5-3-504(a) (ii), 5-6-107, 5-6-111, 5-6-203, 5-6-207, 5-6-302, 6-2-310(a), 6-3-604(b), 6-4-402(c), 6-4-403(f), 7-3-501(a) and (b) (intro), 7-3-506(a) (i), 7-3-507(d), 7-4-203, 7-7-101(a) (intro), 7-8-103(a), 7-10-101(c), 7-10-104(a) (ii) and (iii), 7-11-101, 7-11-407, 7-13-1202(a) (ii), 7-13-1203(b), 7-13-1204(a) (iv), 7-19-103(a) (v), 8-2-101(a) (i), 9-1-804(a) (iv), 10-5-101(b), 11-19-505, 11-28-108(a), 14-3-106(a), 14-3-208(b), 14-6-203(j), 14-6-237(h), 15-1-103(a) (xxii) (A), 15-3-402, 18-3-513(b), 18-3-907(a), 18-5-106(b), 19-9-203(a), 19-12-105(b) and (f) through (h), 20-1-106(a), 21-4-104(a) (ii), 22-3-105(d), 22-5-205(a), 22-6-126(a), 22-24-112(b) (intro), 23-6-108, 23-6-302 Article II(a) (v), 31-1-203(c), 31-5-1214(a) and (b), 31-7-112,

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31-13-112(e) (intro), 32-1-111, 33-10-111, 33-24-143,  
34-1-113, 34-1-114, 35-10-206, 36-8-309, 36-9-106,  
37-12-107 and 41-3-605 are amended to read:

**1-4-102. Abatement of actions by death.**

No action or proceeding pending in any court abates by the death of either or both of the parties thereto except as herein provided; an action for libel, slander, malicious prosecution, assault, assault and battery, or nuisance, ~~or against a justice of the peace for misconduct in office~~ shall abate by the death of either party.

**1-11-106. Jury list; preparation of ballots for jury box; drawing jury panel; certificate and summons.**

(a) The list of persons qualified to serve as trial jurors, certified and delivered to the clerk of the district court in accordance with W.S. 18-3-402 or a list of persons compiled under an alternate procedure pursuant to W.S. 1-11-129, is the base jury list for the district court, and the circuit court ~~and justice of the peace courts~~ from April 1 of the year in which the list is certified and delivered through March 31 of the following year. By order of the district judge, or circuit judge, ~~or justice of the peace~~, for their respective courts, the base jury list may be expanded by including some other source or sources of names in addition to voter lists. After the list is delivered and supplemented when applicable, suitable ballots shall be prepared and deposited in a box known as and plainly marked "jury box number one". Upon order of the court, the clerk of the district court, sheriff and county treasurer shall draw from jury box number one a panel of trial jurors, which shall contain such number of names as specified by the court.

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**1-11-108. Jury panel in circuit courts; functions, powers and duties of judges thereof.**

(a) The names in jury box number one in the office of the clerk of the district court is the panel of trial jurors in all ~~justice of the peace and county~~ circuit courts.

(b) In conducting jury trials, judges of the ~~county courts and justice of peace~~ circuit courts shall exercise and perform the same functions, powers and duties as are prescribed for both the judge and the clerk of the district court in W.S. 1-11-101 through 1-11-401, insofar as practicable.

**1-11-119. Number of jurors; fees and mileage.**

Trial juries in ~~justice of the peace and county~~ circuit courts shall be composed of six (6) persons. Trial juries in civil cases and all other proceedings in the district courts except criminal cases shall be composed of six (6) jurors unless one (1) of the parties to the action files a written demand for twelve (12) jurors within the time a demand for jury may be filed, in which event the number of jurors shall be twelve (12). Jurors in all courts shall be allowed the same fees and mileage as jurors in district court.

**1-14-102. Witness fees; fees for expert witnesses in civil and criminal cases.**

(a) Witnesses are entitled to receive the following minimum fees:

(i) For attending before any court or grand jury, or before any judge, referee or commissioner, ten

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dollars (\$10.00) per day, and five dollars (\$5.00) for half a day; and

**1-14-117. Disposition of costs collected.**

Every sheriff and other officer collecting costs on execution, after retaining the amount of his own fees shall pay the residue of the collected costs to the clerk of the court which issued the execution ~~or to the justice,~~ and take a receipt therefor.

**1-14-125. When costs not recoverable by plaintiff.**

When the judgment is less than one hundred dollars (\$100.00), unless the recovery is reduced below that sum by counterclaim or setoff, each party shall pay his own costs. When the damage assessed is under five dollars (\$5.00), the plaintiff shall not recover costs in any action for libel, slander, malicious prosecution, assault, assault and battery, false imprisonment, or nuisance. ~~or against a justice of the peace for misconduct in office.~~

**1-15-101. Applicability.**

(a) This chapter shall apply to and govern:

(i) Attachment, replevin and garnishment proceedings in all district courts, ~~county~~ and circuit courts ~~and justice of the peace courts~~ of this state;

**1-15-102. Definitions.**

(a) As used in this chapter unless otherwise defined:

(iii) "Court" means any district court, or circuit court ~~or justice of the peace court~~ of this state;

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**1-15-501. Definitions.**

(a) As used in this article:

(ii) "Court" means any district court, ~~or~~ or circuit court ~~or justice of the peace court~~ of this state;

**1-16-502. Revivor of dormant judgments; generally.**

When a judgment, including judgments rendered by a ~~justice of the peace~~ circuit court, a transcript of which has been filed in the district court for execution, becomes dormant, it may be revived in the same manner as prescribed for reviving actions before judgment or by action. When either party to the dormant judgment, his agent or attorney, makes affidavit showing that the adverse party is a nonresident of the state and that the judgment remains unsatisfied in whole or in part and the amount owing thereon, service may be made by publication as in other cases. If sufficient cause is not shown to the contrary, the judgment shall stand revived for the amount which the court finds to be due and unsatisfied thereon. The lien of the judgment for the amount due shall be revived and shall operate from the time of the entry of the conditional order or the filing of the motion.

**1-17-304. Recording lien on real estate in other counties.**

The judgment creditor in any judgment rendered by any district court in this state, or in any judgment rendered in a ~~justice of the peace~~ circuit court of this state and filed in the judgment record of the district court, may file a transcript of the judgment record of the district court with the clerk of the district court and the county

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clerk in any other counties within this state where the judgment debtor owns real estate. The judgment is a lien upon all real estate of the judgment debtor in any county in which the transcript is filed with the clerk of district court and the county clerk from the date of filing with the county clerk. The clerk of the district court of any county in which the transcript is filed shall enter the judgment upon the judgment records of the court in the same manner as judgments are rendered in that court.

**1-17-306. Lien of judgments of circuit courts.**

(a) The party in whose favor a judgment is rendered by a ~~justice of the peace~~ circuit court if the judgment is not appealed or stayed, may file with the clerk of the district court and the county clerk of the county in which the judgment was rendered a transcript thereof, certifying therein the amount paid thereon, if any. The clerk of court shall enter the case on the execution docket, together with the amount of the judgment and the time of filing the transcript with the county clerk. If within ten (10) days after the judgment was rendered, the judgment debtor pays the same or gives bond for stay of execution, the justice shall immediately certify that fact to the clerk of the district court and the county clerk. The district court clerk shall enter a memorandum thereof upon the docket. The cost of the transcript, the filing, recording and the entry on the docket shall be paid by the party who files and records the transcript and not be taxed to the other party.

**1-17-415. Filing of orders.**

All orders of the court issued pursuant to this article shall be filed with the clerk of the district court of the county in which the judgment is rendered. ~~or in which the transcript of the justice court proceeding is filed.~~ The

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clerk shall enter on the execution docket the time of filing the judgment or transcript.

CHAPTER 21  
PROCEDURE AND ACTIONS

**1-21-101. Docket to be kept; contents.**

(a) Every ~~justice of the peace~~ judge shall keep a docket in which he shall enter:

**1-21-102. Proceedings when title or boundaries to land in question.**

If it appears from the pleadings or the evidence of either party at the trial of any case in ~~justice~~ circuit court that the title or boundaries to lands are in question, the ~~justice~~ judge shall immediately make an entry thereof in the docket, cease all further proceedings, and certify to the district court of the county a transcript of all entries made in the docket relating to the case in the same manner and within the same time as upon appeal. The case shall then be conducted in the district court as though appealed to the district court for trial de novo, except that no bond as on appeal or payment of costs in the ~~justice~~ circuit court is required for the transfer to the district court.

**1-21-201. Procedure and costs generally; jurisdiction extended.**

In the trial of civil cases before any ~~justice of the peace~~ circuit court in which the amount claimed, exclusive of costs, does not exceed three thousand dollars (\$3,000.00), the procedure and costs are as defined in W.S. 1-21-201 through 1-21-205. The department of revenue may consolidate

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claims for collection of taxes against a single taxpayer into a single case under the procedures in W.S. 1-21-201 through 1-21-205 subject to specified dollar limitations.

**1-21-202. Commencement of actions; fee; remedy cumulative; continuance to obtain attorney; docketing.**

(a) Actions may be commenced, heard and determined under W.S. 1-21-201 through 1-21-205 if the state, any governmental entity, any natural person, corporation, partnership, association or other organization appears before any ~~justice of the peace or~~ circuit court and executes an affidavit reciting the full address of the defendant, the nature of the claim, the amount due and stating that demand has been made and payment refused. The plaintiff shall deposit an appearance fee of four dollars (\$4.00) which shall be retained by the court as costs and taxed to the party against whom judgment is rendered. The remedy provided by this article is cumulative and not exclusive.

(c) The ~~justice or~~ circuit judge shall docket the case as provided by law.

**1-21-203. Affidavit of claim; service of summons; venue jurisdiction.**

(a) The claimant shall prepare the affidavit as set forth, or at his request the ~~justice or~~ circuit judge shall draft it for him. When the affidavit is executed by the claimant the court shall file the same and have summons served on the defendant at any location in the county in the manner provided by law or, if the defendant resides in the county, service may be made by the court by certified mail addressed to the defendant at his address within the county with return receipt requested. Upon receipt by the



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~~justice or~~ circuit judge of the return receipt signed by the defendant or his agent, service is complete.

**1-21-204. Time for appearance.**

The date of appearance of the defendant as provided in the summons shall be not more than twelve (12) days nor less than three (3) days from the date of service of the summons. When the ~~justice or~~ circuit judge has fixed the date for the appearance of the defendant he shall inform the plaintiff of the date and at the same time order the plaintiff to appear with such books, papers and witnesses as necessary to prove his claim.

**1-21-205. Pleading and hearing; execution.**

At any hearing the plaintiff and defendant and their witnesses may offer evidence. No formal pleading other than the claim and notice is necessary. The hearing and disposition of the hearing shall be informal. No prejudgment attachment or garnishment shall issue, but execution, including post judgment garnishment in aid of execution, may issue as prescribed by law for ~~justice or~~ circuit court.

**1-21-401. Endorsement of payments and satisfaction and release; requirements.**

Every person recovering a judgment in ~~justice of the peace~~ circuit court shall endorse on the original judgment docket all payments made on the judgment, and when the judgment is satisfied by settlement or other payment, endorse the satisfaction and release on the judgment docket in the ~~justice of the peace~~ circuit court in which the judgment was entered. Endorsement of partial payment or satisfaction of the whole shall be made by the party recovering the

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judgment or his attorney in the case within fifteen (15) days after the payment has been made, and after each payment when more than one (1) payment is made on any judgment. Each endorsement shall be dated and signed by the person executing the same.

**1-21-402. Endorsement of payments and satisfaction and release; penalty.**

Every person who collects or is paid any money or other thing of value upon any judgment rendered in any ~~justice-of-the-peace~~circuit court who fails to comply with the provisions of W.S. 1-21-401 is guilty of a misdemeanor and upon conviction shall be punished by a fine for each offense of not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00).

**1-21-501. Issuance of execution.**

Execution for the enforcement of a judgment except during the time it may be stayed, may be issued by the ~~justice~~judge who renders the judgment, or by his successor in office, on the application of the party entitled thereto, any time within five (5) years of entry of the judgment, or the date of the last execution issued thereon.

**1-21-502. Form and contents of execution.**

(a) The execution shall be directed to the sheriff of the county, subscribed by the ~~justice~~judge by whom the judgment was rendered, or by his successor in office, and dated the day of delivery to the officer for execution. The execution shall refer to the judgment by stating the names of the parties, the name of the ~~justice~~judge, the county where and the time when the judgment was rendered and the

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true amount of the unsatisfied judgment. The execution shall direct the sheriff to:

**1-21-503. Endorsement on execution.**

Before any execution is delivered, the ~~justice~~-judge shall state in his docket and on the back of his execution the amount of the debt or damages and costs, and the officer receiving the execution shall endorse on it the time of receiving the execution.

**1-21-504. Renewal of execution.**

If any execution is not satisfied, it may be renewed at the request of the plaintiff by the ~~justice~~-judge or his successor, by an endorsement thereon and dated when made. If any part of the execution has been satisfied, the endorsement of renewal shall state the sum due and every such endorsement shall continue the execution in full force for no longer than thirty (30) days. An entry of renewal shall be made in the docket.

**1-21-510. Execution for costs.**

A ~~justice~~-judge may issue execution to enforce a judgment for costs in the same manner as in other cases.

**1-21-511. Right to stay of execution.**

Except as otherwise provided, any person against whom judgment is rendered may have stay of execution by entering into a bond with the adverse party within ten (10) days after rendition of the judgment, with good and sufficient surety, resident property holders of the county, approved by the ~~justice~~-judge, conditioned on the payment of the amount of the judgment, interest and costs that may accrue.

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The bond shall be entered on the docket and signed by the surety.

**1-21-513. Cases in which stay not allowed.**

(a) No stay of execution is allowed in the following cases:

(i) On a judgment rendered against a ~~justice of the peace~~ circuit court judge for refusing to pay over money collected or received in his official capacity;

**1-21-514. Recall of execution.**

If the execution issued before the bond for stay or for appeal is given, and such bond is given afterward and within the time allowed, the ~~justice~~ judge shall recall the execution.

**1-21-515. Conditions under which execution issued notwithstanding stay.**

When any person who is surety for stay of execution moves from the county before expiration of the stay, the ~~justice~~ judge shall issue execution on demand against the goods and chattels of the party against whom the original judgment was rendered. When any surety for the stay of execution becomes apprehensive that by delaying the execution until expiration of the stay he may be compelled to pay the judgment, the surety may file an affidavit of the facts with the ~~justice~~ judge who rendered judgment whereupon the ~~justice~~ judge shall issue execution against the judgment debtor. The surety is not thereby discharged from liability, but may be proceeded against after expiration of the stay.

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**1-21-516. Giving of further bond.**

If within ten (10) days after levying the execution the judgment debtor enters into a further bond for stay of execution during the unexpired term of the first stay, and pays costs of the execution issued against him, the ~~justice~~ judge shall accept the further bond and recall the execution. The latest bond shall first be proceeded against until it appears by the return of the sheriff that there are no goods on which to levy, then proceedings shall be instituted on the first bond given.

**1-21-517. Discovery in aid of execution.**

(a) At any time after entry of judgment, the judgment creditor may obtain discovery by interrogatories, depositions or otherwise, from any person, including the judgment debtor, in accordance with the Wyoming Rules of Civil Procedure. ~~for Justice Courts.~~

**1-21-602. Manner of conducting sale; return.**

At the time appointed, the officer shall expose the goods and chattels to public sale and sell them to the highest bidder. If there are no bidders or only a single bid is given, the sale shall be adjourned from time to time until a fair sale is had. The officer shall return the execution together with the money to the ~~justice~~ judge at the time of making the return.

**1-21-701. Notice and time of trial.**

When an officer levies on property claimed by any person other than the party against whom the execution issued, the claimant shall give three (3) days notice of objection in writing to the plaintiff or his agent. If the plaintiff or

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his agent cannot be found within the county, the notice shall be served by leaving a copy at his usual place of abode in the county, or if no place of abode exists then by leaving notice at the court, stating the time and place of trial to determine the right to the property. The trial shall be held before a ~~justice of circuit court in~~ the county at least one (1) day prior to the time appointed for sale of the property.

**1-21-703. Judgment against claimant.**

If the claimant fails to establish his right to the property or any part thereof, the ~~justice—judge~~ shall render judgment against the claimant for costs accrued on account of the trial and issue execution therefor. The officer is not liable to the claimant for the property so taken.

**1-21-801. Procedure generally.**

Any civil cause pending before a ~~justice—judge~~ may be submitted to the arbitration of three (3) men by agreement of the parties. Each party shall select one (1) arbitrator and the two (2) so selected shall choose the third. They shall be sworn by the ~~justice—judge~~ and proceed in a summary manner to hear the cause. Any of the arbitrators may administer oaths, issue subpoenas for witnesses and compel their attendance, and punish for contempt. They shall make their awards in writing, any two (2) concurring being the award of all. The award shall be reported to the ~~justice—judge~~ who shall enter judgment accordingly. The judgment is final unless it is made to appear to the ~~justice—judge~~ within ten (10) days after the entry of judgment that the award was obtained by fraud, corruption or any undue means, in which case the ~~justice—judge~~ shall

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set aside the award and the case shall stand for trial as though no award had been made.

**1-21-802. Appeal of setting aside award; grounds.**

An aggrieved party may appeal the decision of the ~~justice judge~~ to set aside the award upon grounds of fraud, corruption or undue means as in other cases.

**1-21-901. Grounds.**

(a) A ~~justice of the peace~~ circuit court judge may punish for contempt in the following cases and no others:

(i) Persons guilty of disorderly, contemptuous and insolent behavior toward a ~~justice judge~~ engaged in any judicial proceeding, which tends to interrupt such proceedings or impair the respect due the ~~justice's~~ judge's authority;

(ii) Persons guilty of resistance or disobedience to any lawful order or process made or issued by the ~~justice judge~~.

**1-21-903. Hearing required; warrant of attachment.**

No person shall be punished for contempt before a ~~justice circuit court judge~~ until after an opportunity to be heard and for that purpose the ~~justice judge~~ may issue his warrant of attachment to bring the offender before him.

**1-21-904. Summary proceedings if offender present.**

If the offender is present he may be summarily arraigned by the ~~justice~~ circuit court judge and proceeded against as if

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a warrant had been previously issued and the offender arrested thereon.

**1-21-906. Commitment of witness; generally.**

Any witness attending before a ~~justice of the peace~~circuit court who refuses to be sworn in some form prescribed by law or to answer any pertinent or proper question, may by order be committed to the jail of the county.

**1-21-908. Commitment of witness; adjournment.**

The ~~justice~~circuit court shall adjourn the case at the request of either party for a reasonable time or until the witness testifies in the case.

**1-21-1001. Jurisdiction of circuit courts.**

Any ~~justice~~circuit court within ~~his county~~the judicial district may inquire against those who make unlawful and forcible entry into lands and tenements and detain the same, or against those who, having a lawful and peaceable entry into lands or tenements, unlawfully or by force hold the same. If it is found that an unlawful and forcible entry was made and the lands or tenements are held by force, or that after a lawful entry the lands are held unlawfully, the ~~justice~~judge shall require restitution to the complaining party.

**1-21-1004. Summons; service and return.**

The summons shall state the cause of the complaint against the defendant, the time and place of trial and shall be served and returned as in other cases. Such service shall be not less than three (3) nor more than twelve (12) days before the day of trial set by the ~~justice~~judge.



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**1-21-1005. Proceedings when defendant fails to appear.**

If the defendant does not appear in accordance with a properly served summons the ~~justice~~circuit court shall try the action as though he were present. Before proceeding, the plaintiff shall file a complaint in which he relies in order to recover the premises. The complaint must be sustained by proof or the action dismissed.

**1-21-1007. Bond on granting continuance.**

No continuance shall be granted the defendant for longer than two (2) days unless he gives a bond to the adverse party, with good and sufficient surety approved by the ~~justice~~circuit court, conditioned for the payment of the rent that may accrue and costs if judgment is rendered against him.

**1-21-1008. Trial by justice or jury; judgment and costs.**

(a) If the action is not continued, the place of trial changed or if neither party demands a jury, upon the return day of the summons the ~~justice~~circuit court shall try the action. If the ~~justice~~circuit court concludes that the complaint is not true, ~~he~~the court shall enter judgment against the plaintiff for costs. If ~~he~~the court finds the complaint true, ~~he~~it shall render a general judgment in favor of the plaintiff for restitution of the premises and costs. If ~~he~~the court finds the complaint true in part, ~~he~~it shall render judgment for restitution of that part only and the costs shall be taxed as deemed equitable.

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(b) If the case is one based on failure to pay rent, the ~~justice-court~~ shall further find the amount of rent due and payable at the time of commencement of the action, together with the terms and conditions of the agreement between the parties in relation to the amount and time of payment of rent. If the trial is by jury the verdict shall contain a finding of these facts and the ~~justice-court~~ shall recite such findings in ~~his-the~~ docket entry of proceedings. The ~~justice-court~~, upon these findings, in addition to entering judgment for the plaintiff to have restitution, shall render judgment in accordance with the findings for the amount of rent found due, together with costs, and shall issue execution separate from the writ of restitution for the rent found due and costs as in other actions.

**1-21-1010. Judgment upon verdict.**

The ~~justice-circuit court~~ shall enter the verdict upon ~~his the~~ docket and render judgment thereon.

**1-21-1011. Exceptions.**

Exceptions to the opinion of the ~~justice-circuit court~~ on questions of law or evidence may be taken by either party, whether tried by a jury or the court.

**1-21-1012. Writ of restitution; issuance.**

When a judgment of restitution is entered by a ~~justice circuit court, he-the court~~ shall, at the request of the plaintiff, his agent or attorney, issue a writ of restitution thereon.

**1-21-1014. Proceedings upon stay on appeal; bond required.**

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(a) If the officer receives notice from the ~~justice circuit court~~ that the proceedings have been stayed on appeal, he shall immediately delay all further proceedings upon execution and writ of restitution. If the premises have been restored to the plaintiff he shall immediately place the defendant in possession thereof and return the writ and execution with his proceedings and costs taxed thereon.

(b) An appeal by a defendant shall not stay the proceedings on judgment unless within forty-eight (48) hours after judgment, Sundays excepted, the appellant executes and files with the ~~justice court~~ his bond to plaintiff, with two (2) or more sufficient sureties approved by the ~~justice court~~, conditioned that the appellant will pay all costs which have accrued or may thereafter accrue and all damages which plaintiff may have sustained or may thereafter sustain in consequence of the wrongful detention of the premises during the pendency of the appeal. Upon taking the appeal and filing the bond, all further proceedings in the case shall be stayed and the appellate court shall thereafter issue all writs and processes to carry out the judgment of the appellate court. The court in which the appeal is pending may require a new bond in a larger amount, with sureties approved by the appellate court, if deemed necessary to secure the rights of the parties.

**1-21-1015. Rents to be deposited on appeal.**

(a) In appeals from the judgment of a ~~justice circuit court~~ for rents due and payable, in addition to the bond required by W.S. 1-21-1014, the appellant shall deposit with the ~~justice court~~ the amount of rent specified in the judgment. Unless the deposit is made, the appeal is not perfected and proceedings upon the judgment shall be had

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accordingly. If the appeal is perfected, the ~~justice court~~ shall transmit the deposit to the clerk of the appellate court with the papers in the case.

**1-21-1101. Jurisdiction for recovery of specific personal property.**

~~Justices of the peace~~ Circuit courts have jurisdiction of actions for the recovery of specific personal property, not exceeding two hundred dollars (\$200.00) in value.

**1-21-1206. Renter's remedies; notice to owner or agent; judicial remedy; rights under termination of rental agreement.**

(c) If the owner has not corrected or used due diligence to correct the conditions following notice under this section, or if the owner has notified the renter that the claim is disputed, the renter may commence a civil action in ~~county or justice of the peace~~ circuit court. The court shall endorse on the summons the number of days within which the owner is required to appear and defend the action, which shall not be less than three (3) nor more than twenty (20) days from the date of service. Upon a showing of an unreasonable refusal to correct or the failure to use due diligence to correct a condition described in this article, the renter may be awarded costs, damages and affirmative relief as determined by the court. Damages awarded to the renter may include rent improperly retained or collected. Affirmative relief may include a declaration terminating the rental agreement, or an order directing the owner to make reasonable repairs.

**5-1-109. Deaf and mute persons; rights enumerated.**

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(a) In all civil or criminal cases in which a deaf or mute person is a party or in a grand jury proceeding where the person is a witness, the presiding judge ~~or justice~~ shall upon petition appoint a qualified interpreter to assist the court and deaf person during the proceedings. The cost for the interpreter's services may be assessed as court costs.

**5-2-119. Appeals from courts of limited jurisdiction.**

Notwithstanding any other provision of law, any case in which original jurisdiction is in a municipal court, ~~a justice of the peace court~~ or a circuit court may be appealed to the district courts and thereafter to the Wyoming supreme court only if the supreme court grants a writ of certiorari agreeing to hear the appeal. The Wyoming supreme court shall adopt procedures under which the court will grant or deny appeals to the court in such cases and provide the standards and extent of review.

**5-3-504. Duties.**

(a) Each counselor employed under the provisions of this act shall have the following duties:

(ii) He may make social history investigations where requested by ~~justice and municipal court~~ judges in cases where minors are involved. In such cases he may assume authority where the offender is placed on probation by the presiding officer;

**5-6-107. Appeals to district court in certain cities or towns.**

In addition to all other methods heretofore provided by law, an appeal from the judgment or sentence of a ~~police~~

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~~justice-municipal court~~ in any city or town operating under a special charter or commission, commission manager or manager form of government, may be taken to the district court in the same manner as is now provided by law for appeals from ~~justice-circuit~~ courts in criminal cases, and shall be dealt with by the courts as criminal cases.

**5-6-111. Execution on judgments.**

Upon assessment of any fine and costs for the conviction of a violation of any ordinance of a city or town, judgment shall be entered against the defendant in favor of the city or town. If the judgment is not paid within ninety (90) days from the date of the judgment the city or town may collect judgment by execution in circuit court ~~or justice of the peace court~~ in the manner provided by law. Except as otherwise provided by law all amounts recovered pursuant to this section shall be deposited with the city or town treasurer, used for the benefit of the city or town, and credited against the fine and reasonable costs of collection.

**5-6-203. Appeal.**

In all cases before the ~~police-justice-municipal court~~ arising under ordinances of the city, wherein the fine assessed exceeds the sum of ten dollars (\$10.00) or the imprisonment ten (10) days, an appeal may be taken by the defendant to the district court in and for the county in which ~~said-the~~ city is situated, but no appeal shall be allowed unless ~~such-the~~ defendant shall, within ten (10) days, enter into recognizance with sufficient sureties to be approved by the ~~justice-municipal court~~, conditioned for the payment of the fine and costs of appeal, and ~~that-the~~ defendant shall abide the judgment of the ~~said-municipal court~~ and not depart without leave of the ~~same-court~~, or

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that he will pay to the ~~said~~ city of .... the sum of \$.....  
The procedure of ~~such~~ the appeal shall be as prescribed for  
appeals from circuit courts ~~of justices of the peace~~ in  
criminal cases.

**5-6-207. Cases in municipal court.**

Cases in the ~~police~~ municipal court for violations of city  
ordinances shall be tried and determined by the ~~police~~  
~~justice~~ court without the intervention of a jury, and the  
trial of such cases before ~~such police justice~~ the court  
shall be conducted in all respects, not herein otherwise  
provided for, in like manner as criminal cases before  
~~justices of the peace~~ circuit courts.

**5-6-302. Appeals from municipal court.**

Appeals from the judgment or sentence of ~~such police~~  
~~justice~~ a municipal court may be taken to the district  
court in the same manner as is now provided by law for  
appeals from ~~justices'~~ circuit courts in criminal cases,  
and shall be dealt with by the courts as criminal cases.

**6-2-310. Names not to be released; restrictions on  
disclosure or publication of information; violations;  
penalties; effect of disclosure; "minor victim".**

(a) Prior to the filing of an information or  
indictment, neither the names of the alleged actor or  
victim of a sexual assault nor any other information  
reasonably likely to disclose the identity of the victim  
shall be released or negligently allowed to be released to  
the public by any public employee except as authorized by  
the judge ~~or justice~~ with jurisdiction over the criminal  
charges. The actor's name may be released to the public to  
aid or facilitate an arrest.

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**6-3-604. Fraud against testamentary instruments and government records; penalties; "government record" defined.**

(b) As used in this section, "government record" means a record, record book, docket or journal which is authorized by law or belongs or pertains to, or is filed with, a court of record, a circuit court, ~~a justice of the peace~~ or any governmental office or officer.

**6-4-402. Incest; penalties; disclosure or publication of identifying information; "minor victim".**

(c) Prior to the filing of an information or indictment charging a violation under this section, neither the name of the person accused or the victim nor any other information reasonably likely to disclose their identity shall be released or negligently allowed to be released to the public by any public employee, except as authorized by the judge ~~or justice~~ with jurisdiction over the criminal charges. The name of the person accused may be released to the public to aid or facilitate an arrest.

**6-4-403. Abandoning or endangering children; penalties; "child"; disclosure or publication of identifying information; "minor victim".**

(f) Prior to the filing of an information or indictment charging a violation of W.S. 6-4-403(b)(ii), (iii) or (v)(D) or (E), neither the name of the person accused or the victim nor any other information reasonably likely to disclose the identity of the victim shall be released or negligently allowed to be released to the public by any public employee, except as authorized by the judge ~~or justice~~ with jurisdiction over the criminal



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charges. The name of the person accused may be released to the public to aid or facilitate an arrest.

**7-3-501. Filing of complaint; issuance of warrant or summons.**

(a) As used in W.S. 7-3-501 through 7-3-505 "judge" means a circuit court judge, ~~or a justice of the peace.~~

(b) When complaint is made by the district attorney or by any private person to any ~~justice of the peace or~~ circuit court judge that a person has threatened or is about to commit a breach of the peace or an offense against the person or property of another, the judge shall:

**7-3-506. Definitions.**

(a) As used in W.S. 7-3-506 through 7-3-511:

(i) "Court" means the ~~justice of the peace court,~~ circuit court or the district court in the county where an alleged victim of stalking resides, or where the alleged perpetrator of the stalking is found;

**7-3-507. Petition for order of protection; contents; requisites; indigent petitioners.**

(d) The attorney general shall promulgate a standard petition form which may be used by petitioners. The ~~justice of the peace or the~~ clerk of the county circuit or district court shall make standard petition forms available to petitioners, with instructions for completion, without charge. If the petition is not filed by the district attorney, the court may appoint an attorney to represent an indigent petitioner. Nothing in this subsection shall

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prevent the victim from hiring an attorney or filing a petition pro se.

**7-4-203. Issuance of subpoenas; witness fees; enforcement of attendance.**

The coroner may issue subpoenas and compel the attendance of witnesses to testify at the inquest. Witnesses shall be allowed the same fees as in cases before a ~~justice of the peace or~~ circuit court, and the coroner shall have the same authority to enforce the attendance of witnesses and to punish for contempt as provided by W.S. 1-21-901 through 1-21-909.

**7-7-101. Authority to issue; grounds.**

(a) Any district judge, district court commissioner, circuit judge, ~~or~~ magistrate authorized pursuant to W.S. 5-9-208(a), (b) or (c)(xv) or 5-9-212(a)(ix) ~~or any justice of the peace~~ may issue a search warrant to search for and seize any property:

**7-8-103. Issuance and execution of warrant or summons on information or complaint; procedures governed by rules.**

(a) A warrant or summons issued by any ~~justice of the peace court or~~ circuit court based upon a complaint or information charging any criminal offense may be executed or served at any place within the jurisdiction of the state of Wyoming.

**7-10-101. Right of defendant.**

(c) During the pendency of an appeal in aailable case, the judge ~~or justice~~ of the court having jurisdiction may admit the defendant to bail in any sum he deems proper.

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The judge ~~or justice~~ allowing bail may at any time revoke or amend the order admitting the defendant to bail.

**7-10-104. Authorized judicial officers.**

(a) A person charged with the commission of any bailable offense may be admitted to bail by:

(ii) A district judge or district court commissioner of the district in which the person is charged; or

(iii) A circuit judge, or magistrate of the county in which the person is charged. ~~;~~ ~~or~~

**7-11-101. Impaneling in criminal cases.**

Trial juries for criminal actions in district courts and in ~~county~~ circuit courts are formed in the same manner as trial juries in civil actions. ~~Procedures for impaneling juries in justice of the peace courts shall be governed by the Wyoming Rules of Criminal Procedure for Justice Courts.~~

**7-11-407. Procedures for taking depositions.**

Procedures for the taking of depositions in criminal cases shall be governed by the Wyoming Rules of Criminal Procedure. ~~and the Wyoming Rules of Criminal Procedure for County Courts.~~

**7-13-1202. Definitions.**

(a) As used in this act:

(ii) "Supervising court" means the municipal court, ~~justice of the peace~~ or circuit court by whose order

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a teen court program is established pursuant to rules and regulations promulgated by the Wyoming supreme court;

**7-13-1203. Authority to establish teen court program.**

(b) In addition to any other power authorized, a municipal court judge, with the approval and consent of the governing body of the municipality, or any ~~justice of the peace or~~ circuit court judge, with the approval and consent of the board of county commissioners, may by order establish a teen court program and training standards for participation in accordance with this act to provide a disposition alternative for teens charged with minor offenses.

**7-13-1204. Program criteria.**

(a) A teen court program may be established under this act in accordance with the following criteria:

(iv) The teen defendant, as a condition of participation in the teen court program, may be required to pay a nonrefundable fee not to exceed ten dollars (\$10.00). Fees collected under this paragraph by a municipal court shall be credited to the treasury of the municipality. Fees collected under this paragraph by a ~~justice of the peace or~~ circuit court shall be credited to the treasury of the county;

**7-19-103. Definitions.**

(a) As used in this act:

(v) "High misdemeanor" means a misdemeanor for which the penalty authorized by law exceeds the jurisdiction of municipal ~~and justice of the peace~~ courts;

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**8-2-101. Distribution of statutes, supplements and session laws.**

(a) Statutes, supplements and session laws shall be distributed as provided by contract with the publisher or as directed by the management council, to the following, without charge:

(i) Nine (9) copies to the county clerk of each county in Wyoming, for use in the county offices and the district court, plus one (1) additional copy for each ~~justice of the peace~~, magistrate serving pursuant to W.S. 5-9-206 and circuit judge in each county;

**9-1-804. Duties and powers generally; employment of deputy and assistant district attorneys and other necessary personnel.**

(a) In addition to other duties prescribed by law, each district attorney has exclusive jurisdiction to:

(iv) Appear before any ~~justice of the peace or~~ judge in the preliminary examination of persons charged with any offense in his district;

**10-5-101. Powers of municipalities and counties generally; rules and regulations.**

(b) Any city, town or county governing authority in the state, either singly or jointly, may prescribe and enforce rules and regulations not in conflict with W.S. 10-5-101 through 10-5-204 by ordinance or resolution, governing these airports. The ~~police~~municipal court of the city or town has jurisdiction to punish any violator of the

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ordinances of the city or town governing an airport whether the airport is within or without the city limits.

**11-19-505. Owners to be jointly and severally liable; when arrest necessary; service of summons and complaint.**

In any action arising under W.S. 11-19-501 through 11-19-505, all persons owning or having control of the sheep concerning which the action is had, are liable severally and jointly. In criminal actions, no arrest is necessary except in case of nonresident persons, but a summons containing notice of the time and place of trial, together with a copy of the complaint filed ~~before a justice of the peace~~ in a circuit court, or in the court in which the action is commenced, shall be served in the same manner and for the length of time provided by law for the service of summons in civil cases.

**11-28-108. Liability for breach into lawful enclosure by animal; civil action or arbitration.**

(a) Any person owning or having in his possession or charge any livestock or domesticated buffalo which breaches into any lawful enclosure belonging to someone other than the owner of the animal, is liable to the party sustaining the injury for all damages sustained by reason of such breaching. Damages may be recovered in a civil action before any court having jurisdiction, or by arbitration, each party to select a property holder and the two (2) arbitrators to select a third. The arbitrators shall be sworn before a ~~justice of the peace or~~ judge of a circuit court before entering upon their duties. The arbitrators shall carefully examine the fence and assess the damage done, examine witnesses under oath, one (1) of them to administer the oath to the witnesses, and make a written report signed by at least two (2) of the arbitrators, to

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~~any justice of the peace or~~ the circuit court in the county in which the damage is sustained. The finding of the arbitration, as provided for in this section, shall within three (3) days after rendered, be filed with ~~any justice of the peace or~~ a judge of a circuit court in the county where the trespass was committed, who shall enter the cost upon his docket and proceed to issue execution therein as in other cases originally commenced before him.

**14-3-106. Names not to be released; restrictions on disclosures or publication of information; violations; penalties.**

(a) Prior to the filing of an information or indictment charging a violation of W.S. 14-3-104 or 14-3-105, neither the names of the person accused or the victim nor any other information reasonably likely to disclose the identity of the victim shall be released or negligently allowed to be released to the public by any public employee except as authorized by the judge ~~or justice~~ with jurisdiction over the criminal charges. The name of the person accused may be released to the public to aid or facilitate an arrest.

**14-3-208. Temporary protective custody; order; time limitation; remedial health care.**

(b) Any district or circuit court judge, or district court commissioner ~~or justice of the peace~~ may issue a temporary protective custody order upon finding that a child's life or safety is in danger. That order may be requested by the state agency, the local child protective agency, a local law enforcement officer, an administrator of a hospital in which a child reasonably believed to have been abused or neglected is being treated or any physician who reasonably believes a child has been abused or

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neglected, whether or not additional medical treatment is required, and that the child, by continuing in his place of residence or in the care and custody of the person responsible for his welfare, would be in imminent danger of his life or health. The local child protective agency shall be notified of the order.

**14-6-203. Jurisdiction; confidentiality of records.**

(j) Nothing contained in this act shall be construed to require confidentiality of any matter, legal record, identity or disposition pertaining to a minor charged or processed through any municipal, ~~justice of the peace~~ or circuit court.

**14-6-237. Transfer hearing; transfer of proceedings commenced in district court or in municipal, justice of the peace or circuit court.**

(h) No court other than the district court shall order the transfer of a case to juvenile court. At any time after a proceeding over which the juvenile court has concurrent jurisdiction is commenced in municipal, ~~justice of the peace~~ or circuit court, the judge of the court in which the proceeding is commenced may on the court's own motion, or on the motion of any party, suspend further proceedings and refer the case to the office of the district attorney to determine whether a petition should be filed in the juvenile court to commence a proceeding under this act. If a petition is filed under this act, the original proceeding commenced in the municipal, ~~justice of the peace~~ or circuit court shall be dismissed. If the district attorney determines not to file a petition under this act, the district attorney shall immediately notify the municipal, ~~justice of the peace~~ or circuit court and the proceeding commenced in that court may continue.



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**15-1-103. General powers of governing bodies.**

(a) The governing bodies of all cities and towns may:

(xxii) Establish and regulate parks, zoological gardens and recreation areas within the city limits and upon land owned, leased or controlled outside of the city limits provided:

(A) The ~~police~~municipal court of the city or town has jurisdiction to punish any violator of the ordinances of the city or town governing those areas;

**15-3-402. Actions; recovering penalty or fine; generally.**

All actions brought to recover any penalty or fine shall be brought in the corporate name of the city and the recoveries, when collected, shall be paid into the city treasury. The process in every such action shall be a warrant, and the person named therein shall be arrested and taken before the ~~police justice~~municipal court for trial.

**18-3-513. Appeal on disallowance of claim.**

(b) When the appeal is perfected, the clerk of the board shall immediately give notice to the county attorney. The clerk shall make a brief return of the proceedings before the board with the decision properly certified and file the same together with the bond and all papers in the case in his possession with the clerk of the district court. The appeal shall be entered, tried and determined and costs awarded the same as appeals from ~~justice~~circuit courts. This section does not apply to claims under W.S. 1-39-101 through 1-39-119.

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**18-3-907. Officers not liable to impeachment; removal by commissioners; grounds; procedure; testimony; filling vacancies; right of appeal.**

(a) Every ~~justice of the peace or other~~ county officer not liable to impeachment shall be removed from office by the board of county commissioners if after proof submitted they are satisfied that the officer has been guilty of any palpable omission of duty, has been guilty of willful or corrupt oppression or partiality in the discharge of his official duties, has demanded or received any pay for the performance of the duties of his office to which he is not entitled or for any other act which by statute is in violation of his official oath and bond.

**18-5-106. Powers of county commissioners upon appeal; appeal from commissioners to district court and supreme court.**

(b) The decision of the county commissioners upon any exception made may be reviewed by the district court of the county upon appeal taken thereto in the same manner as an appeal from ~~justice~~circuit courts in civil cases. The county clerk shall prepare a transcript of the case upon payment of the same fee as required for a transcript from a ~~justice of the peace~~circuit court, and the district court shall consider the case upon the issues shown in the transcript. At the time the transcript is filed with the clerk of the district court, the appellant shall execute and file a sufficient bond in a penal sum of two hundred dollars (\$200.00) with at least two (2) sureties approved by the clerk of court conditioned to prosecute the appeal without delay and if unsuccessful to pay all costs incurred by the county because of the appeal. The appellant shall within three (3) days after the transcript is filed in the

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district court give written notice to the county attorney that the transcript is filed. The notice shall state a time not less than three (3) days from the time of service when the appellant shall request a hearing and the district court shall at such time or at a future time as fixed by order of the court, hear and determine the appeal. If at the hearing it appears to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court is made. The court may reverse, modify or affirm the decision brought for review. An appeal lies to the supreme court from the judgment of the district court in the same manner as provided for civil actions.

**19-9-203. Establishing bounds for annual field training and other missions; entry without leave; disorderly conduct; interrupting, molesting, insulting or obstructing officer or soldier; penalties.**

(a) During an encampment for annual field training or when one (1) or more units of the national guard are engaged in a mission under lawful orders in an active state status, the commanding officer may fix certain bounds not including any public road within which no spectator may enter without leave. Whoever intrudes within such limits when forbidden to do so, or after entering with permission conducts himself in a disorderly manner, or resists a sentry or guard acting under orders to prevent the entry or to prevent disorderly conduct, may be arrested by the commanding officer or by his order and taken before a ~~justice of the peace or~~ circuit court of the county. Upon conviction a person violating this subsection shall be fined not more than seven hundred fifty dollars (\$750.00),

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confined in the county jail for up to six (6) months, or both.

**19-12-105. Prosecutions; appeal.**

(b) Upon the filing of a complaint in a district court, or circuit court ~~or justice of the peace court~~ of a county wherein the offense is alleged to have occurred, the ~~justice~~ judge thereof or a magistrate therein may issue warrants.

(f) When prosecution has been by general courts-martial, after final judgment, sentencing and approval by the governor, the defendant may appeal to the supreme court of Wyoming in the same manner as appeals from county circuit courts ~~and justice of the peace courts~~ to district courts to the supreme court of Wyoming in criminal cases.

(g) When prosecution has been by summary or special courts-martial, after final judgment, sentencing and approval by the convening authority, the defendant may appeal to the district court of the county in which the courts-martial was held in the same manner as appeals from ~~justice of the peace~~ circuit courts to the district courts in criminal cases.

(h) When prosecution has been in the county circuit courts, ~~and justice of the peace court,~~ after final judgment and sentencing, the defendant may appeal to the district court in the same manner as in other criminal cases.

**20-1-106. Who may solemnize marriage; form of ceremony.**

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(a) Every district or circuit court judge, district court commissioner, supreme court justice, ~~justice of the peace,~~ magistrate and every licensed or ordained minister of the gospel, bishop, priest or rabbi, or other qualified person acting in accordance with the traditions or rites for the solemnization of marriage of any religion, denomination or religious society, may perform the ceremony of marriage in this state.

**21-4-104. Duties of attendance officers.**

(a) Subject to the policy of the board of trustees, it shall be the duty of each attendance officer to:

(ii) Give written notice to the parent, guardian, or custodian of any child having an unexcused absence that the attendance of such child at school is required by law. If after such notice has been given, the child has a second unexcused absence, which the attendance officer reasonably believes was due to the willful neglect or failure of the parent, guardian, or custodian of the child, then he shall make and file a complaint against such parent, guardian, or custodian of such child before ~~a justice of the peace of the proper county or~~ the district court for the violation of W.S. 21-4-102.

**22-3-105. Investigation of voter qualifications; striking names from registry; criteria; notice; appeal.**

(d) Any person who is denied registration has the right to appeal to a ~~justice of the peace,~~ circuit court within the county or to the district court within five (5) days of the date of the notification. The appellant shall not be required to obtain legal counsel for any such appeal.

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**22-5-205. Nomination application form for nonpartisan office.**

(a) An eligible person seeking nomination for a nonpartisan office must file an application in substantially the following form:

APPLICATION FOR NOMINATION BY NONPARTISAN PRIMARY

State of Wyoming        )  
                                  ) ss  
County of ....         )

I, ....., swear or affirm that I was born on ....., that I have been a resident of the State of Wyoming since ....., and that I am a registered voter of .... County, residing at ....., and that I am eligible to be elected to such office, and I hereby request that my name be printed upon the official nonpartisan ballot at the next primary election as a candidate for the office indicated below as follows:

~~Justice of the peace~~ (Name of office).

I am seeking (1) the regular term or (2) the unexpired term which terminates on the .... day of ....., ....(year).

Dated this .... day of ....., ....(year).

..... Signature

**22-6-126. Form of nonpartisan ballots.**

(a) The official nonpartisan ballot for a general election shall be printed in substantially the following form:

OFFICIAL NONPARTISAN ELECTION BALLOT  
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FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2004 BUDGET SESSION

County of ....., Election District ....., Precinct ....  
Date .....

(here print instructions)

CANDIDATES FOR PUBLIC OFFICE

For Justice(s) of the Supreme Court  
(Here designate the particular term,  
such as "regular eight (8) year term",  
or the "unexpired term of .... years").

Shall Justice John Roe be retained in office?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
Shall Justice Richard Roe be retained in office?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

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For Judge(s) of the District Court of the .... Judicial  
District  
(Here designate the particular term,  
such as "regular six (6) year term",  
or the "unexpired term of .... years").

Shall Judge Jane Roe be retained in office?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
Shall Judge Richard Roe be retained in office?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>

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For Circuit Court Judge  
(Here designate the particular  
term, such as "regular four-  
year term", or the "unexpired term of .... years").

Shall Judge John Doe be retained in office?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
Shall Judge Richard Roe be retained in office?	Yes	No





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(b) Any person may contest the qualifications of an individual designated as a circulator by filing a petition in the ~~justice of the peace court or~~ circuit court within the county where the circulator was soliciting signatures or in the district court within ten (10) days of the solicitation activity. The court shall hear and decide any such action within five (5) days from the date the petition is filed. Among the criteria the court may use in determining the qualifications of the circulator are the following:

**23-6-108. Record of game and fish cases; report of convictions to department.**

(a) Every ~~justice of the peace or~~ judge of any court shall keep or cause to be kept a record of every game and fish complaint, game and fish citation, or other legal form of game and fish charge deposited with or presented to the court, and shall keep a record of every official action by the court, including a record of every conviction, forfeiture of bail, judgment of acquittal, and the amount of fine or forfeiture resulting from every such complaint or citation deposited with or presented to the court.

(b) Within thirty (30) days after the conviction or forfeiture of bail of a person upon a charge of violating any provision of this act, ~~every justice of the peace,~~ judge, or clerk of the court in which the conviction was had or bail was forfeited, shall forward to the department a certified abstract of the record of the court covering the case in which the person was convicted or forfeited bail. The abstract shall be made upon a form furnished by the department and shall include the name and address of the party charged, the number of his game or fish license, if any, the nature of the offense, the date of hearing, the

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plea, the judgment, or whether bail was forfeited, and the amount of fine, forfeiture or penalty imposed.

**23-6-302. Execution of Compact.**

The legislature hereby approves and the governor is authorized to enter into a compact on behalf of this state with any other state or states legally joining therein in the form substantially as follows:

Article II  
Definitions

(a) As used in this compact, unless the context required otherwise:

(v) "Court" means a court of law, including magistrate's court; ~~and the justice of the peace court;~~

**31-1-203. Special enforcement officers; summons and notice to appear for violations; deposit for appearance; disposition of deposit.**

(c) The employees designated under subsection (a) of this section upon issuing a summons shall deliver to the offender a notice to appear which shall describe the nature of the offense, with instructions for the offender to report to the nearest ~~justice of the peace or~~ circuit court designated in the notice. The employee may accept a deposit for appearance. The court coordinator shall establish a uniform deposit for appearance schedule for each violation of the statutes set forth in subsection (b) of this section. If the employee accepts a deposit for appearance from the offender, he shall give a signed, numbered receipt for the amount received and shall write the receipt number on the notice to appear. The employee shall deliver the

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deposit and a copy of the notice to appear to the ~~justice of the peace or~~ circuit court before whom the offender is to appear and the ~~justice of the peace or~~ circuit court judge shall give a receipt to the employee for the amount of the deposit. The ~~justice of the peace or~~ circuit court shall assume jurisdiction after filing of a complaint and appearance by the offender. If the offender fails to appear at the appointed time the deposit for appearance may be forfeited by order of the court and paid into the public school fund of the county.

**31-5-1214. Record of traffic cases; reports of convictions.**

(a) Every ~~justice of peace or~~ judge of a court shall keep or cause to be kept a record of every traffic complaint, traffic citation or other legal form of traffic charge deposited with or presented to the court and shall keep a record of every official action by the court in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal and the amount of fine or forfeiture resulting from every traffic complaint or citation deposited with or presented to the court.

(b) Within ten (10) days after the conviction or forfeiture of bail of a person upon a charge of violating any provisions of this act or other law regulating the operation of vehicles on highways every ~~justice of peace of the court or~~ clerk of the court of record in which the conviction was had or bail was forfeited shall prepare and immediately forward to the department an abstract of the record of the court covering the case in which the person was so convicted or forfeited bail, which abstract must be certified by the person required to prepare the same to be

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true and correct. Report need not be made of any conviction involving the illegal parking or standing of a vehicle.

**31-7-112. Application for license or permit of persons under 18.**

The application of any person under the age of eighteen (18) years for an instruction permit or driver's license shall be signed by a parent or guardian having custody of the applicant. If there is no parent or guardian the application may be signed by the ~~justice of the peace or the~~ circuit court judge of the applicant's county of residence upon petition to the court and upon a finding by the court that the applicant is sufficiently mature to handle the responsibilities of driving a motor vehicle.

**31-13-112. Release of liability for removal and storage of, and for lost or damaged items in, abandoned vehicles; disposition of personal property within a vehicle; optional court action.**

(e) A property owner or person in lawful control of the property upon which a vehicle is abandoned or any sheriff who is authorized to sell an abandoned vehicle pursuant to this act may in lieu of selling the vehicle, file or cause to be filed by the county attorney if a sheriff, an action in the county where the vehicle is impounded in the ~~justice of the peace court or~~ circuit court. The action shall be in rem and against the vehicle, vehicle owner, and all known and unknown parties with an interest in the vehicle. The defendants in the action shall be served as provided in the Wyoming Rules of Civil Procedure. Judgment in the civil action is limited to the value of the vehicle as determined by its sale price at the sale conducted by the sheriff after judgment is entered. All expenses incident to the removal, preservation,

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custody, sale and storage of the vehicle shall be paid. Except as otherwise provided in W.S. 31-13-111(f), any remaining proceeds:

**32-1-111. When court may protest paper in lieu of notary.**

When the holder of any instrument desires it to be protested, and no notary public can be found, it shall be lawful for any ~~justice of the peace~~ circuit court of the county wherein said instrument is required to be protested, to perform the services herein required to be performed by notaries public, and to be entitled to the same fees as are hereinafter provided for notaries public for similar services.

**33-10-111. Appeal from decision of board.**

Any person feeling himself aggrieved by the decision of the board may have an appeal to the district court of the county wherein his license to practice is of record. The manner and procedure of appeal shall be the same as that provided by law in the cases of appeals from a ~~justice~~ circuit court to the district court.

**33-24-143. Prosecutions.**

It shall be the duty of the district attorney for the county where the violation occurs to attend to the prosecution of all criminal complaints made under this act, both upon the trial in the ~~justice or~~ circuit court where the complaint may be made, and also upon hearings in the district court, either upon such complaint, or upon the information or indictment filed against any person under this act. Nothing in this act shall be construed to

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prevent the prosecution of any person for violation of this act upon the information of the district attorney directly.

**34-1-113. Acknowledgment of conveyances; generally.**

Execution of deeds, mortgages or other conveyances of lands, or any interest in lands, shall be acknowledged by the party or parties executing same, before any judge or clerk of a court of record, or before any United States magistrate appointed under and by authority of the laws of the United States, or any county clerk, ~~justice of the peace,~~ district court commissioner, notary public, or other officer authorized under the laws of the state of Wyoming to take such acknowledgments, and the officer taking such acknowledgment shall endorse thereon a certificate of the acknowledgment thereof, and the true date of making the same, under his hand and seal of office, if there be one.

**34-1-114. Acknowledgment of conveyances; notary to state date of expiration of term of office.**

Every notary public, ~~justice of the peace,~~ and commissioner of deeds for Wyoming, who takes an acknowledgment to any written instrument to be recorded in any public office in Wyoming shall add to his certificate the date when commission or term of office expires.

**35-10-206. Enforcement; disposal of seized fireworks.**

Wyoming peace officers shall seize all stocks of fireworks held in violation of W.S. 35-10-201 through 35-10-207 and shall apply to the appropriate court for the disposition of the fireworks. Following a hearing determining the fireworks were held in violation of W.S. 35-10-201 through 35-10-207, the fireworks shall be destroyed or otherwise

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disposed of upon order of any ~~justice of the peace,~~ circuit court or district court.

**36-8-309. Rules and regulations; adoption, penalty for violation and cancellation of leases.**

The department of state parks and cultural resources has full power, control and supervision over the Big Horn Hot Springs State Park, located in Hot Springs county, and all property thereon. The department may adopt rules and regulations for the government of the state park for the conservation of peace and good order within the park, and for the preservation of the property of the state therein, and of the property and people situated and residing or being therein, and to promote the well being of the people, and to declare what constitutes a nuisance within the state park. Any person who violates any rule or regulation adopted and published by the department is guilty of a misdemeanor and shall be fined not less than five dollars (\$5.00) and not more than one hundred dollars (\$100.00) or imprisoned for not more than six (6) months or both. Any offender convicted under this act may be permitted, in lieu of cash payment of a fine thus imposed, to work out the fine within the state park, at the rate of five dollars (\$5.00) an hour until the amount of the fine is satisfied. Any ~~justice of the peace or~~ circuit judge in ~~Hot Springs county~~ the fifth judicial district has jurisdiction of all offenses under this article. A defendant convicted under this article has a right to appeal to the district court as provided for appeals from convictions in ~~justice of the peace~~ circuit courts and municipal courts. If any lessee of the state or of the department shall refuse to comply with the order, direction, rule or regulation of the department, or to obey any law of the state defining and punishing nuisances the department may immediately cancel the lease.

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**36-9-106. Place of sale; execution of leases.**

All sales of state lands shall be held at a location to be determined by the board within the county in which the land is located and leases for state lands may be executed in the presence of a notary public, ~~justice of the peace,~~ or other officer authorized to administer oaths.

**37-12-107. Unlawful riding on railroad trains; prosecution of offender.**

Any sheriff or deputy sheriff receiving any person from any special constable, as in this act provided, shall forthwith deliver ~~such~~the person, with the charge made against him to the sheriff of the county wherein the offense may be charged to have been committed. It shall be the duty of the sheriff receiving ~~such~~the prisoner forthwith to deliver to the district attorney for the county, the written charge made against ~~said~~the prisoner by the special constable, and the district attorney shall file with the proper ~~justice of the peace~~circuit court the proper affidavit charging the prisoner with the offense, and shall diligently prosecute the same.

**41-3-605. Commissioners; power to arrest; procedure following arrests.**

The water commissioners or their assistants, within their districts shall have power to arrest any person or persons offending, and turn them over to the sheriff of the proper county, and immediately upon delivering ~~any such~~the person so arrested into the custody of the sheriff, it shall be the duty of the water commissioner making ~~such~~the arrest, to immediately in writing and upon oath, make complaint before the court of proper ~~justice of the peace~~jurisdiction against the person ~~so~~ arrested.



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**Section 2.** W.S. 1-14-102(a)(ii), 1-14-116, 5-4-101 through 5-4-305, 7-10-104(a)(iv), 15-4-103, 22-5-203(a), 22-5-401(b)(iii) and 22-6-125(a)(v) are repealed.

**Section 3.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk