

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

Circuit court jurisdiction.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to circuit court jurisdiction; increasing
2 circuit court jurisdiction as specified; providing for
3 concurrent jurisdiction with districts courts as specified;
4 authorizing appeals directly from circuit courts to the
5 supreme court as specified; and providing for an effective
6 date.

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

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10 **Section 1.** W.S. 5-2-119, 5-3-112(a)(iii),
11 5-9-128(a)(i) through (iii), (vi)(intro) and by creating a
12 new subsection (e) are amended to read:

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14 **5-2-119. Appeals from courts of limited jurisdiction.**

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2 (a) Notwithstanding any other provision of law, any
3 case in which original jurisdiction is in a municipal court
4 or a circuit court may be appealed to the district courts
5 and thereafter to the Wyoming supreme court only if the
6 supreme court grants a writ of certiorari agreeing to hear
7 the appeal. The Wyoming supreme court shall adopt
8 procedures under which the court will grant or deny appeals
9 to the court in such cases and provide the standards and
10 extent of review. For any case brought under W.S. 5-9-
11 128(e), regardless of whether the case was originally filed
12 in circuit court or district court:

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14 (i) Any appeal shall be made directly to the
15 Wyoming supreme court; and

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17 (ii) Interlocutory or extraordinary review shall
18 be sought in the Wyoming supreme court.

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20 **5-3-112. Assignment to circuit court judge.**

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22 (a) A judge of the district court may assign to a
23 circuit court judge any case or proceeding within the

1 jurisdiction of the district court subject only to the
2 following restrictions:

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4 (iii) Consent of each plaintiff and each
5 defendant in a civil action wherein the amount in
6 controversy is ~~twenty thousand dollars (\$20,000.00)~~ fifty
7 thousand dollars (\$50,000.00) or greater; and

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9 **5-9-128. Civil jurisdiction.**

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11 (a) Each circuit court has exclusive original civil
12 jurisdiction within the boundaries of the state for:

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14 (i) An action where the prayer for recovery is
15 an amount not exceeding ~~seven thousand dollars (\$7,000.00)~~
16 fifty thousand dollars (\$50,000.00), exclusive of court
17 costs;

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19 (ii) Actions to recover specific personal
20 property the value of which does not exceed ~~seven thousand~~
21 dollars (\$7,000.00) fifty thousand dollars (\$50,000.00),
22 exclusive of court costs and shall be prosecuted in
23 accordance with W.S. 1-15-301 through 1-15-306;

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(iii) Actions to foreclose or enforce a lien on or security interest in personal property perfected under the Uniform Commercial Code, W.S. 34.1-1-101 through 34.1-10-104, when the amount claimed on the lien or security interest does not exceed ~~seven thousand dollars (\$7,000.00)~~ fifty thousand dollars (\$50,000.00), exclusive of court costs;

(vi) Actions to foreclose and enforce the following statutory liens only, when the amount claimed on the lien does not exceed ~~seven thousand dollars (\$7,000.00)~~ fifty thousand dollars (\$50,000.00) exclusive of court costs:

(e) Within each judicial district the circuit court shall have concurrent jurisdiction with district court for actions identified in paragraphs (a)(i) through (iii) and (vi) of this section which are greater than fifty thousand dollars (\$50,000.00) but do not exceed one hundred thousand dollars (\$100,000.00), exclusive of court costs. Actions identified in paragraph (a)(ii) of this section shall be

1 prosecuted in accordance with W.S. 1-15-301 through 1-15-
2 306.

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4 **Section 2.** This act is effective July 1, 2011.

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(END)