

# Packet 11

## Establishment of Custody, Visitation and Child Support

### Forms and Procedures

### For Wyoming

## PETITIONER

2014

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PETITIONER – ESTABLISHMENT OF CUSTODY, VISITATION, AND CHILD  
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## OVERVIEW

People who appear for themselves without an attorney are considered to be “self-represented” and are also known as “pro se” or “pro per” litigants. Although there has been a recent surge of pro se litigation in our courts, there are additional barriers that people without an attorney will inevitably face, especially in the area of family law/domestic relations. The difficulties increase when there are children, disagreements about property, financial interests, violence, harassment or coercion. Many areas of family law are very diverse and complicated, and some courts in the State of Wyoming require certain things that others courts do not. That is why it is impractical to include all legal remedies available to people in family law cases in a single packet. **Therefore, this packet will be most beneficial for people involved in an uncontested case (i.e., you both agree on the issues).** There are other remedies available, including temporary orders on child custody, support, and restraining orders that are not included in this packet and may be best pursued with the assistance of an attorney. The Citizen’s Access to Courts Committee is aware of the barriers that exist for low income people in our legal system and have created the forms in a manner that they believe will benefit the majority of people who represent themselves while also understanding that people with complex or emergency circumstances may continue to find themselves better served by getting an attorney. We hope you find this packet and the resources that it contains helpful.

### **DOMESTIC/FAMILY VIOLENCE:**

If you or your children have been a victim of family (domestic) violence, there are concerns above and beyond the normal concerns. It is recommended that you obtain a lawyer to help you. There may be assistance available even if you cannot afford an attorney. Contact the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-307-755-0992), Wyoming Legal Services (1-877-432-9955) or the Wyoming State Bar (1-307-632-9061) [www.wyomingbar.org](http://www.wyomingbar.org). If you have concerns about confidential information such as addresses and/or social security numbers, please consult an attorney and do not attempt to do this on your own. You should also know that Protection Orders and Stalking Orders are available free of charge at the circuit court clerk’s office. Please call the Wyoming Coalition Against Domestic Violence & Sexual Assault for assistance in obtaining domestic violence protection or stalking orders (1-307-755-0992). If you have ever obtained a protection order involving the Respondent in this action, this information should be included in the *Petition to Establish Custody, Visitation, and Child Support* or the *Counterclaim* under other actions.

- This information packet is intended to provide general information to help you complete the forms and to take the steps the law requires for you to obtain an *Order Establishing Custody, Visitation and Child Support*. There is no guarantee these forms are still accurate and/or current. The information in this packet is not intended to replace an attorney.
- If you represent yourself, **YOU PROCEED AT YOUR OWN RISK**. You must decide which forms apply to your situation.
- **DO NOT USE** each and every form, as some forms say opposite things.
- For each form you decide to use, make sure you fill it out completely and correctly. If your forms are not complete, the Judge may reject your packet.

- NO ONE in the Judge's office or the Clerk of District Court's office can help complete them. Questions or problems may require the help of an attorney.

Where you are requested to provide information, use the blank spaces by either typing or printing with blue or black ink. You must print clearly. **If the judge cannot read what you write, the Judge will return the documents. DO NOT SIGN YOUR NAME WHERE THE JUDGE OR CLERK SHOULD SIGN.**

**LAWS: IF YOU DO THIS YOURSELF**, you must follow the law as if you were a lawyer. It is your responsibility to properly prepare and file the necessary documents. **The Judge will not sign orders or decrees that are incorrect or incomplete, nor will the Judge give you legal advice or make corrections for you.**

You should read Title 20 of the Wyoming Statutes (the domestic relations laws), and you should also read the Wyoming Rules of Civil Procedure. Most of the District Courts in the State of Wyoming have a courthouse library or county library where these laws and rules can be read. You may also look up these laws and rules on the internet at: [www.courts.state.wy.us](http://www.courts.state.wy.us) and clicking on "law library." Some courts have special forms they want you to use in addition to the forms contained in this packet. Check with the clerk before you file your documents.

**Clerks of Court Cannot Help You Fill Out the Forms.** Employees in the Clerk of District Court's office and in the Judge's office cannot help you or advise you; if you represent yourself, you are on your own.

**The Judge Cannot Talk to You, Answer Your Questions or Assist You.** **Ex parte** communication is communication with the Judge with only one party present. Judges are not allowed to engage in ex parte communication except in very limited circumstances, so, absent specific authorization to the contrary, you should not try to speak with or write to the Judge in your case unless the other **party** is present or has been properly notified. If you have something you need to tell the Judge, you must ask for a **hearing** and give **notice** to the other party or file a written statement in the Court file and send a copy of the written statement to the other party.

**Situations that Need an Attorney.** You should consult an attorney if:

- You are a victim of domestic/family violence.
- The other party hires an attorney
- You do not understand the Court process or are having difficulty in completing the forms.

**Truthfulness.** It is absolutely essential that you be completely honest and accurate in completing all forms. There are penalties for attempting to mislead the Court. You should read Wyoming Rules of Civil Procedure, Rule 11 (*representations to the court*) and Wyoming Statute § 6-5-301 (perjury).

**Unauthorized Practice of Law Notice.** The purpose of this packet is to assist those persons who are doing their own custody case. It may be an unauthorized practice of law for a person who is not a licensed attorney to assist others in a legal action. Such practice could subject a guilty party to punishment for contempt of court.

**You are reminded that, if you choose to continue without an attorney, you are expected to know what to do and how to do it.** The Wyoming Supreme Court has said: “A *pro se* litigant (one without an attorney) will be granted no greater right than any other litigant and he must expect and receive...the same treatment as if represented by an attorney...” **In other words, if you do not have an attorney you will be held to the same standards as a person with an attorney.**

## ESTABLISHMENT OF CUSTODY, VISITATION, AND CHILD SUPPORT INFORMATION AND INSTRUCTIONS

**CONFIDENTIALITY:** If you have concerns about keeping information confidential such as your address and/or social security number, please consult an attorney. You should also know that Domestic Violence Protection Orders or Stalking Orders are available free of charge at the Circuit Court Clerks' offices. You may request assistance in obtaining Domestic Violence Protection or Stalking Orders from your local domestic violence or sexual assault program or you may call the Wyoming Coalition Against Domestic Violence & Sexual Assault (1-307-755-0992). There are also private attorneys who may be willing to assist clients in these matters. If you have ever obtained a Protection Order against the other party, this information should be indicated in the *Petition to Establish Custody, Visitation and Child Support* or the *Counterclaim*.

**This packet is to establish custody, visitation, and child support if you and the other parent were never married and both parents are listed on the birth certificate for each child. If paternity has not been acknowledged or established, please see your local child support agency for assistance. You must fill out all forms as completely as possible. If your forms are not complete, the Judge may reject your packet.**

**Step 1. Getting Started.** The following forms are required to establish custody, visitation, and child support where both parents agree on these matters. It is recommended that you complete all of these forms before you file the *Petition to Establish Custody, Visitation, and Child Support* so that they will be ready to file at the appropriate time:

1. Civil Cover Sheet
2. Petition to Establish Custody, Visitation, and Child Support
3. Summons
4. Confidential Statement of the Parties for Child Support Order
5. Acknowledgement and Acceptance of Service
6. Confidential Financial Affidavit (both parties must file a financial affidavit)
7. Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties
8. Order Establishing Custody, Visitation, and Child Support
9. Order for Income Withholding
10. Income Withholding for Support (or, you can also open up a case with your local child support enforcement agency and they will prepare this form for you)

**\*\*Other forms may be required depending on the Court and on your situation. If additional forms are needed, they will be discussed below where applicable.**

***Remember, your packet contains many forms that will not be required in all situations. Be sure to follow these instructions carefully to ensure you have completed the correct forms for your situation.***

**Step 2. File the Petition.** In order to advise the Court that you wish to establish custody, visitation, and child support, you must file the *Petition to Establish Custody, Visitation, and Child Support* (“Petition”). If you are filing the *Petition*, you are the “Petitioner.” The other party will be referred to as the “Respondent.”

**Notarizing Signatures.** Some forms will require you to have your signature notarized. Notarial Officers may administer the oath and witness your signature, or in many cases, Clerks of Court will be willing to administer the necessary oath. Each Clerk’s office has their own policy so check with them first before seeking notarization of your signature on the forms.

**Where to file.** You will file your case in the District Court in the county where either you or the Respondent resides. The *Petition* is given to the **Clerk of the District Court**, whose office is usually located in the county courthouse or a branch of the county courthouse. A list of the Clerks of District Court for each Judicial District is included in the packet. A **filing fee** is required. Ask the Clerk what the amount of the filing fee is and what forms of payment are accepted.

**Case Number:** When you start a lawsuit by filing the paperwork with the Clerk of the District Court, a case number will be assigned by the Clerk. You must include that case number on all further paperwork in the “**caption**.” The caption is the top section of a pleading, motion, and petition stating the name of the Petitioner, the Respondent, the District Court the case is filed in, and the case number.

**Other forms to file with the *Petition*.**

A. When you file the *Petition*, you will also need to file the ***Civil Cover Sheet***. Follow the instructions that accompany that document.

B. You will also need to fill out and file a ***Confidential Statement of the Parties for Child Support Order***. This form provides the Court with personal information (such as social security numbers and birth dates) of the parties involved in your case as required by Wyoming law. This information will be in a confidential file so that the general public does not have access to the information.

C. You will also need to have the Clerk sign (a/k/a “issue”) the ***Summons***.

**How many copies.** Take the original and two (2) copies of each document to the Clerk’s office. The Clerk will give you copies of each document back after stamping them with the date they were filed. This is called a “**file stamp**.” You should keep one copy of each document for your records. The other set of documents will need to be served upon the Respondent.

**Summary of Step 2:** To start your case, you will need to file the following documents with the Clerk of the District Court's office located in the county courthouse in the county where either you or the Respondent resides:

- A. **Civil Cover Sheet**
  - a. Follow the instructions that accompany this form for help completing it correctly.
- B. **Petition to Establish Custody, Visitation, and Child Support**
- C. **Confidential Statement of the Parties for Child Support Order;** and
- D. **Summons**
- E. Pay the **filing fee**
- F. Take the original and two (2) copies of each document to the Clerk's office.
  - a. The Clerk will give you both copies back after file-stamping them
  - b. You should keep one copy for your records.
  - c. The other set of documents will need to be served upon the Respondent (Step 3).

**Step 3. Serve the Respondent.** Once the *Petition* and *Confidential Statement of the Parties for Child Support Order* are filed, a file-stamped copy must be formally given to (a/k/a **serviced** on) the Respondent. **Personal service** of the *Petition*, *Confidential Statement of the Parties* and *Summons* on the Respondent by a **Sheriff** is required **unless** the Respondent completes an **Acknowledgment and Acceptance of Service** form. Formal service is required for the *Petition* and the *Confidential Statement of the Parties for Child Support Order* so the Court has proof that the other party actually received the paperwork. Other forms of service exist, but these are the easiest methods that meet the formal service requirement for a *Petition*. If you cannot serve the Respondent by either of these methods, ask the Clerk for additional forms for other ways to obtain service.

You **MUST** give the Respondent official notice that you have filed a *Petition* and *Confidential Statement of the Parties for Child Support Order* **within 90 days** from the date you filed them. This is done by serving a copy of the *Summons*, the *Petition*, and the *Confidential Statement of the Parties for Child Support Order* upon the Respondent or by having the Respondent sign an *Acknowledgment and Acceptance of Service* form stating that copies of those documents were received. If you do not serve the Respondent within 90 days, your case can be dismissed by the Court.

A. **How to Serve the Respondent.** Choose **ONLY ONE** of the following options to serve the Respondent:

#### **Option 1– Service by Sheriff**

**Summons.** It is recommended to have a sheriff in the county where the Respondent can be found serve him or her with the papers. There will be a separate **service fee** (usually fifty (\$50.00) dollars in Wyoming). You can contact the Sheriff's department in the county where the Respondent lives to determine the fee charged by the Sheriff. This is also true if the Respondent is going to be served out of state. You will need to provide the Sheriff with a file-stamped copy of the *Summons*, *Petition* and *Confidential Statement of the Parties for Child Support Order* to be served on the Respondent.

**Proof of Service.** The Sheriff's office will complete the last page of the *Summons* called the "***Return***" (or they may have their own form – an "***Affidavit of Service***") and will usually file the original with the Clerk's office and send you a copy. If you receive what looks like the original "***Return***" or "***Affidavit of Service***" from the Sheriff, call the Clerk's office to ensure the original has been filed. If it has not, then file the original with the Clerk's office and keep a copy for yourself. This is the proof that the Respondent was given proper notice;

**Note:** Once the Respondent has been served, you **MUST** file the original *Summons* and original *Return* (or *Affidavit of Service*) with the Clerk's office so that the Judge knows that proper service was made.

**OR:**

**Option 2 – Acknowledgement and Acceptance of Service.** If the Respondent agrees, he or she may sign a form stating that a file-stamped copy of the *Summons*, *Petition* and *Confidential Statement of the Parties for Child Support Order* were received. If the Respondent agrees, you will need to fill out an *Acknowledgement and Acceptance of Service* form. The Respondent must sign this document in front of a Notarial Officer.

**Proof of Service.** Once the *Acknowledgement and Acceptance of Service* form is signed, take the original and two (2) copies of the signed form to the Clerk's office for filing. You should keep one copy for your records and provide the other copy to the Respondent.

**Note:** You must file the signed *Acknowledgment and Acceptance of Service* form and the original *Summons* with the Clerk's office so that the Judge knows that proper service on the Respondent was made.

**RECAP for Step 3:** You **MUST** give the Respondent official notice that you have filed a *Petition* within 90 days from the date you filed the *Petition*. Choose one of the following methods:

**Option 1 – Service by Sheriff**

- A. Provide copy of the *Summons*, *Petition* and *Confidential Statement of the Parties for Child Support Order* to Sheriff where the Respondent lives;
- B. Pay the *service fee*; and
- C. Once the Respondent is served, be sure the original *Summons* and the original *Return* or *Affidavit of Service* are filed with the Clerk's office; **OR**

**Option 2 – Acknowledgement and Acceptance of Service**

- A. Provide a copy of the *Summons*, *Petition* and *Confidential Statement of the Parties for Child Support Order* to the Respondent;
- B. Have the Respondent sign the *Acknowledgment and Acceptance of Service* form in front of a Notarial Officer;
- C. File the original *Acknowledgment and Acceptance of Service* form and the original *Summons* with the Clerk's office.

**Step 4. Wait for the Respondent's time to respond to expire.** Once the Respondent is served, he or she has 20 days (if served in the State of Wyoming or 30 days if served out-of-state) to file a **Response** to the *Petition*. You must wait for the appropriate time period to expire before you can proceed with the case. You must wait the 20 days (or 30 days if served out-of-state) even if the Respondent tells you that he or she is not going to file a *Response*.

- **Computation of Time Limits.** In computing most time limits, unless otherwise stated, the day the document is served shall not be included. The last day of the time period is included, unless it lands on a Saturday, a Sunday, or a legal holiday, or, if the Courthouse is closed then the time limit will be on the very next day that the Courthouse is open. **If you have questions about time limits you should seek the advice of an attorney.**
- While waiting, move on to **Step 5**. You can also use this time to continue to work on the other required forms to be sure they are filled out completely and correctly.

**RECAP for Step 4:** You MUST wait for the Respondent's time to file a *Response* to expire before you can proceed with your case. In the meantime:

- A. Mark on the calendar when the time to file a *Response* expires;
- B. Move on to **Step 5** while waiting; and
- C. Use this time to ensure the required forms are filled out completely and correctly.

**Step 5. Initial Disclosures.** The law requires certain information be made available within thirty (30) days after the respondent is served, including a summary of the facts believed to support the claim of superior entitlement to custody where child custody is at issue.

Please note that "A party must make its disclosures based on the information then reasonably available to it and is not excused from making its disclosures because it has not fully completed its investigation of the case or because it challenges the sufficiency of another party's disclosures or because another party has not made its disclosures."

- A. **WHEN TO SERVE:** Initial Disclosures must be sent to the Respondent (or his/her attorney) **WITHIN 30 DAYS AFTER THE RESPONDENT IS SERVED. Be sure to keep a copy of this document for your records.**
- B. **DO NOT FILE THE INITIAL DISCLOSURES WITH THE COURT.** This form is only given to the Respondent (or his/her attorney).

**RECAP for Step 5:** You MUST provide your *Initial Disclosures* to the Respondent within 30 days after the Respondent is served with the *Summons, Petition and Confidential Statement of the Parties for Child Support Order*.

- A. Mark on the calendar the deadline to send your *Initial Disclosures*; and
- B. Send your *Initial Disclosures* to the Respondent by the deadline.
- C. **DO NOT** file the *Initial Disclosures* with the Clerk's office.

**Step 6.** Once the time for the Respondent to file a *Response* has expired and you sent your *Initial Disclosures* to the Respondent, then several options exist to move your case forward. Pick the option that best describes your situation:

**Option A.** If the Respondent filed a *Response* or *Response and Counterclaim* and you both agree on all of the issues of your case, follow **Option A** below.

**Option B.** If the Respondent did not file a *Response* or *Response and Counterclaim*, follow **Option B** below.

**Option C.** If the Respondent filed a *Response* or *Response and Counterclaim* and you do NOT agree on all of the issues of your case, follow **Option C**.

**Option A. The following instructions apply if the Respondent filed a Response or Response and Counterclaim, and you both agree on all of the issues of your case.** If you and the Respondent agree on the issues involved in your case, then you will need to complete the following:

A. **Fill out a *Confidential Financial Affidavit* and attach all required documents.**

- Both parties are required to file a *Confidential Financial Affidavit* including the required attachments with the Court. If the Respondent does NOT file a *Confidential Financial Affidavit*, you will need to complete an *Affidavit of Imputed Income* to show the Court how much money the Respondent makes. This is an additional form contained in your packet.
- **Required Attachments.** The *Confidential Financial Affidavits* of the parties must be supported with documentation of both current and past earnings. Proper documentation of current earnings includes, but is not limited to pay stubs, employer statements, or receipts and expenses if self-employed. Documentation of current earnings shall be supplemented with copies of the most recent tax return to provide verification of earnings over a longer period. Include copies of income tax returns for the previous two years and your most recent pay stub(s) to show how much you have made so far this year.

B. Fill out an *Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties*. This form provides the admissible evidence the Court needs to enter an *Order* without requiring the parties to attend a hearing.

C. Fill out an *Order Establishing Custody, Visitation, and Child Support* (“Order”). This form will need to be filled out completely, signed by both you and the Respondent and both

of your signatures notarized. **In addition to signing the *Order*, you should also initial each page of the *Order* to verify that each page contains the terms you agreed upon.**

Here are some important laws and helpful hints in completing the *Order*:

- **Custody and Visitation.** You and the Respondent need to determine which custody and visitation plan will apply in your circumstances. It is unusual for the Court not to award any visitation or supervised visitation to the non-custodial parent.
  - *If there is a concern that your child(ren) may be harmed by the other parent physically and/or emotionally, you should seek advice from someone familiar with parenting and child development issues. There may be an organization in your community that can help facilitate visitation between the children and you or the other parent. You can also contact the facilitators of any parenting classes in your community for other ideas.*
  
- **Factors to be considered for awarding custody and visitation.** The *Order* contains several options for custody and visitation arrangements. Ideally, both parents will work together to select the proper custody and visitation plan depending upon the family circumstances. In awarding custody and setting forth a visitation plan, Wyoming law requires that the Court consider the following factors:
  1. The geographic location of each parent;
  2. Each parent's willingness and ability to perform the child care duties associated with the child(ren), relative to the child(ren)'s stage of development such as feeding, changing, bathing, preparing the child(ren) for school, taking responsibility for the child(ren)'s homework, etc.;
  3. Each parent's ability to care for the child(ren)'s needs (consider not only historical involvement but a parent's willingness and ability to learn the necessary skills, as well);
  4. The lack of hostility between the parents;
  5. The ability of both parents' work schedules and the child(ren)'s schedule to accommodate extended access;
  6. The child(ren)'s age(s) and strength of attachment to each parent;
  7. The child(ren)'s relationship with his/her friends.
  
- **Child(ren)'s interests should control.** The use of a calendar for scheduling purposes is highly recommended. The parents' work schedules and the child(ren)'s school and extracurricular activities need to be considered when developing a visitation plan. This is especially true for those parents who do not enjoy a traditional work week. While visitation should be an enjoyable and enriching experience, it is an obligation and responsibility for each parent as well

as a right and a privilege. Both parents must also have a good faith commitment to developing and carrying out a visitation plan. You need to focus on what type of schedule would be in the child(ren)'s best interest.

- **Parenting classes.** At any time the Court may require parents to attend appropriate parenting classes, including, but not limited to, parenting classes to lessen the effects of custody battles on children. Both parents are generally required to attend classes when they are ordered. If the class is ordered, you MUST file a **Certificate of Completion** with the Clerk's office. This certificate is provided by the class instructor.
- **Child Support Payments.** You will need to determine the amount of child support due based upon the *Confidential Financial Affidavits* you and the Respondent completed (or by the *Affidavit of Imputed Income* if the Respondent did not complete his/her own *Confidential Financial Affidavit*). You may use the ***Child Support Computation Form*** as a guide to help you calculate the support due or contact your local child support enforcement agency for assistance. Another option is to go online to:

[http://www.laramiecounty.com/\\_departments/\\_district\\_court/calculator.aspx](http://www.laramiecounty.com/_departments/_district_court/calculator.aspx)

to calculate child support.

- **You CANNOT agree that no support will be paid.** Wyoming law allows for a reduced amount of support when you agree on joint physical custody, each parent keeps the child(ren) overnight for more than forty percent (40%) of the year, and both parents contribute substantially to the expenses of the children in addition to the payment of child support.
- Where the combined ***net monthly*** income of ***both*** parents is less than eight hundred forty-six dollars (\$846.00), the non-custodial parent has to pay twenty-two percent (22%) of his/her net income for one (1) child and twenty-five percent (25%) of his/her net income for two (2) or more children, but the minimum amount of child support a person has to pay cannot be less than fifty dollars (\$50.00) per month for each family unit in which there are children to whom the noncustodial parent owes a duty of support.
- There are NO DEVIATIONS from the presumed support allowed UNLESS the Court CHOOSES to deviate from the set amount because the amount was unjust or inappropriate in the particular case. The Court must include the specific reasons for deviation in the *Order*.
- **NO AGREEMENTS FOR LESS THAN THE PRESUMED SUPPORT CAN BE APPROVED IF GOVERNMENT OR STATE**

**BENEFITS (SUCH AS TITLE 19, KID CARE, FOOD STAMPS, POWER, ETC.) ARE BEING PROVIDED ON BEHALF OF ANY CHILD.** This means the Court cannot lower the amount of child support calculated by using the net income of you and the Respondent even if you and the Respondent agree to a lower amount of support.

- **Medical Support.** The law requires that medical support for the child(ren) be included as part of any child support order. The Court shall order either or both of the parents to provide medical support, if insurance can be obtained at a reasonable cost and the benefits under the insurance policy are accessible to the children. This may include dental, optical or other health care needs for the child(ren). In addition, the Court will order that any medical expenses not covered by insurance and any deductible amount on the required insurance coverage be paid by one or both parents. If both parents are ordered to pay for expenses not covered by insurance, the Court will specify the proportion for which each parent is responsible (for example, 50% to Petitioner and 50% to Respondent).

D. Fill out an ***Order for Income Withholding***. The Court is required by statute to enter an ***Order for Income Withholding*** in every case where child support has been ordered.

E. Fill out an ***Income Withholding for Support***. This form is required if you need to have the child support paid directly from a non-custodial parent's employer. If you need assistance in filling out this form, or if you need assistance in collecting child support, you should contact the child support enforcement agency in your district. The Clerk can provide you with the agency's contact information.

F. **Other Forms:** Other forms may be required depending on the county where your case is filed. Ask the Clerk if additional forms are required.

G. **Copies and Envelopes.** Take an original and two (2) copies of each of the above documents for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the ***Order*** to you and the Respondent). A copy of any documents that you file (other than the ***Order***) must be sent to the Respondent on the date that you filled out on the ***Certificate of Service*** on each document.

- If a hearing is not required by your Court, the Clerk will mail a copy of your ***Order*** if accepted by the Court.
- If a hearing is required by your Court, follow the next steps:

H. **Hearing.** In some Courts, a hearing is required before the Judge will sign the ***Order***. If this is the case, you will need to request a hearing by completing the ***Request for Setting***. If you have reached an agreement, check the box that states that the parties have

reached an agreement. Indicate how much time you will need for the hearing (usually 15 minutes if there is an agreement). You will file the **Order Setting Hearing** with the Clerk's office and the Court will fill in the hearing date and time and mail a copy to you and the Respondent. You will need to provide an addressed, stamped envelope for you and the Respondent to the Clerk. These documents are additional forms that are contained in your packet.

I. **Evidence.** At the hearing, you will need to inform the Judge about your situation and what you are asking him or her to do. You will also need to give the proposed *Order* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law. Following the hearing, the Judge may advise you whether or not changes need to be made to the proposed *Order* by you or the other party or the Judge may make his or her own revisions to the *Order*.

J. **When will your order become final?** Your *Order* will not be final until the Judge approves it and it is filed with the Clerk. This process may take time if changes to the proposed *Order* are required by the Judge. You must verify with the Clerk that the *Order* has been file-stamped before you can be sure your custody, visitation and child support order is final.

**Summary of Option A:** If you and the Respondent agree on all issues in the case and the Respondent filed a *Response* or *Response and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the Respondent unless otherwise stated below.

1. *Confidential Financial Affidavit*;
2. *Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties*;
3. *Order For Income Withholding*;
4. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency);
5. *Order Establishing Custody, Visitation, and Child Support*
  - Take an original and two (2) copies of the *Order* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order* to you and the Respondent).
6. Complete and file any additional documents required by your Court.
7. If your Court requires a hearing before entering an *Order*, then, you will also need to file and do the following:
  - *Request for Setting*
  - *Order Setting Hearing*
  - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the Respondent).
  - Attend the Hearing

**Your order is final when the *Order Establishing Custody, Visitation, and Child Support* has been signed by the Judge and filed by the Clerk.**

**Option B. If the Respondent does not file a *Response* or *Response and Counterclaim*, obtain a default order by following these steps:**

A. **Default Order.** After the required waiting period has expired, you may obtain what is referred to as an order by default if the Respondent does NOT file a *Response* or *Response and Counterclaim* to the *Petition to Establish Custody, Visitation, and Child Support*.

B. **Necessary forms.** Fill out and sign the *Application for Entry of Default* and *Affidavit in Support of Default*. Take an original and two (2) copies of these documents to the Clerk and the blank *Entry of Default*. If your paperwork is correct, the Clerk will sign the *Entry of Default*. These are additional forms that are contained in your packet.

C. **Additional Documents.** After the *Entry of Default* is signed by the Clerk, complete **Step 6, Option A, items A through F** above. **MAKE SURE TO MARK “DEFAULT” ON THE ORDER.**

D. **Default Hearing.** Some Courts will not enter a *Default Order Establishing Custody, Visitation, and Child Support* unless there is a hearing. Ask the Clerk if this is required for your Court. If it is, fill out a *Request for Setting* and request 15 minutes for the hearing. You will file the *Order Setting Hearing* with the Clerk’s office, and the Court will fill in the hearing date and time and mail a copy to you and the Respondent. You will need to provide an addressed, stamped envelope for you and the Respondent to the Clerk.

E. **Evidence.** At the hearing, you will need to inform the Judge about your situation and what you are asking him or her to do. You will also need to give the proposed *Order* to the Judge. The Judge may ask you questions. The Judge will not guide you through the hearing, tell you how to proceed or advise you on the law. Following the hearing, the Judge will make any necessary changes to the *Order* and will sign it.

F. **When will your Order become final?** Your order will not be final until the Judge signs the *Order Establishing Custody, Visitation, and Child Support* and it is filed with the Clerk. This process may take time if the Judge requires changes to the proposed *Order*. You must verify with the Clerk that the *Order Establishing Custody, Visitation, and Child Support* has been file-stamped before you can be sure your order is final. The time limit to appeal an order begins to run from the day the *Order Establishing Custody, Visitation, and Child Support* is filed with the Clerk’s office.

**Summary of Option B:** If the Respondent did NOT file a *Response* or *Response and Counterclaim*, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk’s office. You will need to send a copy of any filed document to the Respondent unless otherwise stated below.

1. *Application for Entry of Default*
2. *Affidavit in Support of Default*

3. *Entry of Default* (Clerk will sign if your paperwork is correct)
4. *Confidential Financial Affidavit*
5. *Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties*
6. *Order for Income Withholding*
7. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
8. *Order Establishing Custody, Visitation, and Child Support. MAKE SURE TO MARK "DEFAULT" ON THE ORDER.*
  - Take an original and two (2) copies of the *Order Establishing Custody, Visitation, and Child Support* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order Establishing Custody, Visitation, and Child Support* to you and the Respondent).
9. Complete and file any additional documents required by your Court.
10. If your Court requires a hearing before entering an *Order Establishing Custody, Visitation, and Child Support*, then, you will also need to file and do the following:
  - *Request for Setting*
  - *Order Setting Hearing*
  - Take an original and two (2) copies of the *Order Setting Hearing* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order Setting Hearing* to you and the Respondent).
  - Attend the Hearing

Your order is final when the *Order Establishing Custody, Visitation, and Child Support* has been signed by the Judge and filed by the Clerk.

**Option C. If the Respondent Files a Response or Response and Counterclaim, and you and the Respondent do NOT agree on all issues of your case, you will need to have a trial:**

A. **You must file a Reply to the Counterclaim.** If the Respondent has filed a *Response and Counterclaim* for custody, you will have a time limit (usually 20 days) to file a written response (**Reply to Counterclaim**) to the counterclaim. The original signed copy of your reply must be filed with the Clerk and a copy must be sent to the Respondent (or his/her attorney).

- **Caution:** If you do not file the original *Reply to Counterclaim* with the Clerk within the time allowed, the Respondent can seek a default order against you and may get what he/she asked for in his/her counterclaim.

B. **Trial.** If there is no agreement, your case will have to be heard and decided by a Judge at a trial.

- **Caution:** It is strongly recommended that you hire or find an attorney to represent you at trial, though you may represent yourself. You proceed at your own risk and will be expected to know the laws.

C. **Request a trial date.** You will need to request a hearing by completing a *Request for Setting*. Write in “trial” where it asks the type of hearing. Indicate how much time you think it will take for you and the other party to present your evidence and write that in (usually one (1) to three (3) hours). You also need to decide whether or not you want a court reporter to record the proceeding. SEE BELOW FOR DETAILS ON GETTING A COURT REPORTER. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge’s decision if you do not get a court reporter to take down everything that is said at the trial.

- You must file the *Request for Setting* and the *Order Setting Trial and Requesting Pretrial Statements* with the Clerk’s office, and the Court will fill in the hearing date and time and mail a copy to you and the other party. You will need to provide an addressed, stamped envelope for you and the Respondent to the Clerk. Both the *Request for Setting* and the *Order Setting Trial and Requiring Pretrial Statements* are additional forms contained in your packet.

D. **Pretrial Disclosures.** Both parties must provide to the other party AND PROMPTLY FILE WITH THE COURT the *Pretrial Disclosures* regarding the evidence that it may present at trial. If you have questions, you should contact an attorney.

- When are the *Pretrial Disclosures* due? Unless otherwise directed by the Court, these disclosures must be made at least **30 days before trial.**
- Take the original and two (2) copies to the Clerk for filing. Keep one copy for your records and send the other copy to the Respondent (or his/her attorney).

E. **Settlement before trial.** In the event that your case settles before the trial, you must present the Court with the completed and signed *Order Establishing Custody, Visitation, and Child Support* before the Court will take the trial off of the schedule. There will be no continuances or canceling of the trial date based on telephone calls. If you need a continuance, you should contact an attorney for assistance in seeking one.

F. **Court Reporter.** If you wish to have a court reporter, you shall provide notice to the appropriate official court reporter as soon as possible, but no later than **three (3) working days** before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing. The clerk will be able to inform you which court reporter to contact. The three day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials.

G. **Evidence and witnesses.** At the hearing, you will need to present your evidence and witnesses. If the *Order Setting Trial and Requesting Pretrial Statements* is entered (signed by the Judge), you must follow the terms and provide the Court with the information requested in that document, including copies of exhibits you want to introduce at the trial and a list of your

proposed witnesses and what their testimony is going to be about within the time frame ordered (usually 3 to 5 days prior to the trial). Under the law, the Judge cannot help you or assist you at trial. You are on your own without an attorney.

H. **Final Decision (*Order Establishing Custody, Visitation, and Child Support*)**. Following the trial, the Judge will make a decision or may take the matter under advisement, meaning he or she will need to think further before making a determination. If the Judge instructs you, you must take that decision and type it into the *Order Establishing Custody, Visitation, and Child Support* incorporating the Judge's decision.

- **You are again reminded that, if you choose to continue without an attorney, you are expected to know what to do and how to do it. The Judge will not guide you through the trial/hearing, tell you how to proceed or advise you on the law.**
- **You MUST also file the documents outlined in Step 6, Option A, items A and C through G above.**

I. **When will your order become final?** Your order will not be final until the Judge signs the *Order Establishing Custody, Visitation, and Child Support* and it is filed with the Clerk of Court. This process may take time if the Judge requires changes to the proposed *Order*. You must verify with the Clerk's office that the *Order Establishing Custody, Visitation, and Child Support* has been file-stamped before you can be sure your order is final. The time limit to appeal an order begins to run from the day the *Order Establishing Custody, Visitation, and Child Support* is filed with the Clerk's office.

**Summary of Option C:** If the Respondent filed a *Response* or *Response and Counterclaim* and you do NOT agree on the issues, complete the following:

Remember: Take an original and two copies of each document to file with the Clerk's office. You will need to send a copy of any filed document to the Respondent unless otherwise stated below.

1. If the Respondent filed a *Response and Counterclaim*, file a *Reply to the Counterclaim* within 20 days after you receive the *Response and Counterclaim*.
2. Request a trial date
  - a. *Request for Setting*
  - b. *Order Setting Trial and Requiring Pretrial Statements*
  - c. Take an original and two (2) copies of the *Order Setting Trial and Requiring Pretrial Statements* for filing with the Clerk and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order Setting Trial and Requiring Pretrial Statements* to you and the Respondent).
3. File your *Pretrial Disclosures* and *Pretrial Statements*
4. No later than 3 working days before the trial, request a court reporter, if desired
5. Attend the Trial
6. *Order Establishing Custody, Visitation, and Child Support*
  - a. Take an original and two (2) copies of the *Order Establishing Custody, Visitation, and Child Support* for filing with the Clerk, and two (2) addressed, stamped envelopes (one addressed to you and one to the Respondent with enough postage to cover the cost of mailing the *Order Establishing Custody, Visitation, and Child Support* to you and the Respondent).
7. *Order for Income Withholding*
8. *Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
9. Complete and file any additional documents required by your Court.

**Your order is final when the *Order Establishing Custody, Visitation, and Child Support* has been signed by the Judge and filed by the Clerk.**

**CHECKLIST FOR PACKET 11**  
**PETITIONER - ESTABLISHMENT OF CUSTODY, VISITATION, AND CHILD SUPPORT**

**STEP 1.** These forms are required in all cases where you and the Respondent agree on all of the issues:

- Civil Cover Sheet
- Petition to Establish Custody, Visitation, and Child Support
- Summons
- Acknowledgment and Acceptance of Service
- Confidential Statement of the Parties for Child Support Order
- Confidential Financial Affidavit
- Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties
- Order Establishing Custody, Visitation, and Child Support
- Order for Income Withholding
- Income Withholding for Support (or, you can open up a case with your local child support enforcement agency)

\*Other forms may be required based on your situation or on the Court where you are filing your case. If other forms are required based on your situation, they will be discussed below. You will need to check with the Clerk to determine if the Court requires further documents.

**STEP 2.** File your case in the District Court in the county where either you or the other party resides within the State of Wyoming. Take an original and two copies with you. The Clerk will keep the original. Keep one copy for yourself. The other copy is for service upon the Respondent as described in **Step 3**.

- Civil Cover Sheet*
- Petition to Establish Custody, Visitation, and Child Support*
- Summons*
- Confidential Statement of the Parties for Child Support*
- Pay filing fee (check with Clerk for amount and payment options)

**STEP 3.** Serve the Respondent (Choose 1 option below).

- Respondent signed the *Acknowledgment and Acceptance of Service* form
  - File original *Acknowledgment and Acceptance of Service* form; and
  - File original *Summons* with the Court; **OR**
- Respondent was personally served by the Sheriff
  - File original *Summons* and the *Return or Affidavit of Service* completed by Sheriff with the Court.

- STEP 4.** Wait the required time for Respondent to file a *Response* to the *Petition*.
- 20 days have elapsed.** Respondent was personally served in the State of Wyoming or signed an *Acknowledgement and Acceptance of Service* form;
- OR**
- 30 days have elapsed.** Respondent was personally served outside the State of Wyoming.

- STEP 5.** Complete the *Initial Disclosures*
- Send the *Initial Disclosures* to the Respondent within **30 days** after the Respondent was personally served by the Sheriff or signed the *Acknowledgment and Acceptance of Service* form. **DO NOT FILE** the *Initial Disclosures* with the Court.



**STEP 6.** There are three options to choose from on this step depending on your situation. Review each option carefully and pick the option that best describes your situation.

**Option A:** If the Respondent filed a *Response* or *Response and Counterclaim* and you both agree on all issues, complete **Option A**.

**Option B:** If the Respondent did not file a *Response* or *Response and Counterclaim*, complete **Option B**.

**Option C:** If the Respondent filed a *Response* or *Response and Counterclaim* and you do NOT agree on all issues, complete **Option C**.

**OPTION A:** If the Respondent filed a *Response* or *Response and Counterclaim* and you both agree on all issues, fill out and file the following documents to finish your case:

**Reply to Counterclaim.** If the Respondent filed a *Response and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the date the Respondent filed the *Response and Counterclaim*. You do NOT need to complete this form if the Respondent only filed a *Response*.

- Confidential Financial Affidavit**
- If employed, attach tax returns for prior 2 years; and
  - Attach statement of earnings for the current year;
  - Attach documentation about health insurance if applicable OR
  - If self-employed, attach verified income and expense statements for prior two years;
  - Attach tax returns for prior 2 years; and
  - Attach documentation about health insurance if applicable.

Additional form that may be needed:

- Affidavit of Imputed Income.*** If the Respondent does NOT file a *Confidential Financial Affidavit*, you will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the Respondent makes. You do not need to complete this form if the Respondent filed a *Confidential Financial Affidavit*.
- Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties*
- Order Establishing Custody, Visitation, and Child Support*
- Order for Income Withholding*
- Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
- Copies and Envelopes:
  - Take an original and 2 copies of each form to the Clerk for filing.
  - One envelope addressed to you with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to you.
  - One envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to the Respondent.
  - Mail a copy of the other forms to the Respondent and keep a copy for your records.
- Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
  - Copies and Envelopes for each additional form:
    - Take an original and 2 copies of each additional form to the Clerk for filing.
    - Mail a copy of any additional form filed with the Clerk to the Respondent and keep a copy for your records.
- Hearing. Some Courts require a hearing before the Judge will sign the *Order Establishing Custody, Visitation, and Child Support*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.
  - Request for Setting*
  - Order Setting Hearing* (Judge will fill out date and time)
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.

- Take an envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the Respondent.
- Mail a copy of the *Request for Setting* to the Respondent and keep a copy for your records.
- Attend the Hearing: Inform the Judge about your case and give the Judge the *Order Establishing Custody, Visitation, and Child Support* you completed.

**Your case will be complete when the Judge signs the *Order Establishing Custody, Visitation, and Child Support* and it is filed with the Clerk.**

**OPTION B.** If the Respondent does NOT file a *Response*, fill out and file the following documents to finish your case:

- Application for Entry of Default*
- Affidavit in Support of Default*
- Take a blank *Entry of Default* for the Clerk to sign
- Confidential Financial Affidavit*
- Attach tax returns for prior 2 years; and
  - If employed, attach tax returns for prior 2 years;
  - Attach statement of earnings for the current year; and
  - Attach documentation about health insurance if applicable; OR
  - If self-employed, attach verified income and expense statements for prior two years;
  - Attach tax returns for prior 2 years; and
  - Attach documentation about health insurance if applicable.
- Affidavit of Imputed Income.* You will need to complete the *Affidavit of Imputed Income* form to show the Court how much money the Respondent makes.
- Affidavit for Order Establishing Custody, Visitation and Child Support Without Appearance of Parties*
- Order Establishing Custody, Visitation, and Child Support*
- Order for Income Withholding*
- Income Withholding for Support* (or, you may open up a case with your local child support agency)
- Copies and Envelopes.
  - Take an original and 2 copies of each form to the Clerk for filing.
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to you.

- Take an envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to the Respondent.
- Mail a copy of the other forms to the Respondent and keep a copy for your records.
- Additional Forms:** The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
  - Copies and Envelopes for each additional form:
    - Take an original and 2 copies of each additional form to the Clerk for filing.
    - Mail a copy of any additional form filed with the Clerk to the Respondent and keep a copy for your records.
- Hearing.** Some Courts require a hearing before the Judge will sign the *Order Establishing Custody, Visitation, and Child Support*. Ask the Clerk if this is required. If so, you will need to request that the Court set a date to hold the hearing.
  - Request for Setting*
  - Order Setting Hearing* (Judge will fill out date and time)
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Hearing* to you.
  - Take an envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Setting Hearing* to the Respondent.
  - Mail a copy of the *Request for Setting* to the Respondent and keep a copy for your records.
- Attend the Hearing:** Inform the Judge about your case and give the Judge the *Order Establishing Custody, Visitation, and Child Support* you completed.

**Your case will be complete when the Judge signs the *Order Establishing Custody, Visitation, and Child Support* and it is filed with the Clerk.**

**OPTION C.** If the Respondent files a *Response* or *Response and Counterclaim*, and you both do NOT agree on all of the issues of your case, fill out and file the following forms and attend the trial to finish your case:

**\*Caution: It is strongly recommended that you hire or find an attorney to represent you at trial, even though you may represent yourself. You proceed at your own risk and will be expected to know the rules and laws.**

- Reply to Counterclaim.* If the Respondent filed an *Answer and Counterclaim*, you **must** file a *Reply to Counterclaim* within **20 days** from the date the Respondent filed the *Response and Counterclaim*. You do not need to complete this form if the Respondent only filed an *Answer*.
  - Take original and two copies to the Clerk for filing
  - Mail copy to the Respondent and keep a copy for your records
  
- Request a Trial Date.
  - Request for Setting*
  - Order Setting Trial and Requesting Pretrial Statements* (Judge will fill out date and time)
  - Take original and two copies to the Clerk for filing.
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Setting Trial and Requesting Pretrial Statements* to you.
  - Take an envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Setting Trial and Requesting Pretrial Statements* to the Respondent.
  - Mail a copy of the *Request for Setting* to the Respondent and keep a copy for your records.
  
- Pretrial Disclosures and Pretrial Statements*
  - File at least **30 days** before the trial date.
  - Take original and two copies to the Clerk for filing.
  - Mail copy to the Respondent and keep a copy for your records.
  
- No later than 3 working days before the trial, request a Court Reporter, if desired. You can provide notice to the court reporter by phone or by a written request. If providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing.
  
- Attend the Trial: Present your evidence and witnesses.
- Decision by Judge: The Court will tell you at the end of the trial if it will prepare the *Order Establishing Custody, Visitation, and Child Support* or if it wants you or the other party to prepare the *Order Establishing Custody, Visitation, and Child Support* and the terms to include in it. Have a blank *Order Establishing Custody, Visitation, and Child Support* ready to fill out in case the Judge asks you to prepare the *Order*. This way, you can fill it out as he or she gives the ruling.
  
- Order Establishing Custody, Visitation, and Child Support* (Unless the Court is preparing this for you)
  
- Order for Income Withholding*

- Income Withholding for Support* (or, you can open up a case with your local child support enforcement agency)
- Copies and Envelopes.
  - Take an original and 2 copies of each form to the Clerk for filing.
  - Take an envelope addressed to you with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to you.
  - Take an envelope addressed to the Respondent with postage for the Clerk to mail a copy of the *Order Establishing Custody, Visitation, and Child Support* to the Respondent.
  - Mail a copy of the other forms to the Respondent and keep a copy for your records.
- Additional Forms: The Court may also require these additional forms (or others) depending on the county where your case is filed. Ask the Clerk if these additional forms are required. **DO NOT COMPLETE THESE FORMS FOR ALL DISTRICT COURTS.**
  - Certificate of Completion of a Parenting Class* (If you are required to complete a parenting class, the instructor for the class will give you this form for you to file with the Clerk)
  - Copies and Envelopes for each additional form:
    - Take an original and 2 copies of each additional form to the Clerk for filing.
    - Mail a copy of any additional form filed with the Clerk to the Respondent and keep a copy for your records.

**Your case will be complete when the Judge signs the *Order Establishing Custody, Visitation, and Child Support* and it is filed with the Clerk.**

# CIVIL COVER SHEET

This civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM)

## I. CAPTION

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Petitioner Name and Current Address

v.

\_\_\_\_\_  
 \_\_\_\_\_  
 Respondent

Docket # \_\_\_\_\_

## II. NATURE OF SUIT (Place an "X" in One Box Only)

GENERAL CIVIL			OTHER CIVIL
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>CONTRACT</b></div> <input type="checkbox"/> Business Organization Litigation <input type="checkbox"/> Com. Const. Contract Litigation <input type="checkbox"/> Contract Other (not Debt Collection)	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>DISSOLUTION OF MARRIAGE</b></div> <input type="checkbox"/> Divorce w/Minor Children <input type="checkbox"/> Divorce w/o Minor Children <input type="checkbox"/> Judicial Separation <input type="checkbox"/> Annulment	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>PROBATE</b></div> <input type="checkbox"/> Ancillary Admin/Foreign Prob <input type="checkbox"/> Decree of Title Distribution <input type="checkbox"/> Determination of Heirship <input type="checkbox"/> Letters of Administration <input type="checkbox"/> Estate Unspecified <input type="checkbox"/> Summary Probate <input type="checkbox"/> Testate/Intestate Estate <input type="checkbox"/> Will Only Filings <input type="checkbox"/> Trust Matters <input type="checkbox"/> Guardianship <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardian & Conservatorship	<input type="checkbox"/> Appointment/Removal of a Fiduciary <input type="checkbox"/> Arbitration Award Confirmation <input type="checkbox"/> Birth Certificate Amendment/Establishment <input type="checkbox"/> Debt Collection <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Emancipation of Minor <input type="checkbox"/> False or Frivolous Lien <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Foreign Protection Order/Foreign Stalking Order <input type="checkbox"/> Forfeiture of Property <input type="checkbox"/> Governmental Action Environmental Case <input type="checkbox"/> Injunction <input type="checkbox"/> Material Witness/Foreign Subpoena <input type="checkbox"/> Name Change <input type="checkbox"/> Involuntary Hospitalization <input type="checkbox"/> Public Nuisance <input type="checkbox"/> Specific Relief <input type="checkbox"/> Structured Settlement Protection Act <input type="checkbox"/> Successor to Civil Trust Appointment <input type="checkbox"/> Transcript of Judgment <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Replevin <input type="checkbox"/> Unspecified
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>TORT</b></div> <input type="checkbox"/> PI or WD - Environmental or Toxic Tort <input type="checkbox"/> PI or WD - Fed Employer Liability Act <input type="checkbox"/> PI or WD - Medical Malpractice <input type="checkbox"/> PI or WD - Product Liability <input type="checkbox"/> PI or WD - Vehicular <input type="checkbox"/> Personal Injury Unspecified <input type="checkbox"/> Property Damage <input type="checkbox"/> Tort Unspecified <input type="checkbox"/> Wrongful Termination of Employment	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>DOMESTIC RELATIONS</b></div> <input type="checkbox"/> Custody/Parental Visitation <input type="checkbox"/> Grandparental Visitation <input type="checkbox"/> Paternity <input type="checkbox"/> Child Support/Parental Contribution <input type="checkbox"/> Child Support w/ Paternity <input type="checkbox"/> UIFSA w/Paternity <input type="checkbox"/> UIFSA <input type="checkbox"/> Dom Register Foreign Judgment <input type="checkbox"/> TPR State/DFS <input type="checkbox"/> TPR Family/Private	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>ADOPTION</b></div> <input type="checkbox"/> Adoption <input type="checkbox"/> Confidential Intermediary	
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>CIRCUIT COURT</b></div> <input type="checkbox"/> Small Claims <input type="checkbox"/> Forcible Entry and Detainer <input type="checkbox"/> Stalking Protection Order <input type="checkbox"/> Family Violence Protection Order	<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;"><b>PROPERTY</b></div> <input type="checkbox"/> Property with Mineral Rights <input type="checkbox"/> Property w/o Mineral Rights		

## III. RELATED CASE(S) IF ANY (see instructions)

Docket No. \_\_\_\_\_ Judge \_\_\_\_\_ Court (if different) \_\_\_\_\_  
 Docket No. \_\_\_\_\_ Judge \_\_\_\_\_ Court (if different) \_\_\_\_\_

## IV. \$ AMOUNT IN CONTROVERSY, (estimated) (see instructions)

\$ \_\_\_\_\_

\_\_\_\_\_  
 SIGNATURE OF ATTORNEY OF RECORD OR PRO SE LITIGANT

\_\_\_\_\_  
 DATE

## INSTRUCTIONS FOR ATTORNEYS OR PRO SE LITIGANTS COMPLETING THE CIVIL COVER SHEET

### Authority for Civil Cover Sheet

The civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleadings or other papers as required by law. This form, approved by the Wyoming Supreme Court, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil case filed. The attorney or pro se litigant filing a case should complete the form as follows:

**I. Caption.** Enter names of the plaintiff and defendant and the address for the plaintiff. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a governmental agency, identify first the agency and then the official, giving both name and title.

**II. Nature of Suit.** Place an “X” in the appropriate box. ONE AND ONLY ONE BOX SHOULD BE CHECKED. If the nature of suit cannot be determined, because the cause of action fits more than one nature of suit, select the most determinative. Some descriptions may require clarification. See below:

#### Contract Subtypes

Business Organization Litigation (Corporate, Partnership or L.L.C. dissolution or accounting)

Contract Other (not debt collection) (including Specific Performance but not Wrongful Termination)

#### Property Subtypes

Property with Mineral Rights (e.g., Quiet Title, Ejectment)

Property w/o Mineral Rights (e.g., Adverse Possession, Condemnation, Easements, Ejectment, Gifts, Historic Preservation Rights, Quiet Title, Solar Rights, Survivor Rights, Title, Trust, Unclaimed Property, Uniform Transfer to Minors, Property Conveyance including Mortgages and Deeds of Trust)

#### Tort Subtypes

PI or WD = Personal Injury or Wrongful Death

Personal Injury Unspecified (e.g., slip and fall, defamation, assault, battery, intentional infliction of emotional distress, false imprisonment, invasion of privacy)

Property Damage (e.g., negligence, trespass, nuisance)

Tort Unspecified (e.g., fraud, restraint of trade, conversion, replevin)

Wrongful Termination of Employment (sounding in Contract, Title VII, ADEA, or Breach of Implied Covenant of Good Faith and Fair Dealing)

#### Domestic Relations Subtypes

A petition containing a child support action should be labeled a child support case even if other actions (i.e., custody, visitation, paternity) are included in the petition.

**III. Related Cases.** This section is used to reference related cases, if any. If there are related cases, involving the same parties or children, insert the docket numbers and the corresponding judge names for such cases.

**IV. \$ Amount in Controversy.** In this space, enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as preliminary injunction.

**Attorney or Pro Se Litigant Signature and Date.** Sign and date the civil cover sheet.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Respondent: \_\_\_\_\_.)  
(Print name of other party)

---

### PETITION TO ESTABLISH CUSTODY, VISITATION, AND CHILD SUPPORT

---

**NOTE: This Petition is to establish custody, visitation, and child support if you and the other parent were never married and both parents are listed on the birth certificate for each child or a prior court order established paternity for each child. If paternity has not been acknowledged or established, please see your local child support agency for assistance.**

**PETITIONER** hereby states and alleges as follows:

1. Petitioner is a resident of \_\_\_\_\_ County Wyoming, and has lived in the State of Wyoming for more than sixty (60) days prior to the filing of this Petition.
2. The Respondent and I are the natural or adoptive parents of the following minor child(ren):

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Paternity was established by:

- An Acknowledgement of Paternity (Father is on the birth certificate)
- Attach copy of Acknowledgement of Paternity or Birth Certificate
- An Order establishing paternity
- Attach copy of Order

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/____/____ /present*		
____/____		
____/____		
____/____		
____/____		
____/____		

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Paternity was established by:

- An Acknowledgement of Paternity (Father is on the birth certificate)
- Attach copy of Acknowledgement of Paternity or Birth Certificate
- An Order establishing paternity
- Attach copy of Order

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/____/____ /present*		
____/____		
____/____		
____/____		
____/____		

____/____		
-----------	--	--

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Paternity was established by:

- An Acknowledgement of Paternity (Father is on the birth certificate)
- Attach copy of Acknowledgement of Paternity or Birth Certificate
- An Order establishing paternity
- Attach copy of Order

**Child's residence for the past 5 years:**

Dates (From/To)	Address (city and state) where child lived	Name and current address of person(s) child lived with
____/____ /present*		
____/____		
____/____		
____/____		
____/____		
____/____		

Attach a separate sheet if necessary

Child's initials: \_\_\_\_\_

Child's year of birth: \_\_\_\_\_

Present address: \_\_\_\_\_

Paternity was established by:

- An Acknowledgement of Paternity (Father is on the birth certificate)
- Attach copy of Acknowledgement of Paternity or Birth Certificate
- An Order establishing paternity



The following people are not parties in this matter, but have physical custody of the child(ren) or claim rights of parental responsibilities, legal custody or physical custody, or visitation/parenting time with the child(ren): \_\_\_\_\_

(List Names and Addresses)

6.  Petitioner OR  Respondent is a fit and proper person to have the primary care, custody and control over the minor child(ren) subject to the other parent's right of reasonable visitation; OR

Both parties are fit and proper persons to share custody and control over the minor child(ren).

7.  Petitioner OR  Respondent is capable of paying child support.

**WHEREFORE**, the Petitioner respectfully requests that the Court:

1. Award:

The parties joint legal custody and  Mother or  Father to have physical custody; **OR**

The parties joint legal and joint physical custody; **OR**

Mother or  Father to have sole legal and physical custody; **OR**

Other (Please describe desired legal and physical custody arrangement in detail) \_\_\_\_\_

2. Order that the  Petitioner OR  Respondent pay child support in an amount determined by the Court using the Wyoming Child Support Guidelines;

3. Order that the  Petitioner OR  Respondent, OR  Both parents provide medical support for the minor child(ren); and

4. Order such other and further relief as the Court deems just and equitable.

STATE OF WYOMING )  
) ss.  
COUNTY OF \_\_\_\_\_ )

The Petitioner, \_\_\_\_\_, under the penalty of perjury, verifies that she/he has read the *Petition to Establish Custody, Visitation, and Child Support*, knows the contents thereof, and that the statements in the *Petition* are true to the best of her/his own knowledge.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

-----Fill in, if applicable-----  
Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

\_\_\_\_\_  
Attorney's Name

Attorney's Address/Telephone:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

**SUMMONS**

Respondent: \_\_\_\_\_.)  
(Print name of other party)

To the above named Respondent:

Print Respondent's Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Employer Name & Address: \_\_\_\_\_

YOU ARE HEREBY SUMMONED and required to file with the Clerk and serve upon the Petitioner or Petitioner's attorney if s/he has one, a *Response* to the *Petition to Establish Custody, Visitation, and Child Support* ("*Petition*") which is herewith served upon you, within 20 days after service of this *Summons* upon you, exclusive of the day of service. (If service upon you is made outside of the state of Wyoming, you are required to file and serve your answer to the *Petition* within 30 days after service of this *Summons* upon you, exclusive of the day of service.) If you fail to do so, judgment by default will be taken against you for the relief demanded in the *Petition*.

Dated \_\_\_\_\_, 20\_\_\_\_\_.

(Seal of District Court)

\_\_\_\_\_  
Clerk of Court

By: \_\_\_\_\_

Deputy Clerk \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

STOP: SHERIFF WILL FILL THIS OUT (Attach to Summons)

**RETURN**

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

TO BE USED BY WYOMING SHERIFF, UNDER  
SHERIFF OR DEPUTY

I, \_\_\_\_\_, Sheriff in and for said County of \_\_\_\_\_, in the State aforesaid, do hereby certify that I received the within *Summons*, together with a copy of the *Petition to Establish Custody, Visitation, and Child Support* ("Petition") and *Confidential Statement of the Parties for Child Support Order* filed in the above entitled matter, and that I served the same in the County aforesaid on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by delivering a copy of the same, together with a copy of the *Petition* and *Confidential Statement of the Parties for Child Support Order*, to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Sheriff

By: \_\_\_\_\_

Deputy Sheriff

Sheriff's fees: Service, \$ \_\_\_\_\_; Return \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_; Total \$ \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**AFFIDAVIT OF SERVICE**

STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

TO BE USED BY A PERSON OTHER THAN WYOMING  
SHERIFF, UNDER SHERIFF OR DEPUTY

\_\_\_\_\_, being first duly sworn, on oath deposes and says that s/he is over 18 years old and is not a party to the foregoing action or interested therein, and that s/he made service of said *Summons* in the County aforesaid on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by delivering a copy of the same, together with a copy of the *Petition to Establish Custody, Visitation, and Child Support* and *Confidential Statement of the Parties for Child Support Order*, to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

By: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notarial Officer

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )  
)  
vs. )  
)  
Respondent: \_\_\_\_\_.)  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

**CONFIDENTIAL**

---

**CONFIDENTIAL STATEMENT FOR CHILD SUPPORT ORDER**

---

Pursuant to the requirements of Wyo. Stat. §20-2-309(b), the following information is confidential and may only be accessed by the parties, their attorneys, or the Department of Family Services to the extent necessary to enforce the Child Support Enforcement Act and the Uniform Interstate Family Support Act. Other persons or entities may examine this statement only if permitted by court order.

1. Information for each parent:

**Name of Petitioner:** \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Social Security Number: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_  
Petitioner's Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
\_\_\_\_\_

**Name of Respondent:** \_\_\_\_\_  
Address: \_\_\_\_\_

\_\_\_\_\_  
Respondent's Social Security Number: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_  
Respondent's Employer: \_\_\_\_\_  
Employer's Address: \_\_\_\_\_  
\_\_\_\_\_

2. Information for each child for whom child support has been ordered in this case:

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

**Child's Name:** \_\_\_\_\_

Address: \_\_\_\_\_

Child's Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

Add additional sheets of paper if needed to provide information for more children.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Respondent: \_\_\_\_\_.)  
(Print name of other party)

---

**ACKNOWLEDGEMENT AND ACCEPTANCE OF SERVICE**

---

I, \_\_\_\_\_, hereby acknowledge receipt of a copy of the  
(Print Respondent's Name)  
*Summons, Petition to Establish Custody, Visitation, and Child Support ("Petition")*, and  
*Confidential Statement of the Parties for Child Support Order*, filed in this case. In accepting  
service of process, I retain all defenses or objections to the lawsuit or to the jurisdiction or venue  
of the court except for objections based on a defect in the *Summons* or in the service of the  
*Summons*. I understand that I must answer or otherwise plead within 20 days from this date (30  
days if copies of the papers were received outside of Wyoming) and that if I fail to file an answer  
or other pleadings with the Clerk of this Court and serve the same upon the Petitioner in  
accordance with the Wyoming Rules of Civil Procedure within the time limits stated, I will be in  
default and Petitioner may be afforded the relief demanded in the *Petition* without a trial or other  
hearing.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Respondent's Signature  
Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip Code: \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was  
filed with the Clerk of District Court; and, a true and accurate copy of this document was served  
on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_  
OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Respondent: \_\_\_\_\_ )  
(Print name)

---

### INITIAL DISCLOSURES

---

The following initial disclosures are submitted by the Petitioner pursuant to Wyoming Rule of Civil Procedure 26(a)(1.2)(A). In custody and support actions where the parties have never been married, the following initial disclosures are required in original proceedings and in modification proceedings to the extent that the information pertains to a particular claim or defense in the action. This information must be made available to the opposing party's attorney (or the opposing party if he or she does not have an attorney) within thirty (30) days after the Respondent has been served with the *Petition to Establish Custody, Visitation and Child Support*.

1. If seeking custody, or a change in custody, set forth the facts believed to support your claim of superior entitlement to custody. (See attached **Schedule of Custody**.)

2. **NOTE: *Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1): A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

**A party is under a duty to supplement, at appropriate intervals, its**

**disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.**

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

SCHEDULE-A

**Custody**

Not Applicable

1. If you are seeking custody, set forth the facts supporting your claim to superior entitlement to custody:

A. I have been the primary caretaker of the child(ren) as follows:

B. I have a good quality of relationship with the child(ren) as follows:

C. I have the ability to take care of the child(ren) as follows:

D. I am the more fit and competent parent to have custody as follows:

E. I am willing to support my child(ren) maintaining a relationship with both parents as follows:

F. I have the physical ability to care for the child(ren) as follows:

G. Other

Attach additional sheets of paper if needed

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

**CONFIDENTIAL**

Respondent: \_\_\_\_\_.)  
(Print name of other party)

---

**CONFIDENTIAL  
FINANCIAL AFFIDAVIT  
W.S. §20-2-308**

---

A financial affidavit must be completed by each parent. You must attach copies of your tax returns and W-2 forms for the most recent two years and a copy of the total amount of wages you have earned so far this year. **Parents who are self-employed must supply verified income and expense statements from their business for the two most recent years.**

**THE UNDERSIGNED**, \_\_\_\_\_, hereby swears or affirms,  
(Print Your Name)  
under penalty of perjury, that the following answers are correct and complete.

**PERSONAL INFORMATION**

1. Your Name: (First, Middle, Last) \_\_\_\_\_  
Gender:  Male  Female

2. Your Present Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

How long have you resided at this location? \_\_\_\_\_

Your Mailing Address (if different from above) \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

3. Your Home Phone Number: (\_\_\_\_) \_\_\_\_\_

Your Cell Phone Number: (\_\_\_\_) \_\_\_\_\_

A Message Phone Number: (\_\_\_\_) \_\_\_\_\_

4. Your Social Security Number is: \_\_\_\_\_

5. Your Date of Birth is: \_\_\_\_\_

6. Your Education is: \_\_\_\_\_ years of high school; \_\_\_\_\_ years of college;  
\_\_\_\_\_ years of trade school; \_\_\_\_\_ years other (list training) \_\_\_\_\_

7. List your degree(s) or certificate(s): \_\_\_\_\_

8. List all child(ren) involved in **this matter**:

Child's Name	Sex	Birth Date	Social Security No.	Does this child live with you?
	<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> M <input type="checkbox"/> F			<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional sheets of paper are attached (if needed)

9. List **YOUR** minor children (not named above) who **live with you**:

Child's Name	Birth Date	Social Security No.

Additional sheets of paper are attached (if needed)

10. List **YOUR** minor children (not named above) who do **not live with you** but for whom **YOU** are court-ordered to pay child support:

Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)
Child's Name	Birth Date	Social Security No.
Court and Date of Order	Support/Month	Arrears (Amount Past Due)

Additional sheets of paper are attached (if needed)

11. Do you owe back child support (arrears) in this case? If so, how much? \$\_\_\_\_\_.

12. List any income-qualified state or federal benefits that your child(ren) receive (POWER, Medicaid, Kid Care, Title 19, General Assistance, Food Stamps, Supplemental Security Income, etc.):

CHILD'S NAME	BIRTH DATE	STATE	TYPE OF BENEFIT

Additional sheets of paper are attached (if needed)

**INCOME & EXPENSE INFORMATION**

13. Are you currently:  Employed  Self-Employed  Unemployed

If you are employed, please provide the following:

**Job No. 1:**

Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Employer's Phone: \_\_\_\_\_

Your Occupation: \_\_\_\_\_

Your Hourly Wage or Monthly Salary: \_\_\_\_\_

**Job No. 2:**

Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Employer's Phone: \_\_\_\_\_

Your Occupation: \_\_\_\_\_

Your Hourly Wage or Monthly Salary: \_\_\_\_\_

**Job No. 3:**

Employer's Name: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Employer's Phone: \_\_\_\_\_

Your Occupation: \_\_\_\_\_

Your Hourly Wage or Monthly Salary: \_\_\_\_\_

Add additional sheets of paper if necessary to list additional jobs.

How many hours do you work each week?

<b>Job No. 1:</b>	<b>Job No. 2:</b>	<b>Job No. 3</b>
Regular _____	Regular _____	Regular _____
Overtime _____	Overtime _____	Overtime _____
Total _____	Total _____	Total _____

How often do you receive overtime compensation? \_\_\_\_\_

How often are you paid:

<b>Job No. 1:</b>	<b>Job No. 2:</b>	<b>Job No. 3</b>
<input type="checkbox"/> weekly	<input type="checkbox"/> weekly	<input type="checkbox"/> weekly
<input type="checkbox"/> every two weeks	<input type="checkbox"/> every two weeks	<input type="checkbox"/> every two weeks
<input type="checkbox"/> twice per month	<input type="checkbox"/> twice per month	<input type="checkbox"/> twice per month
<input type="checkbox"/> monthly	<input type="checkbox"/> monthly	<input type="checkbox"/> monthly
<input type="checkbox"/> annually	<input type="checkbox"/> annually	<input type="checkbox"/> annually

Date of your last salary increase or decrease: \_\_\_\_\_

14. List all income you have received for the last 12 months:

Income Source	Monthly Amount	Income Source	Monthly Amount
Gross Wages**	Job 1 - \$ _____ Job 2 - \$ _____ Job 3 - \$ _____	Annuity	\$ _____
Unemployment	\$ _____	Spousal Support	\$ _____
Workers' Compensation	\$ _____	Contract Receipts	\$ _____
Social Security Benefits (Excluding SSI)	\$ _____	Rental Income	\$ _____
Retirement	\$ _____	Fringe Benefits/Bonuses	\$ _____
Interest/Dividend Income	\$ _____	Profit (Loss) from Self-Employment	\$ _____
Reimbursements	\$ _____	Other _____	\$ _____
Veterans' Disability	\$ _____	Other _____	\$ _____

\*\*Gross Wage - Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly (every two weeks) amounts by 26 and dividing by 12; and multiplying semi-monthly (i.e., paid on the 1<sup>st</sup> and 15<sup>th</sup>) amounts by 24 and dividing by 12.

Additional sheets of paper are attached (if needed)

15. **IF YOU ARE EMPLOYED:** Please complete list and calculate the following:

- A. **Gross income:** \$\_\_\_\_\_ per month  
(Amount of income from all sources before deductions)
- B. Federal Income Tax: \$\_\_\_\_\_ per month
- C. State Income Tax: \$\_\_\_\_\_ per month
- D. Social Security Tax: \$\_\_\_\_\_ per month
- E. Medicare Tax: \$\_\_\_\_\_ per month
- F. Mandatory Retirement/Pension: \$\_\_\_\_\_ per month
- G. Premium Paid for Child(ren)'s Health Insurance: \$\_\_\_\_\_ per month
- H. Current Child Support Paid for Other Children: \$\_\_\_\_\_ per month
- I. **Total Mandatory Deductions:** \$\_\_\_\_\_ per month
- J. **Net Income** (line A minus line I): \$\_\_\_\_\_ per month

K. Income Tax Filing Status: \_\_\_\_\_

L. Number of Dependents Claimed for Tax Purposes: \_\_\_\_\_

Please provide copies of pay-stubs for all payroll deductions.

Attach copies of your tax returns and W-2 forms for the most recent two years and a copy of a cumulative earning statement(s) for the current year

16. **IF YOU ARE SELF-EMPLOYED:** Please list the following:

- A. **Gross income :** \$\_\_\_\_\_ per month  
\*amount of income from all sources before deductions
- B. Federal Income Tax: \$\_\_\_\_\_ per month
- C. State Income Tax: \$\_\_\_\_\_ per month
- D. Social Security Tax: \$\_\_\_\_\_ per month
- E. Medicare Tax: \$\_\_\_\_\_ per month
- F. Unreimbursed Business Expenses: \$\_\_\_\_\_ per month
- G. Premium Paid for Child(ren)'s Health Insurance: \$\_\_\_\_\_ per month
- H. Current Child Support Paid for Other Children: \$\_\_\_\_\_ per month
- I. **Total Mandatory Deductions:** \$\_\_\_\_\_ per month
- J. **Net Income** (line A minus line I): \$\_\_\_\_\_ per month

K. Income Tax Filing Status: \_\_\_\_\_

L. Number of Dependents Claimed for Tax Purposes: \_\_\_\_\_

**Attach verified income and expense statements from your business, copies of your personal and business tax returns, and 1099 forms for the most recent two years.**

17. List your work experience for the last three years:

COMPANY AND LOCATION	DATES FROM - TO	JOB DESCRIPTION/TITLE	SALARY OR WAGE	REASON YOU LEFT

Additional sheets of paper are attached (if needed)

18. Has anyone been ordered to provide health insurance for the child(ren) involved in this case, or is there any other medical provision in an existing court order?  YES  NO

If yes, please list who is ordered to provide insurance: \_\_\_\_\_

Are the children currently covered by insurance?  YES  NO

If yes, please list who is providing the insurance: \_\_\_\_\_

**If you are currently providing insurance for your children, you must provide current written proof from your insurance carrier verifying the names of the actual person(s) covered under your policy.**

Is health insurance available for the minor child(ren) through your employment?

YES  NO

If yes, how much is the monthly premium to cover **ONLY** the minor child(ren) on the policy?

\$ \_\_\_\_\_

19. **Attach the following to this Confidential Financial Affidavit:**

**If Employed:**

- Copies of my last two years income tax returns;**
- Copies of my W-2 Forms for the last two years; and**
- Copies of statements of earnings from each of my employers showing cumulative pay for this year.**



**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this Confidential Financial Affidavit was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Respondent/Respondent's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

**CONFIDENTIAL**

Respondent: \_\_\_\_\_.)  
(Print name of other party)

---

### AFFIDAVIT OF IMPUTED INCOME

---

**(Only use this form if you are unable to get the other party to complete a Confidential Financial Affidavit.)**

I, \_\_\_\_\_, of lawful age, first being duly sworn upon my oath,  
(print name)  
depose and state as follows:

1. I am the  Petitioner OR  Respondent in the above-captioned matter.
2. I am not able to get a *Confidential Financial Affidavit* from the other party because: \_\_\_\_\_.
3. The other party has certifications, degrees, education or training relevant to his/her employability as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Explain, to the best of your knowledge, the other party's work history or other sources of income for the previous two years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. His/her income for this year is unknown, as she/he has not provided financial information and has failed, neglected or otherwise refused to file a *Confidential Financial Affidavit*.
6. I  do OR  do not have copies of the last two year's income tax returns showing the amount earned by  Petitioner OR  Respondent. ATTACH ANY TAX

RETURNS, W-4s, CHECK STUBS OR OTHER INFORMATION ABOUT THE OTHER PARTY'S INCOME TO THIS DOCUMENT.

If you have information about the other parent's previous or current employment by area and occupation, you may be able to get information regarding wages by visiting the U.S. Department of Labor Bureau of Labor Statistics website for wage information by area and occupation <http://www.bls.gov/bls/blswage.htm>. Attach any relevant documentation to this Affidavit.

7.  Petitioner's OR  Respondent's income is based on him/her being paid:

- \_\_\_\_\_ weekly
- \_\_\_\_\_ every two weeks
- \_\_\_\_\_ twice per month (i.e. 1<sup>st</sup> and 15<sup>th</sup> of every month)
- \_\_\_\_\_ monthly
- \_\_\_\_\_ annually

Convert annual, bi-weekly, bi-monthly, and weekly amounts to *monthly* amounts below.

**\*\* Gross income (includes tips, commission and bonuses). Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12; annually by dividing by 12.** If only the "gross income" is known, multiply that number by .25 (or other number if instructed by Court) and then subtract that amount from the gross to arrive at the net monthly income. **If the other party has a history of only working for minimum wage or less, and is capable, to your knowledge of working 40 hours/week, the court may impute his/her income at \$1,141.25 net monthly for a noncustodial parent and \$1,185.67 net monthly for a custodial parent.** You may call your local child support enforcement office for more information on imputing a custodial or non-custodial parent's wage. Federal minimum wage is \$7.25/hour as of July 1, 2012.

8.  Petitioner's OR  Respondent's estimated gross income (before deductions) is: \$ \_\_\_\_\_ *per month*, to the best of my information and belief.

"Income" means any form of payment or return in money or in kind to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability, permanent partial disability and permanent total disability worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payments made by any payor, but shall not include any earnings derived from overtime work unless the court, after considering all overtime earnings derived in the preceding twenty-four (24) month period, determines the overtime earnings can reasonably be expected to continue on a consistent basis. In determining income, all reasonable unreimbursed legitimate business expenses shall be deducted. Means tested sources of income such as Pell grants, aid under the personal opportunities with employment responsibilities (POWER) program, food stamps and supplemental security income (SSI) shall not be considered as income. Gross income also means potential income of parents who are voluntarily unemployed or underemployed.

**"Net income"** means income as defined in the box above, less personal income taxes, social security deductions, cost of dependent health care coverage for all dependent children, actual payments being made under preexisting support orders for current support of other children, other court-ordered support obligations currently being paid and mandatory pension deductions. Payments towards child support arrearage shall not be deducted to arrive at net income.



**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

**DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.**  
**FOR COMPUTATION PURPOSES ONLY.**  
**EFFECTIVE JULY 1, 2013.**

§ 20-2-304. Presumptive child support:

**(i) One (1) child:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For One Child	Base Support Plus Marginal Percentage
\$ 846.00	22.0	\$186.00 + 21.3% over \$846.00
\$2,961.00	21.5	\$637.00 + 14.3% over \$2,961.00
\$4,652.00	18.9	\$879.00 + 11.8% over \$4,652.00
\$5,498.00	17.8	\$979.00 + 10.2% over \$5,498.00
\$7,613.00	15.7	\$1,195.00 + 9.3% over \$7,613.00
\$10,151.00	14.1	\$1,431.00 + 7.5% over \$10,151.00
\$12,900.00	12.7	\$1,638.00 + 5.9% of anything over \$12,900.00

**(ii) Two (2) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Two Children	Base Support Plus Marginal Percentage
\$ 846.00	32.9	\$278.00 + 32.8% over \$846.00
\$2,961.00	32.8	\$971.00 + 20.7% over \$2,961.00
\$4,652.00	28.4	\$1,321.00 + 17.4% over \$4,652.00
\$5,498.00	26.7	\$1,468.00 + 15.2% over \$5,498.00
\$7,613.00	23.5	\$1,789.00 + 14.3% over \$7,613.00
\$10,151.00	21.2	\$2,152.00 + 10.4% over \$10,151.00
\$12,900.00	18.9	\$2,438.00 + 9.5% of anything over \$12,900.00

**(iii) Three (3) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Three Children	Base Support Plus Marginal Percentage
\$846.00	40.2	\$340.00 + 39.4% over \$846.00
\$2,961.00	39.6	\$1,173.00 + 23.9% over \$2,961.00
\$4,652.00	33.9	\$1,577.00 + 20.9% over \$4,652.00
\$5,498.00	31.9	\$1,754.00 + 17.9% over \$5,498.00
\$7,613.00	28.0	\$2,132.00 + 16.8% over \$7,613.00
\$10,151.00	25.2	\$2,558.00 + 11.6% over \$10,151.00
\$12,900.00	22.3	\$2,877.00 + 11.6% of anything over \$12,900.00

**(iv) Four (4) children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Four Children	Base Support Plus Marginal Percentage
\$846.00	44.9	\$380.00 + 43.9% over \$846.00
\$2,961.00	44.2	\$1,309.00 + 26.8% over \$2,961.00
\$4,652.00	37.9	\$1,763.00 + 22.9% over \$4,652.00
\$5,498.00	35.6	\$1,957.00 + 20.1% over \$5,498.00
\$7,613.00	31.3	\$2,383.00 + 18.5% over \$7,613.00
\$10,151.00	28.1	\$2,852.00 + 13.1% over \$10,151.00
\$12,900.00	24.9	\$3,212.00 + 13.0% of anything over \$12,900.00

**(v) Five (5) or more children:**

Net Monthly Income of Both Parents	Percentage of Income Allocated For Five Children	Base Support Plus Marginal Percentage
\$846.00	49.4	\$418.00 + 48.3% over \$846.00
\$2,961.00	48.6	\$1,439.00 + 29.6% over \$2,961.00
\$4,652.00	41.7	\$1,940.00 + 24.8% over \$4,652.00
\$5,498.00	39.1	\$2,150.00 + 22.2% over \$5,498.00
\$7,613.00	34.4	\$2,619.00 + 20.4% over \$7,613.00
\$10,151.00	30.9	\$3,137.00 + 14.5% over \$10,151.00
\$ 12,900.00	27.4	\$3,535.00 + 14.3% of anything over \$12,900.00

Where the combined *net monthly* income of *both* parents is less than eight hundred forty-six dollars (\$846.00), the non-custodial parent has to pay twenty-two percent (22%) of his/her net income for one (1) child and twenty-five percent (25%) of his/her net income for two (2) or more children, but the minimum amount of child support a person has to pay cannot be less than fifty dollars (\$50.00) per month for each family unit in which there are children to whom the noncustodial parent owes a duty of support.

**DO NOT FILE WITH CONFIDENTIAL FINANCIAL AFFIDAVIT.**  
**FOR COMPUTATION PURPOSES ONLY. EFFECTIVE JULY 1, 2013.**

**CHILD SUPPORT COMPUTATION FORM**

<b>A. COMPUTATION OF BASIC SUPPORT OBLIGATIONS: WYO. STAT. §20-2-304</b>		
1.	Mother's Net Monthly Income:	\$
2.	Father's Net Monthly Income:	\$
3.	Combined Net Monthly Income:	\$
4.	Using the support tables for presumptive support at Wyo. Stat. § 20-2-304 (a) the basic joint support obligation of the parents.	\$
5.	Mother's Proportionate Share: Line 1/Line 3 x Line 4 =	\$
6.	Father's Proportionate Share: Line 2/Line 3 x Line 4 =	\$
		\$
		<b>SUPPORT DUE</b>

NOTE: If the custody of the children is shared or split as defined under Wyo. Stat. § 20-2-304 (c) and (d) other formulas apply. If "split" (meaning each parent has physical custody of at least one (1) child, the amount shall be allocated to each parent based upon the number of those children in the physical custody of that parent (See subsection C below). If "shared" with each parent having actual overnight custody of the children for a certain percentage of time, the amount will be allocated based on the percentage of time, see below.

<b>B. SHARED CUSTODY: Wyo. Stat. § 20-2-304 (c) provides for special support computation of support when each parent keeps the children overnight for more than forty percent (40%) of the year <i>and</i> both parents contribute substantially to the expenses of the children <i>in addition to</i> the payment of child support. If this is the custodial arrangement, support may be computed as follows assuming all other statutory provisions apply.</b>				
7.	a) Percent of year children will reside overnight with mother.	_____ %	b) percent of year children will reside overnight with father.	_____ %
8.	Mother's support obligation: Line 5 x Line 7b		\$ _____	
9.	Father's support obligation : Line 6 x Line 7a		\$ _____	
10.	MONTHLY SUPPORT DUE: The difference between lines 8 and 9 represents the net monthly support due from the parent having the greater support obligation.		\$ _____	

**C. SPLIT CUSTODY:** Wyo. Stat. §20-2-304 (d) provides for special computations of support when each parent has physical custody of at least one (1) child. In such cases the support should be computed as follows:

11.	Joint presumptive support per child: Line 4 ÷ Total children of parents.	\$ _____
12.	Mother's support obligation for children in custody of father: Line 1/Line 3 x Number of children with father x Line 11	\$ _____
13.	Father's support obligation for children in custody of mother: Line 2/Line 3 x Number of children with mother x Line 11	\$ _____
14.	MONTHLY SUPPORT DUE: The difference between lines 12 and 13 represents the net monthly support due from the parent having the greater support obligation.	\$ _____

**NET INCOME CALCULATION WORKSHEET FOR CHILD SUPPORT**

**A. For Employed Persons:**

1. **Gross income\*** (amount before any deductions): \$ \_\_\_\_\_ per month
  2. Federal Income Tax: \$ \_\_\_\_\_ per month
  3. State Income Tax: \$ \_\_\_\_\_ per month
  4. Social Security Tax (FICA): \$ \_\_\_\_\_ per month
  5. Medicare Tax: \$ \_\_\_\_\_ per month
  6. Mandatory Retirement/Pension: \$ \_\_\_\_\_ per month
  7. Premium Paid for Child(ren)'s Health Insurance: \$ \_\_\_\_\_ per month
  8. Child Support Actually Paid for Other Children: \$ \_\_\_\_\_ per month  
(Do not include payments towards back child support)
- Total Mandatory Deductions:** \$ \_\_\_\_\_ per month
9. **Net Income** (line 1 minus lines 2- 8): \$ \_\_\_\_\_ per month

**B. For Self-Employed Persons:**

1. **Gross income\*** (amount before any deductions): \$ \_\_\_\_\_ per month
  2. Federal Income Tax: \$ \_\_\_\_\_ per month
  3. State Income Tax: \$ \_\_\_\_\_ per month
  4. Social Security Tax: \$ \_\_\_\_\_ per month
  5. Medicare Tax: \$ \_\_\_\_\_ per month
  6. Unreimbursed Business Expenses: \$ \_\_\_\_\_ per month
  7. Premium Paid for Child(ren)'s Health Insurance: \$ \_\_\_\_\_ per month
  8. Child Support Actually Paid for Other Children: \$ \_\_\_\_\_ per month  
(Do not include payments towards back child support)
- Total Mandatory Deductions:** \$ \_\_\_\_\_ per month
9. **Net Income** (line 1 minus lines 2-8): \$ \_\_\_\_\_ per month

**C. For Unemployed Persons Who Are Capable of ONLY Earning Minimum Wage:**

1. Imputed Net Monthly Income (Custodial Parent): \$1,185.67 per month
2. Imputed Net Monthly Income (Non-custodial Parent): \$1,141.25 per month

**Net Income for Plaintiff/Petitioner:** \$ \_\_\_\_\_ per month  
**Net Income for Defendant/Respondent:** \$ \_\_\_\_\_ per month

**\*Gross Income:** Gross income is your income from all sources, including, but not limited to, wages, draws, commissions, bonuses, social security payments, workers' compensation payments, etc. Please give the amount that you make monthly even if you are paid annually, twice a month, weekly, etc. Monthly amounts are calculated by multiplying weekly amount by 52 and dividing by 12; multiplying bi-weekly amounts by 26 and dividing by 12; and multiplying semi-monthly amounts by 24 and dividing by 12.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )  
)  
vs. )  
)  
Respondent: \_\_\_\_\_.)  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

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### REPLY TO COUNTERCLAIM

---

Petitioner hereby replies to Respondent's *Counterclaim* as follows:

1. Petitioner admits the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that are accurate statements)  
of Respondent's *Counterclaim*.
2. Petitioner denies the allegations in Paragraphs \_\_\_\_\_  
(list paragraphs that you believe are not accurate)  
of Respondent's *Counterclaim*.
3. Petitioner does not have information sufficient to either admit or deny the  
allegations in Paragraphs \_\_\_\_\_ of Respondent's  
(list paragraphs that you don't know are accurate or not)  
*Counterclaim*.

**WHEREFORE**, Petitioner respectfully requests that the court find generally in her/his favor and against the Respondent, that Respondent take nothing by way of his/her *Counterclaim*, and for such other and further relief as the court deems just and proper.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Respondent's/Respondent's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

-----Fill in, if applicable-----  
Pursuant to Rule 102(a)(1)(B) of the Wyoming Uniform Rules of District Court the following attorney has participated in the preparation of this pleading but said attorney is NOT deemed to have entered an appearance in this matter:

\_\_\_\_\_  
Attorney's Name

Attorney's Address/Telephone:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

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**APPLICATION FOR ENTRY OF DEFAULT**

---

The Petitioner submits this *Application for Entry of Default* for a default judgment against the Respondent, \_\_\_\_\_, who was served with the *Summons and Petition to Establish Custody, Visitation, and Child Support* on \_\_\_\_\_ [date], and has failed to reply to or otherwise respond, and the time allowed by law for doing so has now expired. Application is made to enter the default against the Respondent according to law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

WITNESS my hand and notary seal.

\_\_\_\_\_  
Notarial Officer

My commission expires:

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

---

**AFFIDAVIT IN SUPPORT OF DEFAULT**

---

STATE OF WYOMING )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

The Petitioner, who is of lawful age being first duly sworn deposes and states as follows:

1. Petitioner has filed a *Petition to Establish Custody, Visitation, and Child Support* in this case.
2. Respondent was served with a copy of the *Petition* and *Summons* by one of the following methods:

The Respondent was served with a copy of the *Petition* and *Summons* by a duly authorized Deputy or the Sheriff of \_\_\_\_\_ County, State of \_\_\_\_\_ on \_\_\_\_\_  
(insert date)

**OR**

The Respondent filed an *Acknowledgment and Acceptance of Service* acknowledging that on \_\_\_\_\_  
(insert date)

he/she received a copy of the *Petition* and the *Summons*.

**OR**

An *Affidavit to Allow Service by Publication* was filed and the Respondent was served by publication in the \_\_\_\_\_ Newspaper on the following dates:  
\_\_\_\_\_  
\_\_\_\_\_

**OR**

The Respondent was served with a copy of the *Petition* and *Summons* by Certified Mail, Restricted Delivery, Return Receipt requested on \_\_\_\_\_ (insert date), as evidenced by the green postal signature card attached.

3. More than  20 days (if served in Wyoming);  30 days (if served outside of Wyoming, by publication, or by Certified Mail), excluding the day of service, have elapsed since the date of service.
4. That the Respondent failed to answer or otherwise plead as required by law. The Respondent is not a minor or incompetent and is not in the military service of the United States. This Affidavit is executed for the purpose of enabling Petitioner to obtain an *Entry of Default* against the Respondent.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_ this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer

My Commission Expires:

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )

Civil Action Case No. \_\_\_\_\_

vs. )

Respondent: \_\_\_\_\_.)  
(Print name of other party)

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### ENTRY OF DEFAULT

---

The Clerk of District Court, pursuant to the  Petitioner's OR  Respondent's *Application for Entry of Default and Affidavit in Support of Default*, does hereby enter default against the  Petitioner OR  Respondent for failure to plead or otherwise defend as provided by the Wyoming Rules of Civil Procedure, as appears from examination of the records and files herein or the return upon the original *Summons* filed in this cause.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CLERK OF THE DISTRICT COURT

BY: \_\_\_\_\_

Copies to:

Petitioner/Petitioner's Attorney's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

Respondent/Respondent's Attorney's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )  
)  
vs. )  
)  
Respondent: \_\_\_\_\_.)  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

---

**AFFIDAVIT FOR ORDER ESTABLISHING CUSTODY, VISITATION AND  
CHILD SUPPORT WITHOUT APPEARANCE OF PARTIES**

---

(Only use if the parties have reached an agreement and both have signed the *Order Establishing Custody, Visitation and Child Support* **or** if either party defaulted and all default paperwork has been presented to the court and an *Entry of Default* issued.)

STATE OF WYOMING )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, being first duly sworn, deposes and says:  
(Print Name)

1. I am the  Petitioner  Respondent in the case.
2. Petitioner resided in the State of Wyoming for more than 60 days immediately prior to filing the *Petition* in this case.
3. That the child(ren) named in the *Petition*  have  have not been in the State of Wyoming for a period of six (6) months or more immediately before filing the *Petition*. (If not, seek the advice of a lawyer before filing).
4. Petitioner is currently a resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
5. Respondent is currently a resident of \_\_\_\_\_ County, State of \_\_\_\_\_.
6. Petitioner and Respondent are the parents, either natural or adoptive, of child(ren) who are either under 18 years of age, between the ages of 18 and 20 years and still in

high school or a program equivalent to high school, or prevented from supporting himself/herself due to a mental, emotional or physical impairment.

Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

7. Petitioner has completed and filed a *Confidential Financial Affidavit*.

8. Respondent (**Check One**):

A.  has filed a *Confidential Financial Affidavit*; **OR**

B.  Petitioner has filed an *Affidavit of Imputed Income* because Respondent did not file a *Confidential Financial Affidavit*.

9. The *Order Establishing Custody, Visitation, and Child Support* sets forth provisions for child custody, visitation, parental decision-making and child support that I believe is in our child(ren)'s best interest(s). In support of this statement, I provide the following evidence, under oath and to the best of my information and belief. Please address as many of the following factors as possible in your explanation of why the *Order* serves the child(ren)'s best interests:

(i) The quality of the relationship each child has with each parent: \_\_\_\_\_

\_\_\_\_\_

(ii) The ability of each parent to provide adequate care for each child throughout each period of responsibility, including arranging for each child's care by others as needed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(iii) The relative competency and fitness of each parent: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(iv) Each parent's willingness to accept all responsibilities of parenting, including a willingness to accept care for each child at specified times and to relinquish care to the other parent at specified times: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(v) How the parents and each child can best maintain and strengthen a relationship with each other: \_\_\_\_\_

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(vi) How the parents and each child interact and communicate with each other and how such interaction and communication may be improved: \_\_\_\_\_

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(vii) The ability and willingness of each parent to allow the other to provide care without intrusion, respect the other parent's rights and responsibilities, including the right to privacy: \_\_\_\_\_

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(viii) Geographic distance between the parents' residences: \_\_\_\_\_

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(ix) The current physical and mental ability of each parent to care for each child: \_\_\_\_\_

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(x) Any other factors you want the court to consider necessary and relevant: \_\_\_\_\_

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(xi) The law requires the court to consider evidence of spousal abuse (domestic violence) or child abuse as being contrary to the best interest of the children. Please state whether or not there has been any domestic violence or abuse in the relationship and whether the Order adequately makes arrangements for visitation that best protects the child(ren) and the abused party from further harm: \_\_\_\_\_

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10. I request the court enter an *Order Establishing Custody, Visitation, and Child Support*.

**OATH**

I affirm that the factual statements made in this Affidavit (including attached sheets, if relevant) are true and correct to the best of my information and belief. I am aware the court may punish as perjury any materially false statements knowingly made with intent to defraud or mislead.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

Subscribed and sworn to before me by \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Witness my hand and official seal.

\_\_\_\_\_  
Notarial Officer / Court Clerk

My Commission Expires:

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_,)  
(Print name of person filing) )  
)  
vs. )  
)  
Respondent: \_\_\_\_\_.)  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

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### REQUEST FOR SETTING

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The  Petitioner OR  Respondent requests a time and date for a hearing/trial in the District Court. The hearing/trial will take approximately \_\_\_\_\_  hours/ \_\_\_\_\_  minutes and will address the following issues:

1)  The parties have reached an agreement (both parties have signed the *Order Establishing Custody, Visitation, and Child Support* and this Court requires a hearing before it will enter the *Order*). (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

2)  Default was entered against  Petitioner OR  Respondent and this Court requires a hearing before it will enter an *Order Establishing Custody, Visitation, and Child Support*. (NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

3)  The parties are not able to agree on all of the terms of this action and a hearing is needed on the following issues:

- Allocation of parental responsibilities
- Child support
- Motion for \_\_\_\_\_
- Other: \_\_\_\_\_

(NOTE: submit the ***Order Setting Hearing*** if this option is selected); OR

4)  The parties are not able to agree on any issues and a trial is needed to establish custody, visitation and child support. (NOTE: submit the ***Order Setting Trial and Requiring Pretrial Statements.***)

5) Any party requesting the reporting of a particular matter by the official court reporter shall make a request to the appropriate official court reporter as soon as possible, but no later than **three (3) working days** before the matter is set for hearing. You can provide notice to the court reporter by phone or by submitting a written request. Please

note that if providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal the Judge's decision if you do not have a transcript of everything that is said at the trial. Rule 904 of the Uniform Rules of the District Courts of the State of Wyoming.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Insert Other Party's/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_, )  
(Print name of other party) )

Civil Action Case No. \_\_\_\_\_

---

**ORDER SETTING HEARING**

---

**THIS MATTER** having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

**IT IS HEREBY ORDERED** that a hearing on the *Petition to Establish Custody, Visitation, and Child Support* (or other items indicated in the **Request for Setting**) is hereby scheduled for Courtroom No. \_\_\_\_ of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Wyoming on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ commencing at \_\_\_\_:\_\_\_\_ o'clock \_\_\_\_M. (\_\_\_\_) minutes/hour(s)/day(s) has been set aside for the trial of this matter. There will be no continuances or canceling of the hearing date based on telephone calls.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Copies to:

Petitioner/Petitioner's Attorney's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

Respondent/Respondent's Attorney's Name and Address

\_\_\_\_\_  
\_\_\_\_\_

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
)  
vs. )  
)  
Respondent: \_\_\_\_\_.)  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

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**ORDER SETTING TRIAL  
AND REQUIRING PRETRIAL STATEMENTS**

---

**THIS MATTER** having come before the Court upon a *Request for Setting*, and the Court being generally advised in the premises;

**IT IS HEREBY ORDERED** that a trial of the above matter is hereby scheduled for Courtroom No. \_\_\_\_ of the \_\_\_\_\_ County Courthouse, \_\_\_\_\_, Wyoming on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ commencing at \_\_\_\_:\_\_\_\_ o'clock \_\_\_\_m. (\_\_\_\_) minutes/hour(s)/day(s) has been set aside for the trial of this matter.

**IT IS FURTHER ORDERED** that each party shall file and serve on the opposing party or their attorney, if represented, no later than five (5) days prior to the trial, the party's sworn statement setting forth the facts, to the best of the party's knowledge and belief, called for by Section "A" of the attached list of information, and a statement by counsel (attorney), if any, of the client's position and proof as called for by Section "B." These filings are required to narrow and simplify the issues, prevent surprise and to eliminate unnecessary proof. The material may be presented in narrative form but must be complete for purposes called for by this order. To avoid duplication, the parties or their attorneys, if any, may submit a joint statement of those items not in dispute.

**Any party requesting the reporting of a particular matter by the official court reporter shall provide notice to the official court reporter as soon as possible, but no later than three (3) working days before the matter is set for hearing. You can provide notice to the court reporter**

**by phone or by submitting a written request. Please note that if providing notice through the mail, the request must be received by the court reporter no later than three working days prior to the hearing. The clerk will be able to inform you which court reporter to contact. The three-day notice requirement will not be waived by the Court. The notice is required for all civil matters including jury trials. If a hearing is not recorded by an official court reporter, a transcript of the hearing will not be available. It is very difficult to appeal a decision if you do not have a transcript of everything that is said at the trial. Rule 904 Uniform Rules of the District Courts of the State of Wyoming.**

In the event that this case settles, the parties are informed that there will be no change in the scheduling of this matter by the Court until such time as the settlement is reduced to writing and a written agreement is presented to the court. There will be no continuances or canceling of the trial date based on telephone calls.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

---

DISTRICT COURT JUDGE

Copies sent to:

Petitioner/Petitioner's Attorney's Name and Address

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Respondent/Respondent's Attorney's Name and Address

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SECTION "A"  
SWORN STATEMENT OF PARTY

Items to be included:

1. Personal data and history relevant to the issues, including name, age, prior marriages, if any, children's initials, present living situation of the parties and their immediate family. For instance, where each party and the children are residing, with whom the children are residing, and how the children are being cared for during the day. This item calls for a brief but comprehensive statement of the party's personal history as it may relate to the domestic relations litigation.
2. Present employment, including identity and location of employer, nature of the job, length of employment, gross and net income and benefits, including health and accident coverage, if any, its convertibility to non-group plan in event of loss of employment, terms of retirement program, all deductions from salary or wages, and prospects for the continuation of the employment.
3. Employment history and employability, including previous employment and incomes, education, training and work experience affecting employability. Include any other factors substantially affecting employability.
4. Other income, whatever the source.
5. Any other information which counsel, or the party, believe to be material to the determination of the issues.

SECTION "B"  
STATEMENT OF COUNSEL

Statement of the case by counsel of the client's position with respect to:

1. Amount of child support:
  - a. Amount called for by the child support guidelines;
  - b. Why, if it is urged, there should be departure from the guidelines.
2. Reasons, either in favor of or against establishment of custody, visitation and child support.
3. List of witnesses and specific summary of expected testimony.
4. Exhibits.

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
(Print name of other party)

Civil Action Case No. \_\_\_\_\_

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### PRETRIAL DISCLOSURES

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**NOTE:** Unless otherwise directed by the court, these disclosures must be made **at least 30 days before trial**. Within 14 days thereafter, unless a different time is specified by the court, a party may serve **and promptly file with the Clerk of District Court** a list disclosing (i) any objections to the use under Rule 32 (a) of a deposition designated by another party under Rule 26(a)(3)(B), and (ii) any objection, together with the grounds therefore, that may be made to the admissibility of materials identified under Rule 26(a)(3)(C). Objections not so disclosed, other than objections under Rules 402 and 403 of the Wyoming Rules of Evidence, are waived unless excused by the court for good cause.

Petitioner OR  Respondent submits the following initial disclosures, pursuant to Wyoming Rule of Civil Procedure 26(a)(3), required in pretrial proceedings. This information must be made available to the opposing party or the opposing party's counsel and the Court at least thirty (30) days before the trial.

A. The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises.

B. The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically (i.e. by a court reporter), a transcript of the pertinent portions of the deposition testimony.

C. An appropriate identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

**NOTE: *Supplementation of disclosures and responses.*** Wyoming Rules of Civil Procedure 26(e)(1) states that: A party who has made a disclosure or responded to a request for discovery with a disclosure or response is under a duty to supplement or correct the disclosure or response to include information thereafter acquired, if ordered by the court or in the following circumstances:

A party is under a duty to supplement at appropriate intervals, its disclosures if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature \_\_\_\_\_

Printed name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Phone Number: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) the original of this document was filed with the Clerk of District Court; and, a true and accurate copy of this document was served on the other party by  Hand Delivery OR  Faxed to this number \_\_\_\_\_ OR  by placing it in the United States mail, postage pre-paid, and addressed to the following:

(Print Other Party/Other Party's Attorney's Name and Address)

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

\_\_\_\_\_  
Print name

(check one)



Name of Witness	Address and Telephone Number	Expect to call witness to testify	<i>May</i> call witness to testify if the need arises

Additional sheets of paper are attached if needed

(check one)



Document or Exhibit	Summary of Evidence	Expect to offer	<i>May</i> offer if the need arises

Additional sheets of paper are attached if needed

STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_  
JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
 (Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
 (Print name of other party) )

Civil Action Case No. \_\_\_\_\_

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### ORDER ESTABLISHING CUSTODY, VISITATION, AND CHILD SUPPORT

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**THIS MATTER** having come before the Court upon the *Petition to Establish Custody, Visitation, and Child Support*, and the Court, having reviewed the file herein, having heard the arguments of the parties, if applicable, and otherwise being fully advised in the premises, FINDS:

1. This Court has jurisdiction over the parties and the subject matter of these proceedings.

2. The Respondent was served with the *Petition to Establish Custody, Visitation, and Child Support*: [check one]

Personally (by the Sheriff) on the following date \_\_\_\_\_ in the following state: \_\_\_\_\_; OR

Respondent accepted service (*Acknowledgement and Acceptance of Service* must be filed. Respondent's signature must be notarized.); OR

By publication. (*Copy of Affidavit of Publication* must be filed.); OR

By *Registered or Certified Mail*. (Return receipt must be filed and Clerk must have entered certificate of service.)

3. Respondent filed [check one]

a *Response*; OR

a *Response and Counterclaim*; OR

no response (default must be entered, unless there is a waiver of right to answer); OR

no response but both parties have signed and agreed to the entry of this Order.

4. The parties are the natural or adoptive parents of the following minor child(ren):

Child's Initials: \_\_\_\_\_ Year of Birth: \_\_\_\_\_

Additional sheets of paper are attached if needed

5. This court has jurisdiction in all necessary particulars of this case.

6. Custody of the child(ren) should be as follows:

Unless defined another way in this Order, "Joint Legal Custody" means that both parties have access to the records of the child(ren) including school records, activities, teachers and teachers' conferences, as well as medical and dental treatment providers and mental health records. Both parties have these rights unless the Court limits that access.

The parties have joint legal custody and  Mother or  Father has physical custody; **OR**

The parties have joint legal and joint physical custody; **OR**

Mother or  Father has sole legal and physical custody; **OR**

Other (Please describe desired legal and physical custody arrangement in detail) \_\_\_\_\_

7. The parties have an obligation to contribute to the support of the parties' minor child(ren).

**IT IS HEREBY ORDERED THAT:**

8. **CHILD CUSTODY, VISITATION AND SUPPORT:**

**A. CUSTODY:**

The parties shall have joint legal custody and  Mother or  Father shall have physical custody; **OR**

The parties shall have joint legal and physical custody. The parties shall share physical custody of the minor children as described on the attached sheet of paper.

**Attach** a schedule describing the sharing of physical custody.

**Skip** to Section C – Child Support; **OR**

Mother OR  Father shall have sole legal and physical custody. List the reasons why joint legal custody is not appropriate: \_\_\_\_\_

OR

Other (Please describe desired legal and physical custody arrangement in detail): \_\_\_\_\_

**B. VISITATION:**

The child(ren) shall spend time with the non-custodial parent as the parties may agree, but if they cannot agree, then time shall be spent with the child(ren) as follows:

B.1. **WEEKENDS:** The child(ren) shall spend time with  Mother OR  Father  every weekend  every weekend when Friday is an even date  every weekend when Friday is an odd date  other (specific weekends such as 1<sup>st</sup> and 3<sup>rd</sup>): \_\_\_\_\_  
from \_\_\_\_\_ a.m./p.m. to \_\_\_\_\_ a.m./p.m.

B.2. **OTHER VISITATION:** In addition to the Weekend visitation above, the child(ren) shall also spend time with  Mother OR  Father as follows (specify specific days and times such as each Wednesday from 4:00 p.m. to 8:00 p.m., etc.): \_\_\_\_\_

Additional sheets of paper are attached (if necessary).

B.3. **SUMMER SCHEDULE: (Choose one)**

**Option 1:**  Mother OR  Father shall have visitation with the parties' child(ren) beginning \_\_\_\_\_ and continuing until \_\_\_\_\_ (i.e. ten days after school lets out from 5:00 p.m. and continuing until ten days prior to school starting up again at 5:00 p.m.).

The other parent shall have the same Weekend and Other Visitation as described in paragraphs B.1 and B.2 above during the summer; **OR**

**Option 2:**  The summer schedule will remain the same as during the school year; **OR**

**Option 3:**  The summer schedule will be as follows: \_\_\_\_\_

\_\_\_\_\_

Additional sheets of paper are attached (if necessary).

**B.4. HOLIDAY SCHEDULE:** The following holiday schedule will take priority over the regular weekday, weekend, and summer schedules described above. Fill in the blanks below with Mother or Father to indicate who the child(ren) will be with for the holidays. Provide beginning and ending times. If a holiday is not specified as even, odd, or every year with one parent, then the child(ren) will remain with the parent they are normally scheduled to be with.

**Location of exchange and transportation arrangements** for the following holidays or events shall follow the instructions set forth in paragraph **8.B.11.** unless stated otherwise.

**(Be very specific about the days, times, and location where exchanges will take place)**

Holiday/Event	Odd numbered years	Even numbered years	Every year	Day, Time and Place of Exchange Describe from start to end <i>(for example, Friday when school lets out until Monday at 6 p.m.)</i>
	(Mother or Father)			
<input type="checkbox"/> Mother's Day Weekend				
<input type="checkbox"/> Memorial Day Weekend				
<input type="checkbox"/> Father's Day Weekend				
<input type="checkbox"/> July 4 <sup>th</sup>				
<input type="checkbox"/> Labor Day Weekend				
<input type="checkbox"/> Thanksgiving Break <b>First part</b>				
<input type="checkbox"/> Thanksgiving Break <b>Second part</b>				
<input type="checkbox"/> Winter Break <b>First part</b>				

<input type="checkbox"/> Winter Break <b>Second part</b>				
<input type="checkbox"/> Spring Break <b>First part</b>				
<input type="checkbox"/> Spring Break <b>Second part</b>				
<input type="checkbox"/> Child(ren)'s Birthdays				
<b>Religious/Other Events</b>				
<input type="checkbox"/> (Specify):				
<input type="checkbox"/> (Specify):				
<input type="checkbox"/> (Specify):				

Additional sheets of paper are attached (if necessary).

B.5.  **OTHER (including no visitation or supervised visitation):** If you require a schedule that is difficult to explain in the format above or if your situation is unique such that visitation is not appropriate or requires supervision, please provide a detailed visitation schedule that fits your needs or an explanation of why visitation is not appropriate on a separate sheet of paper and attach it.

B.6. **TEMPORARY CHANGES TO THE SCHEDULE:** Any schedule for sharing time with the child(ren) may be changed as long as both parents agree to the changes ahead of time, in writing.

B.7. **PERMANENT CHANGES TO THE SCHEDULE:** Once the judge signs the final *Order Establishing Custody, Visitation and Child Support* in your case and approves this Visitation Plan, any changes that the parents do not agree on can be made only by applying to the court for a modification. One parent cannot change a court-ordered Visitation Plan on their own.

B.8. **PARENT-CHILD COMMUNICATION:** Both parents and child(ren) shall have the right to communicate by telephone, in writing or by electronic means during reasonable hours without interference or monitoring by the other parent, unless otherwise ordered by the court.

B.9. **MUTUAL RESPECT:** Parents will not say things or knowingly allow others to say things in the presence of their child(ren) that would take away the child(ren)'s love and respect for the other parent.

B.10. **OTHER TERMS:**

A. **The party who has custody of the children or the party who is exercising visitation with the children shall:**

- i. Care for, control, protect, and reasonably discipline the child(ren);
- ii. Provide the child(ren) with adequate food, clothing, and shelter, and medical and dental care;
- iii. Promote and encourage the training and education of the child(ren);
- iv. Respect the other party's rights and responsibilities regarding the other party's time with and care of the child(ren).

B. **Visitation MAY NOT be reduced or denied because support is not paid.**

C. Add any other items regarding the child(ren) you would like to include concerning visitation. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Additional sheets of paper are attached (if necessary).

B.11. **EXCHANGE OF CHILD(REN)/COST OF TRANSPORTATION:**

Both parents shall have the child(ren) ready on time with sufficient clothing packed and ready at the agreed-upon time of exchange. All clothing that accompanied the child(ren) shall be returned to the other parent. All transportation in connection with the visiting parent's exercise of his/her visitation shall be the responsibility of and/or paid for as follows:

**Option 1:**  While both parents continue to reside within \_\_\_\_ miles of each other, both parents shall be responsible for transportation costs for one-way of the children's transportation.  Mother  Father shall pick up the child(ren) from \_\_\_\_\_ at the beginning of the visitation

(location)  
and  Mother  Father shall pick up the child(ren) at the end of the visitation from \_\_\_\_\_.

(location)  
If either party moves \_\_\_\_\_ miles or more away, then the costs for transportation shall be as follows: \_\_\_\_\_

\_\_\_\_\_; **OR**  
\_\_\_\_\_

**Option 2:**  The visiting parent shall be responsible for all of the child(ren)'s transportation costs.  Mother  Father shall pick up the child(ren) from \_\_\_\_\_ at the beginning of the visitation

(location)

and shall return the children to \_\_\_\_\_ at the end

(location)

of the visitation; **OR**

**Option 3:**  Other: (provide details exchange and transportation costs): \_\_\_\_\_

**ONCE FILED, THE PARTIES MAY MAKE SUBSTANTIAL, PERMANENT MODIFICATIONS TO THIS VISITATION PLAN ONLY BY WRITTEN AGREEMENT SIGNED BY BOTH PARTIES, APPROVED BY THE JUDGE AND FILED WITH THE COURT. MINOR, NON-PERMANENT CHANGES MAY BE MADE ANY TIME IF BOTH PARTIES AGREE TO THE CHANGES.**

### C. CHILD SUPPORT:

The child support amount may depend on the custodial arrangement that is ordered by the court. If each parent keeps the children overnight for more than forty percent (40%) of the year *and* both parents contribute substantially to the expenses of the children *in addition to* the payment of child support, a "joint presumptive support" obligation shall be determined by use of the tables. Also, when each parent has physical custody of at least one (1) of the children, a "shared presumptive support" obligation for all of the children shall be determined by use of the tables. See Wyo. Stat. §20-2-304(c) and (d). **For assistance in calculating child support, go to the following website:** [http://www.laramiecounty.com/\\_departments/\\_district\\_court/calculator.aspx](http://www.laramiecounty.com/_departments/_district_court/calculator.aspx) or call your local child support enforcement agency.

In accordance with Wyo. Stat. § 20-2-304, presumptive child support is calculated as follows:

- a. Number of children: \_\_\_\_\_
- b. Father's net monthly income is: \$ \_\_\_\_\_  
 actual (Father submitted a *Confidential Financial Affidavit*); OR  
 imputed (Father did not submit a *Confidential Financial Affidavit*)
- c. Mother's net monthly income is: \$ \_\_\_\_\_  
 actual (Mother submitted a *Confidential Financial Affidavit*); OR  
 imputed (Mother did not submit a *Confidential Financial Affidavit*)
- d. Total child support obligation of both parents is: \$ \_\_\_\_\_
- e. Father's presumptive child support obligation is: \$ \_\_\_\_\_
- f. Mother's presumptive child support obligation is: \$ \_\_\_\_\_

**C.1. Restriction on reducing amount of child support:** No agreement which is *less than* the presumed child support amount in the law shall be approved if public

support/benefits such as aid under the personal opportunities with employment responsibilities (POWER) program, Title 19, Kid Care, food stamps, supplemental security income (SSI) or other similar benefits are being paid on behalf of any of the children. **CHECK ONE:**

- The child(ren) receive(s) public assistance; OR
- The child(ren) DO NOT receive(s) any public assistance.

C.2. **Amount of Child Support:**  Mother OR  Father shall pay \$ \_\_\_\_\_ per month for child support. The amount of child support is based upon:

- The presumptive amount of child support determined by Wyoming's Child Support Guidelines; **OR**
- There is a deviation (an adjustment)  upwards or  downwards from the presumptive amount. (In order to deviate, there must be a specific finding that the application of the presumptive child support would be unjust or inappropriate). The reasons that the presumptive amount is unjust is because (list the specific reasons): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C.3. **Time of Payments:** Child support payments shall begin:

- on THE FIRST DAY OF THE MONTH beginning the month of \_\_\_\_\_, 20\_\_ and shall continue to be paid on the first day of the month thereafter, until further order of the court; **OR**
- beginning on the \_\_\_ day of \_\_\_\_\_, 20\_\_ and continuing as follows: \_\_\_\_\_.

C.4. **CONTINUATION OF CHILD SUPPORT:** Child support shall continue during the minor child's minority, and beyond if the child has a mental, emotional or physical impairment preventing emancipation, or while the child is attending high school or an equivalent program as a full-time student between the ages of 18 and 20. Child support shall terminate if, during the child's minority, the child marries, is emancipated, becomes self-supporting or dies.

C.5. **PLACE:**

All payments required under this Order, shall be made to one of the two following addresses:

Clerk of the District Court, whose address is \_\_\_\_\_ OR State Disbursement Unit  
(see *District Court Clerks Addresses* in this packet): P.O. Box 1027  
Cheyenne, WY 82003

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DO NOT PAY BY PERSONAL CHECK. CASH ACCEPTED IN PERSON ONLY. CASHIER'S CHECKS AND MONEY ORDERS ACCEPTED.

The Clerk or SDU shall promptly forward the support payments to the receiving parent at the address provided by that parent. **Each party shall pay, when due, all fees charged to that party by the Clerk of District Court, State Disbursement Unit, and any other agency statutorily authorized to charge a fee.**

C.6. **MODIFICATION:** Either party may seek a modification of the child support ordered herein pursuant to Wyo. Stat. §20-2-311.

**MODIFICATION OF CHILD SUPPORT IS NOT EFFECTIVE UNLESS IT IS APPROVED BY A WRITTEN ORDER SIGNED BY THE JUDGE.**

C.7. **INFORMATION FOR ABATEMENT OF CHILD SUPPORT (Temporary Relief from Paying):** Wyo. Stat. §20-2-305 says child support **may** abate or decrease by one-half (1/2) of the daily support obligation for each day the noncustodial parent has physical custody of the child for whom support is due, **ONLY IF** the noncustodial parent has custody of the child for more than fifteen (15) consecutive days and if approved by the Court.

**REQUIREMENTS:**

- A. The non-custodial parent **MUST FILE** any claim for child support abatement with the clerk of the court within thirty (30) days after the period for which abatement is claimed and must pay ten dollars (\$10.00) to the clerk when filed.
- B. The clerk will then mail a copy of the claim to the custodial parent.
- C. The custodial parent can object or dispute any abatement claim by filing an objection with the clerk of court within thirty (30) days of the date the clerk mailed the notice to the custodial parent and paying ten dollars (\$10.00) to the clerk.
- D. The clerk will mail a copy of the objection to the noncustodial parent.
- E. Claims or objections not filed in a timely manner *or* not accompanied by the ten dollar fee will be rejected.

C.8. **ENFORCEMENT:** Either party has the right to petition to enforce an order pursuant to Wyo. Stat. §20-2-201 through §20-2-204 and §20-2-311(d). Wyoming law states that any payment of child support not paid when due shall automatically become a judgment against the parent who is supposed to pay on the due date. This judgment is subject to a 10% late payment penalty if it is not paid within thirty-two (32) days. Wyoming Statute §1-16-103(b) also states that if child support becomes delinquent in an amount equal to or greater than one month's obligation, a notice may issue to employers and others who may owe money to the obligated parent; a percentage of the non-custodial parent's income

(35% minimum and up to 65% in some cases) of the obligated parent's wages and other income could be withheld and submitted to the Clerk of this Court to be applied toward child support obligations.

9. **MEDICAL INSURANCE:**

The  Mother OR  Father OR  Both shall provide health care insurance coverage for the minor child(ren) if insurance can be obtained at a reasonable cost and the benefits under the insurance policy are accessible to the child(ren).

9.A. Proof. The insuring parent shall provide to the Court written proof that the insurance has been obtained within sixty (60) days after it became available. Proof of insurance coverage shall contain, at a minimum:

- i) The name of the insurer.
- ii) The policy number.
- iii) The address to which all claims should be mailed.
- iv) A description of any restrictions on usage, such as pre-approval for hospital admission, and the manner in which to obtain pre-approval.
- v) A description of all deductibles.
- vi) Two (2) copies of claim forms.

9.B. Changes. The insuring parent shall provide written notice to the Clerk of this Court and the other parent if insurance coverage for the child is denied, revoked, or altered in any way that would affect the child's coverage, including any change relating to the information required above.

9.C. Failure To Provide Insurance. The Court may hold an obligated parent in contempt for refusing to provide the ordered insurance or for failing or refusing to provide the information required above. In addition, if either parent fails to provide insurance or proof of insurance as required by this agreement, the other parent may provide such insurance and the obligated parent shall be liable to the other parent for the cost of such insurance plus the costs incurred in collection, including reasonable attorney's fees.

9.D. Costs Not Paid For By Insurance. The parents are jointly liable to providers for all health care expenses (including, but not limited to, medical, dental, orthodontic, optical, prescription drugs, counseling, and all other health care expenses) of the child(ren). All deductibles, co-payments and other expenses for health care that are not paid for by health insurance shall be paid by the parents as follows:

- 50% each by Mother and Father; **OR**
- \_\_\_\_\_% by Mother and \_\_\_\_\_% by Father.

- i) If the insuring parent fails to pay the insurance premium, all health care expenses of the children not covered by insurance shall be the responsibility of that party.
- ii) If the insuring parent fails to maintain insurance as required, that party may be found in contempt of Court and may be required to pay or reimburse the expenses and costs set forth in Wyo. Stat. §20-2-401(e).

**10. CHANGES IN ADDRESS AND EMPLOYMENT:**

Each parent shall inform the other parent and the clerk of court in writing of any change of address, phone number, and employment:

**10.A. CHANGE OF EMPLOYMENT STATUS:** So long as there is a child support obligation, each parent shall notify the other parent and the Clerk of this Court, in writing, on forms available from the Court, within **fifteen (15) days** of any change in employment, including second jobs, changed employers, starting or ending unemployment compensation, and starting or ending of worker's compensation, or any other change in income.

**10.B. CHANGE OF ADDRESS:** So long as there is a child support obligation, if either parent plans to change his or her address, that parent must notify the other parent and the Clerk of this Court, in writing, on forms available from the Clerk of this Court, **no later than fifteen (15) days prior** to the day of the move, the destination of the move and the proposed move date.

**10.C. CHANGE OF HOME CITY OR STATE OF RESIDENCE:** Either parent who plans to change their home city or state of residence, must give written notice **thirty (30) days prior to the move**, both to the other parent and to the clerk of district court stating the date and destination of the move.

**11. INCOME WITHHOLDING ORDER:**

An income withholding order shall be entered and shall become effective as follows:

Effective immediately (**Recommended**); **OR**

Effective upon the date the Obligor (person who has to pay) requests withholding commence; or the date the Obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order. List the reasons why good cause exists to delay the effective date for withholding income: \_\_\_\_\_

\_\_\_\_\_ ; **OR**

OTHER (i.e. Military allotment)\_\_\_\_\_.

12. **TEMPORARY SUPPORT ORDER:**

A temporary support order was previously entered in this matter. According to the terms of the order,  Petitioner OR  Respondent was ordered to pay \$ \_\_\_\_\_ per month for the support of the minor child(ren); OR

A temporary support order was NOT entered in this matter. (NOTE: If a temporary support order was not entered in this matter, please skip to paragraph 16).

13. **JUDGMENT OF ARREARS:**

Petitioner OR  Respondent is in arrears in the support obligation in the amount of \$ \_\_\_\_\_ from \_\_\_\_\_ **[Date of temporary support order]** through \_\_\_\_\_ **[Last day of the month before this Order is filed]** for which judgment shall be entered; AND/OR

Petitioner OR  Respondent owes unpaid medical expenses in the amount of \$ \_\_\_\_\_ from \_\_\_\_\_ **[Date of the order establishing medical support]** through \_\_\_\_\_ **[Last day of the month before this Order is filed]**, for which judgment shall be entered.

**IT IS HEREBY ORDERED THAT:**

14. Judgment for past due support, including medical support if applicable, is hereby entered against  Petitioner OR  Respondent in the amount of \$ \_\_\_\_\_ through \_\_\_\_\_ **[Date]**.

15. Beginning \_\_\_\_\_ **[Date]**,  Petitioner OR  Respondent shall pay \$ \_\_\_\_\_ per month in addition to current support towards the judgment of \$ \_\_\_\_\_ **[total amount of judgment listed in paragraph 13]** until the judgment is paid and satisfied in full.

16. **TAX EXEMPTION:**

The parties shall claim as income tax dependency exemptions on federal and state tax returns as follows:

Initials of Child(ren)	Parent Entitled to Claim	Year Allowed to Claim
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____
_____	<input type="checkbox"/> Mother <input type="checkbox"/> Father	<input type="checkbox"/> every <input type="checkbox"/> odd <input type="checkbox"/> even <input type="checkbox"/> Other: _____

provided that the party required to pay child support is only entitled to claim the exemption(s) if he/she is current on his/her child support obligation as of December 31<sup>st</sup> of the year in which the exemption(s) is claimed. The parties shall sign all necessary tax forms to allow the other party to claim the exemption(s) as stated above.

**17. ENFORCEMENT OF ORDER:**

Either party or, when appropriate, the department of family services has the right to petition to enforce an order pursuant to Wyo. Stat. §20-2-201 through 20-2-204, 20-2-310 and 20-2-311(d).

**Contempt - Pursuant to Wyo. Stat. §20-2-204 and 20-2-310, a court having jurisdiction to enforce or revise the decree or order may, upon appropriate motion of either parent, require a parent to appear before the court and show just cause why the parent should not be held in contempt, upon a showing that the parent has willfully violated the decree or order as to the care, custody, visitation and maintenance of the children. The court may, in addition to any assessment it may impose upon a finding that the parent is in contempt of court, award attorney's fees, costs, and such other and further relief as the court may deem necessary under the circumstances, to the parent aggrieved by the violation of the decree or order, in order to enforce and require future compliance with the decree or order.**





STATE OF WYOMING )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

IN THE DISTRICT COURT  
\_\_\_\_\_ JUDICIAL DISTRICT

Petitioner: \_\_\_\_\_, )  
(Print name of person filing) )  
 )  
vs. )  
 )  
Respondent: \_\_\_\_\_ )  
(Print name) )

Civil Action Case No. \_\_\_\_\_

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### ORDER FOR INCOME WITHHOLDING

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**THE COURT ORDERS** any payor of \_\_\_\_\_  
(name of Obligor, person owing child support), to pay child support to  
\_\_\_\_\_ (name of Obligee, person owed child support) commencing on  
\_\_\_\_\_ (date). Payments are due on the \_\_\_\_\_ day of every  
\_\_\_\_\_ (specify time period, i.e. monthly). Total arrears (past due support) owed as  
of \_\_\_\_\_ (date) for child support is \$\_\_\_\_\_.

The Court orders the immediate activation of an order for income withholding  
against the Obligor, pursuant to Wyo. Stat. § 20-6-204.

Income withheld must be paid to one of the two following addresses:

Clerk of the District Court, whose address is  
(see *District Court Clerks Addresses* in this  
packet):

OR State Disbursement Unit  
P.O. Box 1027  
Cheyenne, WY 82003

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DO NOT PAY BY PERSONAL CHECK. CASH ACCEPTED IN PERSON ONLY.  
CASHIER'S CHECKS AND MONEY ORDERS ACCEPTED.**

The Clerk or SDU shall promptly forward the support payments to the receiving parent at  
the address provided by that parent. **Each party shall pay, when due, all fees charged**

**to that party by the Clerk of District Court, State Disbursement Unit, and any other agency statutorily authorized to charge a fee.**

**OR**

Pursuant to Wyo. Stat. § 20-6-204, this order for income withholding is not subject to immediate activation because either:

Both parties have agreed in writing to an alternative arrangement. (When the parties agree to an alternative arrangement, the arrangement shall be in writing, signed by the parties and reviewed and entered in the record by the court.)

**OR**

The Court finds there is good cause not to require the immediate activation of an order for income withholding because: (The court shall include in the record its findings of good cause, including a statement explaining why implementation of immediate income withholding would not be in the best interests of the child and, in cases involving modification of child support, proof of timely payments.)

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Any order for income withholding not subject to immediate activation shall become effective upon the date the Obligor requests withholding commence; or the date the Obligor becomes delinquent in payment of an amount equal to one (1) month's support obligation under the support order as set forth in Wyo. Stat. § 20-6-205.

**IT IS FURTHER ORDERED** that upon receipt of a notice of *Income Withholding for Support*, every employer or other person now or in the future owing income to the Obligor shall comply with all terms of the notice and shall withhold a portion of the Obligor's income and remit it to the Clerk at the address in the *Income Withholding for Support* form.

For purposes of this order: "INCOME" means any form of periodic payment or return in money to an individual, regardless of source. Income includes, but is not limited to wages, earnings, salary, commission, compensation as an independent contractor, temporary total disability and permanent partial disability, worker's compensation payments, unemployment compensation, disability, annuity and retirement benefits, and any other payment made by any payor.

Furthermore, no employer may discharge, discipline, refuse employment to, or otherwise penalize an Obligor because of this *Order for Income Withholding* or a subsequently issued *Income Withholding for Support* form.

**IT IS FURTHER ORDERED** that the payor comply with all the terms of an issued *Income Withholding for Support* form and all subsequent notices served upon the payor;

The last known addresses of the Obligor and Obligee are as follows:

Obligor (person owing child support): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Obligee (person to receive child support): \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

**IT IS, FURTHER, ORDERED** that each party shall notify the Clerk of District Court, in writing, on forms available from the Clerk, within fifteen (15) days of any changes in address or employment status.

At the time this *Order for Income Withholding* is entered, the Clerk shall mail a copy of the order and the support order to the last known address of the Obligor and the Obligee as listed below.\*

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY THE COURT:

\_\_\_\_\_  
District Court Judge

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\* Be sure to include addressed/stamped envelopes for you and the defendant when filing this *Order for Income Withholding* so that copies of this Order can be mailed by the Clerk as required by law.

Copies sent to:

Petitioner/Petitioner's Attorney's Name and Address

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Respondent/Respondent's Attorney's Name and Address

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## INCOME WITHHOLDING FOR SUPPORT

- ORIGINAL INCOME WITHHOLDING ORDER/NOTICE FOR SUPPORT (IWO)
- AMENDED IWO
- ONE-TIME ORDER/NOTICE FOR LUMP SUM PAYMENT
- TERMINATION of IWO

Date: \_\_\_\_\_

Child Support Enforcement (CSE) Agency     Court     Attorney     Private Individual/Entity (Check One)

**NOTE:** This IWO must be regular on its face. Under certain circumstances you must reject this IWO and return it to the sender (see IWO instructions <http://www.acf.hhs.gov/programs/cse/newhire/employer/publication/publication.htm#forms>). If you receive this document from someone other than a State or Tribal CSE agency or a Court, a copy of the underlying order must be attached.

State/Tribe/Territory \_\_\_\_\_ Remittance Identifier (include w/payment) \_\_\_\_\_  
 City/County/Dist./Tribe \_\_\_\_\_ Order Identifier \_\_\_\_\_  
 Private Individual/Entity \_\_\_\_\_ CSE Agency Case Identifier \_\_\_\_\_

_____ Employer/Income Withholder's Name	RE: _____ Employee/Obligor's Name (Last, First, Middle)
_____ Employer/Income Withholder's Address	_____ Employee/Obligor's Last 4 digits of SSN
_____ Employer/Income Withholder's FEIN	_____ Custodial Party/Obligee's Name (Last, First, Middle)
_____ Child(ren)'s Initials	_____ Child(ren)'s Year of Birth
_____ _____ _____ _____ _____	_____ _____ _____ _____ _____

**ORDER INFORMATION:** This document is based on the support or withholding order from \_\_\_\_\_ (State/Tribe). You are required by law to deduct these amounts from the employee/obligor's income until further notice.

\$ \_\_\_\_\_ Per \_\_\_\_\_ current child support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due child support - **Arrears greater than 12 weeks?**  Yes  No  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ current cash medical support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due cash medical support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ current spousal support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ past-due spousal support  
 \$ \_\_\_\_\_ Per \_\_\_\_\_ other (must specify) \_\_\_\_\_  
 for a **Total Amount to Withhold** of \$ \_\_\_\_\_ per \_\_\_\_\_.

**AMOUNTS TO WITHHOLD:** You do not have to vary your pay cycle to be in compliance with the *Order Information*. If your pay cycle does not match the ordered payment cycle, withhold one of the following amounts:

\$ \_\_\_\_\_ per weekly pay period                      \$ \_\_\_\_\_ per semimonthly pay period (twice a month)  
 \$ \_\_\_\_\_ per biweekly pay period (every two weeks) \$ \_\_\_\_\_ per monthly pay period  
 \$ \_\_\_\_\_ **Lump Sum Payment:** Do not stop any existing IWO unless you receive a termination order.

**REMITTANCE INFORMATION:** If the employee/obligor's principal place of employment is Wyoming, you must begin withholding no later than the first pay period that occurs after the date of service of this notice. Send payment within 7 working days of the pay date. If you cannot withhold the full amount of support for any or all orders for this employee/obligor, withhold up to \_\_\_\_\_% of disposable income for all orders. If the employee/obligor's principal place of employment is not Wyoming, obtain withholding limitations, time requirements, and any allowable employer fees at [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm) for the employee/obligor's principal place of employment.

For electronic payment requirements and centralized payment collection and disbursement facility information (State Disbursement Unit [SDU]), see [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm).

Include the **Remittance Identifier with the payment** and if necessary this FIPS code: \_\_\_\_\_ .

**Remit payment to:** Wyoming Child Support Enforcement, PO Box 1027, Cheyenne, WY 82003.

**Return to Sender [Completed by Employer/Income Withholder].** Payment must be directed to an SDU in accordance with 42 USC §666(b)(5) and (b)(6) or Tribal Payee (see Payments to SDU below). If payment is not directed to an SDU/Tribal Payee or this IWO is not regular on its face, you *must* check this box and return the IWO to the sender.

Signature of Judge/Issuing Official (if required by State or Tribal law): _____
Print Name of Judge/Issuing Official: _____
Title of Judge/Issuing Official: _____
Date of Signature: _____

If the employee/obligor works in a State or for a Tribe that is different from the State or Tribe that issued this order, a copy of this IWO must be provided to the employee/obligor.

If checked, the employer/income withholder must provide a copy of this form to the employee/obligor.

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### ADDITIONAL INFORMATION FOR EMPLOYERS/INCOME WITHHOLDERS

State-specific contact and withholding information can be found on the Federal Employer Services website located at: [http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact\\_map.htm](http://www.acf.hhs.gov/programs/cse/newhire/employer/contacts/contact_map.htm)

**Priority:** Withholding for support has priority over any other legal process under State law against the same income (USC 42 §666(b)(7)). If a Federal tax levy is in effect, please notify the sender.

**Combining Payments:** When remitting payments to an SDU or Tribal CSE agency, you may combine withheld amounts from more than one employee/obligor's income in a single payment. You must, however, separately identify each employee/obligor's portion of the payment.

**Payments To SDU:** You must send child support payments payable by income withholding to the appropriate SDU or to a Tribal CSE agency. If this IWO instructs you to send a payment to an entity other than an SDU (e.g., payable to the custodial party, court, or attorney), you must check the box above and return this notice to the sender. Exception: If this IWO was sent by a Court, Attorney, or Private Individual/Entity and the initial order was entered before January 1, 1994 or the order was issued by a Tribal CSE agency, you must follow the "Remit payment to" instructions on this form.

**Reporting the Pay Date:** You must report the pay date when sending the payment. The pay date is the date on which the amount was withheld from the employee/obligor's wages. You must comply with the law of the State (or Tribal law if applicable) of the employee/obligor's principal place of employment regarding time periods within which you must implement the withholding and forward the support payments.

**Multiple IWOs:** If there is more than one IWO against this employee/obligor and you are unable to fully honor all IWOs due to Federal, State, or Tribal withholding limits, you must honor all IWOs to the greatest extent possible, giving priority to current support before payment of any past-due support. Follow the State or Tribal law/procedure of the employee/obligor's principal place of employment to determine the appropriate allocation method.

**Lump Sum Payments:** You may be required to notify a State or Tribal CSE agency of upcoming lump sum payments to this employee/obligor such as bonuses, commissions, or severance pay. Contact the sender to determine if you are required to report and/or withhold lump sum payments.

**Liability:** If you have any doubts about the validity of this IWO, contact the sender. If you fail to withhold income from the employee/obligor's income as the IWO directs, you are liable for both the accumulated amount you should have withheld and any penalties set by State or Tribal law/procedure. \_\_\_\_\_

**Anti-discrimination:** You are subject to a fine determined under State or Tribal law for discharging an employee/obligor from employment, refusing to employ, or taking disciplinary action against an employee/obligor because of this IWO. \_\_\_\_\_

Employer's Name: \_\_\_\_\_ Employer FEIN: \_\_\_\_\_  
Employee/Obligor's Name: \_\_\_\_\_  
CSE Agency Case Identifier: \_\_\_\_\_ Order Identifier: \_\_\_\_\_

**Withholding Limits:** You may not withhold more than the lesser of: 1) the amounts allowed by the Federal Consumer Credit Protection Act (CCPA) (15 U.S.C. 1673(b)); or 2) the amounts allowed by the State or Tribe of the employee/obligor's principal place of employment (see *REMITTANCE INFORMATION*). Disposable income is the net income left after making mandatory deductions such as: State, Federal, local taxes; Social Security taxes; statutory pension contributions; and Medicare taxes. The Federal limit is 50% of the disposable income if the obligor is supporting another family and 60% of the disposable income if the obligor is not supporting another family. However, those limits increase 5% - to 55% and 65% - if the arrears are greater than 12 weeks. If permitted by the State or Tribe, you may deduct a fee for administrative costs. The combined support amount and fee may not exceed the limit indicated in this section.

For Tribal orders, you may not withhold more than the amounts allowed under the law of the issuing Tribe. For Tribal employers/income withholders who receive a State IWO, you may not withhold more than the lesser of the limit set by the law of the jurisdiction in which the employer/income withholder is located or the maximum amount permitted under section 303(d) of the CCPA (15 U.S.C. 1673 (b)).

Depending upon applicable State or Tribal law, you may need to also consider the amounts paid for health care premiums in determining disposable income and applying appropriate withholding limits.

**Arrears greater than 12 weeks?** If the *Order Information* does not indicate that the arrears are greater than 12 weeks, then the Employer should calculate the CCPA limit using the lower percentage.

**Additional Information:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTIFICATION OF EMPLOYMENT TERMINATION OR INCOME STATUS:** If this employee/obligor never worked for you or you are no longer withholding income for this employee/obligor, an employer must promptly notify the CSE agency and/or the sender by returning this form to the address listed in the Contact Information below:

- This person has never worked for this employer nor received periodic income.
- This person no longer works for this employer nor receives periodic income.

Please provide the following information for the employee/obligor:

Termination date: \_\_\_\_\_ Last known phone number: \_\_\_\_\_

Last known address: \_\_\_\_\_  
\_\_\_\_\_

Final payment date to SDU/ Tribal Payee: \_\_\_\_\_ Final payment amount: \_\_\_\_\_

New employer's name: \_\_\_\_\_

New employer's address: \_\_\_\_\_  
\_\_\_\_\_

**CONTACT INFORMATION:**

**To Employer/Income Withholder:** If you have any questions, contact \_\_\_\_\_ (Issuer name)  
by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

Send termination/income status notice and other correspondence to: \_\_\_\_\_  
\_\_\_\_\_ (Issuer address).

**To Employee/Obligor:** If the employee/obligor has questions, contact \_\_\_\_\_ (Issuer name)  
by phone at \_\_\_\_\_, by fax at \_\_\_\_\_, by email or website at \_\_\_\_\_.

IMPORTANT: The person completing this form is advised that the information may be shared with the employee/obligor.

## List of Addresses for the Clerk of District Court Offices

**First Judicial District,  
Laramie County**

Clerk of District Court  
P.O. Box 787  
Cheyenne, Wyoming 82003  
(307) 633-4270

**Second Judicial District,  
Albany County**

Clerk of District Court  
P.O. Box 1106  
Laramie, Wyoming 82070  
(307) 721-2508

**Second Judicial District,  
Carbon County**

Clerk of District Court  
P.O. Box 67  
Rawlins, Wyoming 82301  
(307) 328-2628

**Third Judicial District,  
Lincoln County**

Clerk of District Court  
925 Sage Avenue  
Kemmerer, Wyoming 83101  
(307) 877-3320

**Third Judicial District,  
Sweetwater County**

Clerk of District Court  
P.O. Box 430  
Green River, WY 82935  
(307) 872-6448

**Third Judicial District,  
Uinta County**

Clerk of District Court  
P.O. Box 1906  
Evanston, Wyoming 82931  
(307) 783-0456

**Fourth Judicial District,  
Johnson County**

Clerk of District Court  
620 W. Fetterman, Ste. 208  
Buffalo, Wyoming 82834  
(307) 684-7271

**Fourth Judicial District,  
Sheridan County**

Clerk of District Court  
224 S. Main Street, Suite B11  
Sheridan, Wyoming 82801  
(307) 674-2960

**Fifth Judicial District, Big  
Horn County**

Clerk of District Court  
P.O. Box 670  
Basin, Wyoming 82410-0670  
(307) 568-2381

**Fifth Judicial District, Hot  
Springs County**

Clerk of District Court  
415 Arapahoe  
Thermopolis, Wyoming  
82443  
(307) 864-3323

**Fifth Judicial District, Park  
County**

Clerk of Court  
P.O. Box 1960  
Cody, Wyoming 82414-1960  
(307) 527-8690

**Fifth Judicial District,  
Washakie County**

Clerk of District Court  
P.O. Box 862  
Worland, Wyoming 82401  
(307) 347-4821

**Sixth Judicial District,  
Campbell County**

Clerk of District Court  
P.O. Box 817  
Gillette, Wyoming 82717  
(307) 682-3424

**Sixth Judicial District,  
Crook County**

Clerk of District Court  
P.O. Box 406  
Sundance, Wyoming 82729  
(307) 283-2523

**Sixth Judicial District,  
Weston County**

Clerk of District Court  
1 West Main  
Newcastle, Wyoming 82701  
(307) 746-4778

**Seventh Judicial District,  
Natrona County**

Clerk of District Court  
115 N. Center St., Suite 100  
Casper, Wyoming 82601  
(307) 235-9243

**Eight Judicial District,  
Converse County**

Clerk of District Court  
107 North 5th St  
Douglas, Wyoming 82633  
(307) 358-3165

**Eight Judicial District,  
Goshen County**

Clerk of District Court  
P.O. box 818  
Torrington, Wyoming  
82240-0818  
(307) 532-2155

**Eight Judicial District,  
Niobrara County**

Clerk of District Court  
P.O. Box 1318  
Lusk, Wyoming 82225  
(307) 334-2736

**Eight Judicial District,  
Platte County**

Clerk of District Court  
P.O. Box 158  
Wheatland, Wyoming 82201  
(307) 322-3857

**Ninth Judicial District,  
Fremont County**

Clerk of District Court  
P.O. Box 370  
Lander, Wyoming 82520  
(307) 332-1134

## List of Addresses for the Clerk of District Court Offices

**Ninth Judicial District,  
Sublette County**  
Clerk of District Court  
P.O. Box 764  
Pinedale, Wyoming 82941  
(307) 367-4376

**Ninth Judicial District,  
Teton County**  
Clerk of District Court  
P.O. Box 4460  
Jackson, Wyoming 83001  
(307) 733-2533