

WYOMING RULES GOVERNING ACCESS TO CASE RECORDS

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Rule 1. Purposes and Scope.

(a) *Purposes*. – These rules govern access to, and confidentiality of, Case Records.

(b) *Scope*. — These rules apply to all Case Records, regardless of the physical form of the Case Record, the method of recording the information in the Case Record, or the method of storing the information in the Case Record. These rules do not authorize or permit access to Administrative Records or judicial work product.

(c) *Consolidation of Statutory Restrictions*. — These rules compile and centralize existing statutory Case Record access restrictions and confidentiality protections, without introducing new access limitations. Their aim is to facilitate easy reference to the confidentiality requirements dispersed throughout statute.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 2. Definitions.

(a) The following definitions shall apply:

(1) “Access Level” means the level of access an Access User Group is afforded to a Case Record. The available Access Levels are:

(A) “Full Access” or “Fully Accessible” means that the designated Access User Group has complete access to the designated Case Records.

(B) “Limited Access” means that the designated Access User Group has access to the designated Case Records, but that access is limited in some way.

(C) “No Access” means that the designated Access User Group has no access to the designated Case Records, except by court order.

(D) “No Access if Requested” means that the designated Access User Group has no access to the designated Case Record if denial of access is requested by a party to the case as set forth in state statute or court rule.

(E) “Expunged by Operation of Law” means that the designated Access User Group has no access to the designated Case Record because the designated Case Record has been expunged by operation of law.

(2) “Access Security Matrix” means the most current matrix adopted and published by the Wyoming Supreme Court assigning Access Levels to Access User Groups to the Case Record.

(3) “Access User Group” means the group of persons sharing an Access Level. The available Access User Groups are:

(A) “Judge” which includes justices, judges, commissioners, and magistrates of the supreme, district, chancery, and circuit courts, including designated chambers’ staff.

(B) “Custodian” which includes the administrative authority responsible for the control, management, and release of the official record of the court and includes:

- (i) The State Court Administrator and its designated staff;
- (ii) The Supreme Court Clerk and its designated staff;
- (iii) The District Court Clerks and their designated staff;
- (iv) The Chancery Court Clerk and its designated staff; and
- (v) The Chief Circuit Court Clerks and their designated staff.

(C) “Filing Party” means the party or parties responsible for, and who physically filed a Case Record.

(D) “Non-Filing Party” means a party or parties to a case who did not file the Case Record.

(E) “Agency” means any governmental agency provided access to Case Records by state statute, court rule, or court order.

(F) “Authorized Interested Person” means persons who are not a party to a case but who have an interest in the case, and who are given access to Case Records by state statute, court rule, or court order.

(G) “Public” means any person, business, non-profit entity, organization, association, government agency (except as Agency is defined above), media organization, or other entities that access Case Records.

(4) “Administrative Record” means any document or information that pertains to the management, supervision, or administration of the court which does not become part of the Case Record.

(5) “Bulk Distribution” means the distribution of all, or a significant subset, of the information in Case Records, as is and without modification or compilation.

(6) “Business Day” means Monday through Friday 8:00 a.m. to 5:00 p.m. Mountain Time, excluding official state holiday closures or other court closures.

(7) “Case Record” means any document, action, or information that is collected, received, or maintained by a court or clerk of court connected to a judicial proceeding. It shall include the index, calendar, docket, register of actions, record of proceedings, orders, decrees, judgments, and minute orders. Case Records shall be entered into and collected in the case management system. Case Record does not include Administrative Records, documents that have been disposed of under retention schedules, or any judicial or judicial staff work product, notes, and drafts.

(8) “Case Record” includes the following records:

(A) “Archived Case Record” which includes any Case Record stored at the Wyoming State Archives in paper, electronic, microfiche, or other form and that is not otherwise available to the Custodian.

(B) “Electronic Case Record” which includes any Case Record recorded in a form that only a computer or other technological device can process, irrespective of whether the Case Record also exists in physical form.

(C) “Paper Case Record” which includes any Case Record recorded in paper form or other tangible form, regardless of whether it also exists in electronic form.

(9) “Compiled Information” means all information derived from the selection, aggregation, or reformulation by the court of some of the information from more than one individual Case Record.

(10) “Electronic Filing” or “eFiling” means the process and task of filing with the clerk’s office using the official electronic filing system.

(11) “Means of Access” means the method by which the Public obtains information in a Case Record. The available Means of Access are:

(A) “Archive Access” which includes obtaining or inspecting Archived Case Records retrieved from the Wyoming State Archives by the Custodian in the court where the Case Records were located before archiving.

(B) “Physical Access” means obtaining or inspecting copies of existing Paper Case Records from the Custodian in the court where the current Case Records are located.

(C) “Terminal Access” means obtaining or inspecting Case Records from a display terminal located at a courthouse.

(D) “Remote Access” means obtaining or inspecting Electronic Case Records without the need to physically visit a court facility.

(12) “Physical Exhibit” means non-documentary but non-sensitive exhibits such as clothing, samples of merchandise, and other tangible objects.

(13) “Sensitive and Bulky Exhibits” means sensitive exhibits such as money, drugs, child pornography, and firearms and bulky exhibits such as oversized charts and enlarged pictures.

(14) “Standard Exhibit” means documents, photographs, and video or other electronically stored data on a disk or storage device and does not include Sensitive and Bulky Exhibits.

(15) “Traditional Filing” means filing with the clerk’s office in paper or other tangible form.

(16) “Vendor” means any non-governmental provider of a court information technology system.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 3. Access to Case Records.

(a) Unless the Access Level is restricted or limited under Rules 4, 5, 7, or 13 below, all Case Records are Fully Accessible to all Access User Groups.

(b) Access to Administrative Records is not addressed by nor governed by these rules.

(c) No Custodian may restrict access nor allow greater access than provided under these rules or as otherwise provided by law.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 4. Restricted Access to Case Records.

(a) The Wyoming Supreme Court shall maintain the *Access Security Matrix* and publish it on the Wyoming Judicial Branch website.

(b) The restrictions identified in the *Access Security Matrix* shall apply to Archived, Electronic, and Paper Case Records.

(c) Case Records excluded or restricted from Full Access under federal or state statute but not addressed in the *Access Security Matrix* shall be excluded or restricted from Full Access in accordance with such laws.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 5. Requests to Restrict Access to Case Records.

(a) A court with jurisdiction over a Case Record may, through an order, restrict access to the record for an Access User Group if it determines that such restriction is required by these rules.

(b) A motion to restrict access to a Case Record may be made by any party to a case, any individual or entity about whom information is present in the Case Record, or by the court on its own motion. The motion must be filed in the court having jurisdiction over the record.

(c) The movant shall give notice to all parties to the case except as prohibited by law. The court may require notice be given by the movant or another party to any individual or entity who is the subject of the information contained in the Case Record at issue.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 6. Requests to Access Restricted Case Records.

(a) A Case Record that is restricted or excluded from access under these rules may be made accessible by order of a court having jurisdiction over the record when the court finds:

(1) The Custodian mistakenly excluded the Case Record from access under these rules;

(2) Any Party whose interests are intended to be protected from the restriction have intentionally waived confidentiality where permitted by law; or

(3) Extraordinary circumstances require deviation from the restriction on disclosure in order to serve the public interest without creating harm to those intended to be protected by the restriction.

(b) motion to request access to a Case Record may be made by any party to a case, any member of the Public, or by the court on its own motion. The motion shall be filed in the court having jurisdiction over the record.

(c) The movant shall give notice to all parties to the case except as prohibited by law. The court may require the movant to give notice of the motion to any individual or entity who is the subject of the information contained in the Case Record at issue.

(d) The movant has the burden of establishing by clear and convincing evidence that access is appropriate under one of the justifications listed by Rule 6(a).

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 7. Redactions. [Effective until November 1, 2025]

(a) The responsibility for redacting personal data identifiers rests solely with counsel and the persons filing the documents with the court.

(b) For all documents filed, unless otherwise ordered by the court, the parties shall make redactions to personal data identifiers as follows:

(1) *Social Security Numbers.* – If an individual’s social security is relevant and may not be fully redacted, redact all but the last 4 digits of that number;

(2) *Names of Minor Children.* – If the role of a minor child must be included, only use the initials of that child. This does not include cases where the minor is a party to the case, unless the statutes otherwise require;

(3) *Dates of Birth.* – If an individual’s date of birth must be included, redact all but the year of birth;

(4) *Financial Account Numbers.* – If a financial account number is relevant and may not be fully redacted, redact all but the last 4 digits of such numbers;

(5) *Victim Addresses.* – In criminal cases, redact the address of the victim except for the victim’s county and state of residence; and

(6) *Other identifiers.* – The filer shall redact all additional information as required by the Access Security Matrix.

(c) The above redaction requirements do not apply to the following:

(1) Documents already made confidential by statute, administrative rule, or court rule;

(2) The record of an administrative agency or court proceeding if that record was not subject to the redaction requirement when originally made;

(3) Citations; and

(4) Audio digital recordings.

(d) The court may order a document to be filed under seal without redaction. The court may later order that the document be unsealed or that a redacted version of the document be filed as a public record.

(e) Each circuit court in the State of Wyoming shall enter an order establishing policies and procedures governing redaction and access to court files and proceedings in cases that involve felony charges brought under Wyoming Statutes Title 6, Chapter 2, Article 3. The order adopted by each court shall be in the form of the order attached hereto as Appendix A.

(f) A party filing a redacted filing shall also file an unredacted copy under seal in those cases where the entire personal data identifier listed in Rule 7(a) is required (e.g., charging documents). The unredacted copy filed under seal shall be part of the confidential file. If the redacted and non-redacted documents are not offered for filing contemporaneously, the missing document must be filed or postmarked within one Business Day of the date of original filing.

(1) In civil cases including divorce proceedings, custody proceedings and other matters necessarily involving information subject to redaction, a party is not required to file nonredacted duplicate pleadings so long as the unredacted identifying information is part of some other confidential file.

(g) In those cases made confidential by statute, administrative rule, or court rule, it is not necessary to file redacted transcripts. In other cases, the responsibility for preparing a redacted copy of the official court transcripts rests solely with the parties and their counsel. The court, clerk, and court reporter/transcriber shall not review the transcript for compliance with these

rules. Counsel and parties shall review and, if necessary, file redacted transcripts in accordance with the following procedures and requirements.¹

(1) Once a transcript prepared pursuant to Wyo. Stat. Ann. §§ 5-3-401 to 412 is delivered to the clerk's office for filing, and the court reporter/transcriber has given written notice by email, the electronic filing system, or traditional means to the parties that the transcript is completed, the attorneys in the case (or, where there is a self-represented party, the party) are responsible for reviewing it for all personal data identifiers required by law and these rules to be redacted. Each party or counsel shall give prompt written notice of changes of address, telephone number or email address, if any, to the court reporter and other parties.

(2) Within 11 calendar days of the delivery by the court reporter/transcriber of the official transcript to the clerk's office, or longer if the court orders, each party must inform the court reporter, by filing a Notice of Intent to Redact with the clerk, of his or her intent to direct the redaction of personal identifiers from the transcript of the court proceeding. A party is only allowed to request redaction of the personal data identifiers specified in Rule 7(a) herein without further order of the court. If no such notice is filed within the allotted time, the clerk shall assume redaction of the personal data identifiers from the transcript is not necessary, and the record completion process shall proceed without further delay.

(3) Within 21 calendar days of the transcript's filing with the clerk, or longer if the court orders, an attorney of record or self-represented party, who has previously filed a Notice of Intent to Redact, must file a Confidential Redaction Request. (See Appendix B to these rules). A copy of this request must also be submitted simultaneously to the court reporter/transcriber. The request shall include the title of the transcript, the date it was filed, the case number and the items to be redacted, referencing them by page and line number and how they are to be redacted. For example, if a party wanted to redact the Social Security Number 123-45-6789 appearing on page 12, line 9 of the transcript, the Confidential Redaction Request would read: page 12, line 9: Social Security Number 123-45-6789 should be redacted to read xxx-xx-6789.

(4) When a Confidential Redaction Request is filed, the court reporter/transcriber must within 31 calendar days from the filing of the transcript with the clerk of court, or longer if the court orders, perform the requested redactions and file a redacted version of the transcript with the clerk of court. The original unredacted transcript shall be retained by the clerk of court in the confidential file. The unredacted transcript may be withdrawn from the office of the clerk of the trial court without an order of that court by pro se parties and by appellate counsel of record. The unredacted transcript shall also be available for transmission to the appellate court.

(5) For all civil transcripts and for all criminal trial transcripts when the case is appealed, court reporters of the district courts and chancery court are required to provide either a key-word index or a PDF electronic file for all parties to assist in redaction efforts. Upon request, court reporters of the district courts shall provide either a key-word index or a PDF electronic file for other criminal transcripts.

(6) In criminal cases, the prosecutor shall notify the court reporter of any information subject to redaction when that information becomes available. Counsel and the parties have a continuing obligation to inform the court

¹In providing notice under this rule, the clerk may use the model forms in Appendix I of the Suggested Best Practices for Wyoming Official Court Reporters, available on the Wyoming Professional Court Reporter Association website.

reporter of information subject to redaction throughout the pendency of the case.

(7) Court reporters shall redact information using the black-out method or other method that retains the same line and page numbers as the unredacted transcript.

(8) In criminal cases, the prosecutor shall be responsible for ensuring redactions are requested for all mandatory transcripts.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 7. Redactions. [Effective November 1, 2025]

(a) The responsibility for redacting personal data identifiers rests solely with counsel and the persons filing the documents with the court.

(b) For all documents filed, unless otherwise ordered by the court, the parties shall make redactions to personal data identifiers as follows:

(1) *Social Security Numbers.* – If an individual’s social security is relevant and may not be fully redacted, redact all but the last 4 digits of that number;

(2) *Names of Minor Children.* – If the role of a minor child must be included, only use the initials of that child. This does not include cases where the minor is a party to the case, unless the statutes otherwise require;

(3) *Dates of Birth.* – If an individual’s date of birth must be included, redact all but the year of birth;

(4) *Financial Account Numbers.* – If a financial account number is relevant and may not be fully redacted, redact all but the last 4 digits of such numbers;

(5) *Victim Addresses.* – In criminal cases, redact the address of the victim except for the victim’s county and state of residence; and

(6) *Other identifiers.* – The filer shall redact all additional information as required by the Access Security Matrix.

(c) The above redaction requirements do not apply to the following:

(1) Documents already made confidential by statute, administrative rule, or court rule;

(2) The record of an administrative agency or court proceeding if that record was not subject to the redaction requirement when originally made;

(3) Citations; and

(4) Audio digital recordings.

(d) The court may order a document to be filed under seal without redaction. The court may later order that the document be unsealed or that a redacted version of the document be filed as a public record.

(e) Each circuit court in the State of Wyoming shall enter an order establishing policies and procedures governing redaction and access to court files and proceedings in cases that involve felony charges brought under Wyoming Statutes Title 6, Chapter 2, Article 3. The order adopted by each court shall be in the form of the order attached hereto as Appendix A.

(f) A party filing a redacted filing shall also file an unredacted copy under seal in those cases where the entire personal data identifier listed in Rule 7(a) is required (e.g., charging documents). The unredacted copy filed under seal shall be part of the confidential file. If the redacted and non-redacted documents are not offered for filing contemporaneously, the missing document must be eFiled, filed, or postmarked within one Business Day of the date of original filing. When eFiling an unredacted document, the Filing Party must designate the unredacted filing as restricted by typing in the document title

field of the electronic filing system, “Restricted – Unredacted.” The Filing Party must also indicate in the “Note to Clerk” field in the electronic filing system, that the unredacted filing is restricted from public view by typing a note to the clerk, i.e., “Restricted.”

(1) In civil cases including divorce proceedings, custody proceedings and other matters necessarily involving information subject to redaction, a party is not required to file nonredacted duplicate pleadings so long as the unredacted identifying information is part of some other confidential file.

(g) In those cases made confidential by statute, administrative rule, or court rule, it is not necessary to file redacted transcripts. In other cases, the responsibility for preparing a redacted copy of the official court transcripts rests solely with the parties and their counsel. The court, clerk, and court reporter/transcriber shall not review the transcript for compliance with these rules. Counsel and parties shall review and, if necessary, file redacted transcripts in accordance with the following procedures and requirements.¹

(1) Once a transcript prepared pursuant to Wyo. Stat. Ann. §§ 5-3-401 to 412 is delivered to the clerk’s office for filing, and the court reporter/transcriber has given written notice by email, the electronic filing system, or traditional means to the parties that the transcript is completed, the attorneys in the case (or, where there is a self-represented party, the party) are responsible for reviewing it for all personal data identifiers required by law and these rules to be redacted. Each party or counsel shall give prompt written notice of changes of address, telephone number or email address, if any, to the court reporter and other parties.

(2) Within 11 calendar days of the delivery by the court reporter/transcriber of the official transcript to the clerk’s office, or longer if the court orders, each party must inform the court reporter, by filing a Notice of Intent to Redact with the clerk, of his or her intent to direct the redaction of personal identifiers from the transcript of the court proceeding. A party is only allowed to request redaction of the personal data identifiers specified in Rule 7(a) herein without further order of the court. If no such notice is filed within the allotted time, the clerk shall assume redaction of the personal data identifiers from the transcript is not necessary, and the record completion process shall proceed without further delay.

(3) Within 21 calendar days of the transcript’s filing with the clerk, or longer if the court orders, an attorney of record or self-represented party, who has previously filed a Notice of Intent to Redact, must file a Confidential Redaction Request. (See Appendix B to these rules). A copy of this request must also be submitted simultaneously to the court reporter/transcriber. The request shall include the title of the transcript, the date it was filed, the case number and the items to be redacted, referencing them by page and line number and how they are to be redacted. For example, if a party wanted to redact the Social Security Number 123-45-6789 appearing on page 12, line 9 of the transcript, the Confidential Redaction Request would read: page 12, line 9: Social Security Number 123-45-6789 should be redacted to read xxx-xx-6789.

(4) When a Confidential Redaction Request is filed, the court reporter/transcriber must within 31 calendar days from the filing of the transcript with the clerk of court, or longer if the court orders, perform the requested redactions and file a redacted version of the transcript with the clerk of court. The original unredacted transcript shall be retained by the clerk of

¹In providing notice under this rule, the clerk may use the model forms in Appendix I of the Suggested Best Practices for Wyoming Official Court Reporters, available on the Wyoming Professional Court Reporter Association website.

court in the confidential file. The unredacted transcript may be withdrawn from the office of the clerk of the trial court without an order of that court by pro se parties and by appellate counsel of record. The unredacted transcript shall also be available for transmission to the appellate court.

(5) For all civil transcripts and for all criminal trial transcripts when the case is appealed, court reporters of the district courts and chancery court are required to provide either a key-word index or a PDF electronic file for all parties to assist in redaction efforts. Upon request, court reporters of the district courts shall provide either a key-word index or a PDF electronic file for other criminal transcripts.

(6) In criminal cases, the prosecutor shall notify the court reporter of any information subject to redaction when that information becomes available. Counsel and the parties have a continuing obligation to inform the court reporter of information subject to redaction throughout the pendency of the case.

(7) Court reporters shall redact information using the black-out method or other method that retains the same line and page numbers as the unredacted transcript.

(8) In criminal cases, the prosecutor shall be responsible for ensuring redactions are requested for all mandatory transcripts.

History:

Adopted December 7, 2023, effective Febru-

ary 5, 2024; Amended August 5, 2025, effective November 1, 2025.

Rule 8. Filing Case Records Restricted from Full Access. [Effective until November 1, 2025]

(a) The filer of a Case Record shall ascertain whether the record is restricted from access under these rules. If the Case Record is restricted from Full Access to any Access User Group, the filer shall include in the caption, prominently displayed, the label “Restricted:” followed by a specific citation to each applicable authority preventing Full Access to any Access User Group. If required by these rules to file both a redacted and unredacted version of the filing, the filer shall include this restricted label in both versions.

(b) If eFiling a Case Record restricted from Full Access, the filer shall select the access designation in the eFiling system that most closely corresponds to the Access Level defined by the *Access Security Matrix*. And in the eFiling system’s “Note to Clerk” field, the eFiler shall insert the label “Restricted:” followed by a specific citation to each applicable authority preventing Full Access to any Access User Group. Making this notation does not excuse the filer from including this same language in the caption.

(c) When eFiling both a redacted and unredacted version of a Case Record, the filer shall designate the redacted version as “public” and the unredacted version “sealed” in the electronic filing system unless the Access Security Matrix calls for a more or less restrictive Access Level for the specific Case Record type.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 8. Filing Case Records Restricted from Full Access. [Effective November 1, 2025]

(a) The filer of a Case Record shall ascertain whether the record is restricted from access under these rules. If the Case Record is restricted from Full Access

to any Access User Group, the filer shall include in the title of the document, prominently displayed, the label “Restricted:” followed by a specific citation to each applicable authority preventing Full Access to any Access User Group. If required by these rules to file both a redacted and unredacted version of the filing, the filer shall include this restricted label in both versions.

(b) If eFiling a Case Record restricted from Full Access, the filer shall designate the document as confidential by typing in the document title field of the electronic filing system, “Restricted” along with the title of the document. And in the eFiling system’s “Note to Clerk” field, the eFiler shall insert the label “Restricted:” followed by a specific citation to each applicable authority preventing Full Access to any Access User Group. Making this notation does not excuse the filer from including this same language in the title.

History:

Adopted December 7, 2023, effective Febru-

ary 5, 2024; Amended August 5, 2025, effective November 1, 2025.

Rule 9. Role of Clerk.

(a) Though not required to review filings for compliance with these rules, the clerk of court may take the following actions to protect recognized privacy rights and confidentiality interests.

(1) Without regard to W.S. § 5-7-103, the clerk may refuse to file Traditional Filings that are obviously not in compliance with these rules.

(2) eFilings which obviously fail to comply with these rules may be removed from the record by the clerk within three Business Days of filing. If the clerk removes an eFiling, the clerk shall enter a docket entry that reads, “Disregard. Filing removed.” The clerk shall notify all parties when a filing is removed for failure to obviously comply with these rules. At the discretion of the Judge, filings that are removed from the record and refiled in compliance with these rules may relate back to the date the removed filing was first filed.

(3) The clerk may change the Access Level designation of filings submitted electronically or traditionally with the obviously incorrect Access Level designation. The clerk does not need the filer’s preapproval but should provide the filer with notice of the change. A filer who disagrees with a clerk’s change in Access Level designation may file a motion under Rule 5 or 6 of these rules.

(4) When these rules require the filer to file both a redacted and unredacted version of a Case Record, but the filer merely files an unredacted version, the clerk may treat the unredacted filing as confidential.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 10. Means of Access.

(a) Case Records may be accessed in any of the following methods:

(1) *Archive Access.* – Access to Archived Case Records is gained by request to the Custodian of the court having jurisdiction over the record. These requests for Archive Access may be oral or written and shall clearly identify each record requested so the Custodian can retrieve the Case Record from Wyoming State Archives without extensive research. These requests shall be made during the court’s normal working hours and at a time that does not unreasonably interfere with the court’s other business. The Custodian shall respond to the request within a reasonable time by requesting the Archived

Case Records from Wyoming State Archives and providing copies of the retrieved records, electronically transmitting the retrieved records, or making the retrieved records available for inspection, if the requester is entitled to access.

(2) *Physical Access.* – Access to Paper Case Records is gained by request to the Custodian of the court having jurisdiction over the record. These requests for Physical Access may be oral or written and shall clearly identify each record requested so the Custodian can locate the record without extensive research. These requests shall be made during the court's normal working hours and at a time that does not unreasonably interfere with the court's other business. The Custodian shall respond to the request within a reasonable time by locating the Paper Case Records and making them available for inspection, if the requester is entitled to access.

(3) *Terminal Access.* – Access to Electronic Case Records is provided for individual cases at display terminals located in courthouses as determined by the State Court Administrator. The terminals shall provide access to Case Records of all courts irrespective of the venue of the proceeding.

(4) *Remote Access.* – When authorized by the Wyoming Judicial Council, a Vendor contracted to provide Remote Access may provide Remote Access to Case Records on its web-based platform.

(b) Physical files may be removed from the clerk's office only as allowed by U.R.D.C. 303. Otherwise, a Custodian who grants a request to inspect records shall ensure that the inspection area is within full view of court personnel and that the person inspecting the records does not leave the court facility until the records are returned and examined for completeness.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 11. Time of Access.

(a) Case Records are available at the following times:

(1) *Archive Access.* – If a Custodian retrieves Archived Case Records from Wyoming State Archives, the Custodian shall provide access to these records during the court's normal working hours and at a time that does not unreasonably interfere with the court's other business.

(2) *Physical Access.* – If a Custodian grants a request for Physical Access, the Custodian shall provide Physical Access during the court's normal working hours and at a time that does not unreasonably interfere with the court's other business.

(3) *Terminal Access.* – Access to Case Records via public access terminals shall be available during the court's normal working hours and at a time that does not unreasonably interfere with the court's other business. Terminal Access is subject to scheduled downtimes for system maintenance and unforeseen technical issues.

(4) *Remote Access.* – When authorized by the Supreme Court, a Vendor contracted to provide Remote Access shall provide such access at all times, subject to publicly scheduled downtimes for system maintenance, and outages for unforeseen technical issues.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 12. Fees for Access.

(a) Case Records are available for the following fees:

(1) *Archive Access*. – There is no fee to inspect Archived Case Records retrieved by the Custodian at the appropriate courthouse during normal working hours. Though there is no fee to inspect records at the courthouse, the Custodian shall charge the applicable fees set by rule for copies and electronic transmission of Case Records. These fees shall be paid in advance of production or transmission.

(2) *Physical Access*. – There is no fee to inspect Case Records at the appropriate courthouse during normal working hours. Though there is no fee to inspect records at the courthouse, the Custodian shall charge the applicable fees set by rule for copies and electronic transmission of Case Records. These fees shall be paid in advance of production or transmission.

(3) *Terminal Access*. – There is no fee to view Case Records via public access terminals. Though there is no fee to view records via public access terminals, the Custodian shall charge the applicable fees set by rule for copies and electronic transmission of Case Records. These fees shall be paid in advance of production or transmission.

(4) *Remote Access*. – When authorized by the Wyoming Judicial Council, a Vendor contracted to provide Remote Access may charge fees for Remote Access at rates not exceeding those fixed by contract between the Vendor and Wyoming Judicial Council.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 13. Access to Admitted Exhibits.

(a) Except where access is restricted by these rules, Standard Exhibits admitted into evidence in a proceeding that is open to the Public shall be available for public inspection under such conditions as the presiding Judge may deem appropriate to safeguard the security of the evidence and integrity of the proceeding.

(b) A requester seeking access to a Standard Exhibit admitted into evidence should direct the request in writing to the chambers of the Judge who is assigned to the matter, identifying the matter as to which materials are sought, and the specific admitted Standard Exhibit the requester is seeking. The presiding Judge shall direct judicial staff to make the Standard Exhibit available for public inspection under such conditions as the Judge sets to protect the security of the evidence and integrity of the proceeding.

(c) The scope of this rule is as follows:

(1) Standard Exhibits admitted into evidence in a proceeding that is open to the Public are available for public inspection as provided by this rule.

(2) Physical Exhibits admitted at trial or hearing are not available under this rule. But copies of photographs of Physical Exhibits submitted under U.R.D.C. 903 in an open proceeding are available under this rule.

(3) Sensitive and Bulky Exhibits are not available under these rules. But copies of photographs of Sensitive and Bulky Exhibits submitted under U.R.D.C. 903 in an open proceeding are available under this rule.

(4) Admitted exhibits returned or destroyed by the court under U.R.D.C. 903 are not within the court's custody and are not available under these rules.

(5) Unadmitted trial exhibits are not within the court's custody and are not available under these rules.

(6) Exhibits that are submitted in support of or in opposition to a motion or pleading and that are not admitted at trial or hearing are accessible as provided by the other provisions of these rules.

(d) Nothing in this rule shall limit access to exhibits for use in subsequent proceedings.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 14. Bulk Distribution.

Requests for Bulk Distribution are governed by the *Wyoming Rules Governing Access to Court Data*.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 15. Compiled Information.

Requests for Compiled Information are governed by the *Wyoming Rules Governing Access to Court Data*.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 16. Failure to comply.

When an attorney fails to comply with these rules, the court having jurisdiction over the record may impose monetary or other sanctions against the attorney.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 17. Local Rules.

A local court may not adopt more restrictive rules or otherwise restrict access beyond that provided for in these rules, nor provide greater access than that provided for in these rules.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 18. Commission on Judicial Conduct and Ethics.

The Commission on Judicial Conduct and Ethics shall have Full Access to Case Records relevant to a confidential investigation or proceeding conducted under Wyo. Const. Art. 5, § 6 and the *Rules Governing the Commission on Judicial Conduct and Ethics*.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 19. Title.

These rules shall be known as the *Wyoming Rules Governing Access to Case Records* and may be cited as W.R.Acc.CaseRec.

History:

Adopted December 7, 2023, effective February 5, 2024.

Rule 20. Effective Date.

These rules take effect February 5, 2024.

History:

Adopted December 7, 2023, effective February 5, 2024.

APPENDIX OF FORMS

APPENDIX A.

In the Circuit Court of the _____ Judicial District
_____ County, Wyoming

STATE OF WYOMING,)
COUNTY OF _____) ss
)

**UNIFORM ORDER REGARDING FILING
AND PROCESSING OF SEXUAL ASSAULT CASES**

WHEREAS, the Wyoming Supreme Court has had occasion to address the processes and procedures to be followed when felony sexual assault cases are initiated in the Circuit Courts of the State of Wyoming under Wyoming Statutes Title 6, Chapter 2, Article 3; and

WHEREAS the Conference of the Circuit Courts of the State of Wyoming passed a Resolution encouraging all Circuit Courts to adopt a written policy addressing the processes and procedures to be used in the filing of felony sexual assault cases under Wyoming Statutes Title 6, Chapter 2, Article 3 so as to ensure compliance with Wyoming Statute § 6-2-319; and

WHEREAS, the Circuit Courts are directed, by Rule 5.1 of the Rules Governing Redactions from Court Records, to establish a uniform written policy addressing the processes and procedures to be used in the filing of felony sexual assault cases under Wyoming Statutes Title 6, Chapter 2, Article 3;

IT IS THEREFORE ORDERED AND DECREED as follows:

1. The Court's "redacted" file and the proceedings on felony sexual assault cases shall remain open to the public.

2. Attorneys and officers filing documents in cases covered by this rule shall be responsible for providing redacted and un-redacted versions of those documents to the Court at the time of filing. The redacted filings shall reference the accused and the purported victim(s) by initials only. In addition, any other information that might identify the accused or the purported victim(s) shall also be redacted. The Clerk of Court shall examine the redacted documents to ensure compliance.

3. The name of the accused may be released to aid in the arrest of the accused.

4. If any party feels there is a need for proceedings to be closed to the public in a particular felony sexual assault case, a hearing on that motion shall be held in open court so as to allow the public to attend and to be heard on the issue of the proposed closed proceedings. No hearings shall be closed unless and until the Court makes a finding that a compelling interest exists that would justify closed proceedings.

5. If a member of the public asks a Circuit Court employee to provide access to a case file involving a particular defendant, the Circuit Court employee shall ask the requesting party to also identify the nature of the case sought. If the requesting party indicates that the case involves sexual assault and provides satisfactory identifying information, then the Circuit Court employee can provide the redacted file. This procedure is intended to prevent the Circuit Court employee from acknowledging the existence of felony sexual assault charges based solely on the name of the accused.

6. Cases involving felony sexual assault charges shall be marked "sealed" in the Court's docket management system until such time as the case is bound over to the District Court. This procedure is intended to ensure that the name of the accused does not appear on publicly accessed terminals until such time as the case has been bound over to the District Court.

Dated this ____ day of _____, ____.

Circuit Court Judge

APPENDIX B.

STATE OF WYOMING	)	IN THE _____ COURT
	) ss	
COUNTY OF _____	)	_____ JUDICIAL DISTRICT
 Plaintiff	)	
	)	
	)	
vs	)	Docket Number: _____
	)	
	)	
Defendant	)	

CONFIDENTIAL REDACTION REQUEST

Notice is hereby given that the undersigned party hereby files this request for redaction for the following transcript(s):

Date ***Type of Hearing Held***

The list of requested redactions is attached to this form.

DATED this ____ day of _____, 20__.

Attorney/Party

I certify that a copy of the foregoing was contemporaneously provided to

_____, the court reporter/transcriber, by the following means:

- ☐ Hand Delivery;
- ☐ Electronic means.

_____.
Attorney/Party