

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

Read these instructions carefully.

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

Before You Get Started

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

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

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

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

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

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

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

The top of the page on this Response.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

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

Next you will see the title of the Response. It is written between the two long bars on the page. The title tells the Court that this is a Response to a Motion about an Order of Protection. Use the check boxes to tell the Court what the other party asked for.

The Motion you received from the other party will have a title at the top telling you what the Motion is asking for. You will check the same box on your Response form.

Section 1 is for basic information.

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

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

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

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

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

Section 2 is about Modifying the Order of Protection.

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

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

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

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

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

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

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

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 3 or Section 4.

Section 3 is about Terminating the Order of Protection.

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

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

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

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

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 4.

Section 4 is about Extending the Order of Protection.

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

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

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

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

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 3.

Signature Section – Important!

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

Important Things You Need to Know

What do I do after I fill out the form?

You must file the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

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

How will I know what is happening with the case?

The Court will mail papers about your case to you. It is very important that you give the Clerk of Court your **current mailing address**. If you do not know if the Court has your current address, talk to someone at the Clerk’s office.

Will there be a hearing about the Motion and Response?

Maybe.

The judge might choose to schedule a hearing, or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

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

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

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

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

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

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

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

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

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

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