

INSTRUCTIONS FOR MOTION FOR CONTINUANCE IN WYOMING

Read these instructions carefully.

These Instructions can be used by a Petitioner **or** a Respondent. If you are not the Petitioner or the Respondent on a current Petition for Order of Protection, you cannot use this form.

Before You Get Started

This form will be used to ask the Court to reschedule a hearing (meeting) in your Order of Protection case. You can think of the word “continuance” like “delay”. The hearing will still happen, but you are asking for it to happen on a later day.

It is important to understand that this form is for rescheduling a hearing that has already been scheduled. **You cannot use this form to ask the Court for a hearing.**

The top of the page on this Motion for Continuance.

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 Petition or Ex Parte 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 Petition or Ex Parte Order of Protection. If you are listed as the Petitioner on the Petition, you are still the Petitioner. If you are listed as the Respondent on the Petition, you are still the Respondent.

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

Next you will see the title of the document. It is written between the two long bars on the page. The title tells the Court that this is a Motion for Continuance.

After the Title.

In the section after the title, you will mark the correct box to tell the Court whether you are the Petitioner or the Respondent.

In the next sentence, write the date that the hearing is currently scheduled for. That date will be stated clearly on a document you received from the Court. The document might be called **Notice Setting Hearing** or **Summons** or **Order to Appear**. Be sure to write the correct date on your form so the Court will know which hearing you want to reschedule.

Next, you will see a series of long blank lines. In these blank lines, write your reasons for asking the Court to reschedule the hearing. It is important to be calm and honest when writing your reasons. Give enough detail to help the Court understand why you are asking for a continuance.

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.

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?

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 my Motion?

Maybe.

The judge might choose to schedule a hearing (meeting), 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.

How will I know if the Court rescheduled the hearing?

If the Court decides to reschedule the hearing, the Clerk will send you a document with the new date on it. It will be called something like Order Resetting Hearing or Order Granting Continuance. Pay careful attention to all of the documents you receive from the

Court.

Important Note: If the Court sends you an Order Denying Motion for Continuance, that means the Court has decided not to reschedule the hearing. If that happens, you will be responsible for attending the hearing at the date and time it was originally scheduled for.

What will happen at the hearing?

The judge will allow both sides a chance to speak. If there are witnesses who can support what you want to tell the judge, you may take them with you to give testimony at the hearing. If you have evidence you want the judge to know about, you may take it to the hearing and present it to the judge.

What evidence can I use at the hearing?

Depending on what your hearing is about, your evidence might include photographs, videos, texts, or documents.

It is important to understand that you must bring your evidence in some form that the judge can keep and add to your file at the courthouse. If you are bringing medical records, make sure they are *copies* of the records you have. If you want to show the judge photographs or text messages, you will need to have them printed out on paper. You will not be able to just hold your phone up for the judge to look at. If you want to show the judge a video, you will need to have it saved on a flash-drive or some other sort of device that you can give to the judge. It is important to know that the Court might require you to bring your storage device to the Clerk before the day of your hearing. Discuss this with the Clerk of Circuit Court in advance if you plan to bring evidence on a flash-drive or other storage device.