

Instructions for Motion Forms

These forms are not generally required but they may be useful in certain cases.

If you need to request something particular from the Court or you need to respond to a request made by the other party, you can use **Motion Forms**. There are a variety of situations when you might use these forms, including if you are seeking temporary custody or if the other party has not completed the required financial affidavits. You can also use these forms if a default judgment has been entered against you and you have valid reasons to ask the Court to reconsider the default.

These forms are available on the Wyoming Judicial Branch website at www.wyocourts.gov/self-help-forms/.

Before you fill out the forms, read the instructions carefully.

Motions

Filing a Motion (also called “moving”) means asking the Court to do something specific in your case. The most common reasons to file a Motion in a divorce or custody case are:

- To ask the Court to give you temporary custody until a final decision on custody is made.
- To ask the Court to award you temporary financial support until a final decision on financial support is made.
- To ask the Court to order the other party to provide a Confidential Financial Affidavit and other required financial documents.

This is not a complete list. You can file a Motion to ask for other actions from the Court. It is important to understand that you cannot use a Motion instead of filing a different required document. For example, you cannot file a Motion in place of a Complaint, Petition, or Response.

If a Default Judgment has been entered against you (because you did not respond to a Complaint or Petition in time), you may choose to file a Motion to Set Aside Entry of Default. The Wyoming Judicial Branch website’s forms page has a separate form for this kind of Motion. The instructions are farther below.

Filing a Motion

1. Fill out the **Motion** form completely and honestly.
2. Fill out a **Request for Setting** form. This is how you will tell the Court how long you expect a hearing (meeting) about your Motion to last. You will also tell the Court what the hearing will be about.
 - If your Motion is about the other party's financial documents, you do not need a Request for Setting.
3. Fill out the top part (above the title) of an **Order Setting Hearing**. The Court will fill out the rest.
 - If your Motion is about the other party's financial documents, do not use an Order Setting Hearing. Instead, fill out the top part (above the title) of an **Order Requiring Completion of Confidential Financial Affidavits**.
4. Prepare envelopes. For each form you fill out, you will need two envelopes – one addressed to you and one addressed to the other party. Write the addresses out completely, including apartment numbers and zip codes. Put a stamp on each envelope.
5. Take the completed forms and prepared envelopes to the Clerk of District Court. The Clerk will file the Motion and the Request and will keep the Order for the Judge to complete later. The Clerk will use the envelopes to mail documents to you and the other party.

Filing a Motion to Set Aside Entry of Default

1. Fill out the **Motion to Set Aside Entry of Default** form completely and honestly. It is important to include any documents that support your request (for example, papers that show you were not able to respond before the deadline).
2. Fill out the top part (above the title) of an **Order on Motion to Set Aside Entry of Default**. The Court will fill out the rest.
3. Prepare envelopes. For each form you fill out, you will need two envelopes – one addressed to you and one addressed to the other party. Write the addresses out completely, including apartment numbers and zip codes. Put a stamp on each envelope.
4. Take the completed forms and prepared envelopes to the Clerk of District Court. The Clerk will file the Motion and will keep the Order for the Judge to complete later. The Clerk will use the envelopes to mail documents to you and the other party.

Filing a Response to a Motion

- Filing a Response is important. If the other party filed a Motion and you do not file a written Response, you may not be allowed to explain your side of things during a hearing (meeting) about the Motion. The Court may give the other party what they asked for without knowing what you think about it.
 - There will be deadlines for responding to a Motion. Usually, you have 20 days from the date the Motion was mailed or served to you. You must file your Response at least 3 days before a hearing on the Motion. (If a hearing is coming up soon, you may not have 20 days to respond. You must file your Response at least 3 days before the hearing even if 20 days have not passed since the Motion was filed.)
1. Fill out the **Response to Motion** form completely and honestly. It is important to include any documents that support your response.
 2. Prepare envelopes. For each form you fill out, you will need two envelopes – one addressed to you and one addressed to the other party. Write the addresses out completely, including apartment numbers and zip codes. Put a stamp on each envelope.
 3. Take the completed forms and prepared envelopes to the Clerk of District Court. The Clerk will file the Response. The Clerk will use the envelopes to mail documents to you and the other party.

Attend the Hearing – for any Motion or Response

If a hearing is scheduled, you must attend. It is important to arrive early and dress appropriately. Be prepared to present your arguments and your supporting evidence to the Judge.