

### Domestic Relations – Wyoming

Information required for initial Pleading for custody: WYO. STAT. ANN. § 20-5-305

<b>Divorce</b> WYO. STAT. ANN. §§ 20-2-101 through 20-2-20-2-406	<b>Paternity</b> WYO. STAT. ANN. §§ 14-2-401 through 14-2-907	<b>Guardianship</b> WYO. STAT. ANN. §§ 2-	<b>Adoption</b> WYO. STAT. ANN. §§ 1-22-101 through 1-22-117
<b>Decides:</b> <ol style="list-style-type: none"> <li>1. Divorce (void/voidable / “irreconcilable differences”)</li> <li>2. Property</li> <li>3. Debt</li> <li>4. Custody</li> <li>5. Support</li> </ol>	<b>Decides:</b> <ol style="list-style-type: none"> <li>1. Paternity<sup>^</sup></li> <li>2. Custody</li> <li>3. Support</li> </ol> <sup>^</sup> Presumption of paternity	<b>Decides:</b> <ol style="list-style-type: none"> <li>1. Legal rights to care custody and control of child</li> <li>2. Permanent (renewable every 6 months); or</li> <li>3. Temporary (up to 1 year)</li> </ol>	<b>Decides:</b> <ol style="list-style-type: none"> <li>1. Parentage by law</li> <li>2. Access to records (confidential intermediary) W.S. 1-22-201 through 1-22-203</li> </ol>
<b>Issues:</b> <ul style="list-style-type: none"> <li>-Divorce = <i>in rem</i>, no-fault; other issues require personal jurisdiction</li> <li>-Presumption of paternity in marriage (W.S. 14-2-504)</li> <li>-Property and Custody requires personal jurisdiction</li> <li>-Alimony/cost for prosecution (W.S. 20-2-111)</li> </ul>	<b>Issues:</b> <ul style="list-style-type: none"> <li>-Paternity</li> <li>-Requires personal jurisdiction (W.S. 14-2-804 / W.S. 20-4-142)</li> <li>-Disestablish Paternity</li> <li>-Limitations: 2 yrs./5 yrs. (W.S. 14-2-807; 14-2-809; 14-2-823(f)(ii))</li> <li>-Presumptions</li> <li>-Custody</li> <li>-Support – duty of support (W.S. 14-2-204; 14-1-201; 14-2-308)</li> <li>-Temporary support/costs for prosecution (W.S. 14-2-816)</li> </ul>	<b>Issues:</b> <ul style="list-style-type: none"> <li>-Legal guardian needed in Wyoming;</li> <li>-Parental consent</li> <li>-Parents presently unfit*</li> <li>*Indian Child Welfare Act 25 U.S.C. § 1901 through 1963</li> </ul>	<b>Issues:</b> <ul style="list-style-type: none"> <li>-With Consent (W.S. 1-22-109)</li> <li>-Without Consent* (W.S. 1-22-110)</li> <li>*Indian Child Welfare Act 25 U.S.C. § 1901 through 1963</li> </ul>
<ul style="list-style-type: none"> <li>-60 days residency requirement</li> <li>-UCCJEA “home state” for custody</li> <li>-UIFSA – registration of foreign orders</li> </ul>	<ul style="list-style-type: none"> <li>-Venue (W.S. 14-2-805)</li> <li>-Genetic Testing / disestablishment of paternity (W.S. 14-2-801 through 14-2-823)</li> </ul>		

(W.S. 20-4-139 through 20-4-197)	-UCCJEA “home state” for custody -UIFSA – registration of foreign orders (W.S. 20-4-139 through 20-4-197)		
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Definitions:

“**Acknowledged Father**” means a man who has established a father-child relationship under article 6 of this act.” W.S. 14-2-402(a)(i) (West 2007 and *cum. supp.* 2014).

“**Adjudicated Father**” means a man who has been adjudicated by a court of competent jurisdiction to be the father of a child.” W.S. 14-2-402(a)(ii) (West 2007 and *cum. supp.* 2014).

“**Alleged Father**” means a man who alleges himself to be, or is alleged to be, the genetic father or a possible genetic father of a child, but whose paternity has not been determined. The term does not include:

- (A) A presumed father;
- (B) A man whose parental rights have been terminated or declared not to exist; or
- (C) A male donor.

W.S. 14-2-402(a)(iii) (West 2007 and *cum. supp.* 2014).

“**Presumed father**” means a man who, by operation of law under W.S. 14-2-504 is recognized as the father of a child until that status is rebutted or confirmed in a judicial proceeding.” W.S. 14-2-402(a)(xv) (West 2007 and *cum. supp.* 2014).

“**Child**” means an individual of any age whose parentage may be determined under this act.” W.S. 14-22-101(a)(iv) (West 2007 and *cum. supp.* 2014); *see also* Wyo. Stat. Ann. § 14-2-402(a)(v).

“**Child**” means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual’s parent who is or is alleged to be the beneficiary of a support order directed to the parent.” W.S. 20-4-140(a)(i) (West 2007 and *cum. supp.* 2014).

“**Parent**” means the child’s father or mother whose parental rights have not been judicially terminated.” W.S. 1-22-101(a)(iii) (West 2007 and *cum. supp.* 2014).

“**Putative father**” means the alleged or reputed father of a child born out of wedlock, whether or not the paternity rights and obligations of the father have been judicially determined.” W.S. 1-22-101(a)(iv) (West 2007 and *cum. supp.* 2014).