

GUIDE TO UNDERSTANDING A SMALL CLAIMS JUDGMENT AND ORDER IN WYOMING

If you are the Plaintiff or the Defendant in a small claims case, you may have received a *Judgment and Order* after your hearing.

This guide can help answer some questions about the *Judgment and Order*.

Can I ask the judge or the clerk to explain things to me?

No.

The judge is not allowed to talk to you separately. If you try to contact the judge, the judge will not be allowed to respond to you.

Clerks are not allowed to give you legal advice or assistance.

The information in this guide might be helpful to you. Also, near the end of this guide, there is information about resources that might be able to assist you.

Are the Judgment and the Order two different things?

Yes.

The judgment means the things that the judge determined about your case. You can think of these as the judge's *conclusions* about your case. The order means the things that must happen because of what the judge determined. You can think of these as the judge's *instructions*.

If you received one document with the title ***Judgment and Order***, it contains all of that information – the conclusions *and* the instructions.

Do I have to do what the Judgment and Order says?

Yes.

This is a court order. Both the Defendant and the Plaintiff must abide by (follow) its instructions.

You might feel that the judge's decisions are unfair. Both parties have 30 days to appeal the Judgment and Order. You can start an appeal by filing a Notice of Appeal and paying the required fees at the **Circuit Court** where the Judgment and Order was issued.

What does it mean for a claim to be dismissed with prejudice or without prejudice?

If the Court dismissed the claim **without** prejudice that means the Plaintiff will be allowed to file a new Small Claims Affidavit about the same situation. The Plaintiff might or might not choose to do that.

If the Court dismissed the claim **with** prejudice that means the Plaintiff will not be allowed to file a new Small Claims Affidavit about the same situation.

What do the amounts in the chart mean?

- **Principal** means the original amount of money, without anything else added to it.

- **Interest** means how much money is owed so far because the debt has not been paid yet.
- **Attorney Fees** means how much money has been paid to a lawyer to get help with this matter. It is possible there are no Attorney Fees.
- **Filing Fees** means how much the Plaintiff paid the Court to file this case.
- **Service Fees** means how much was paid to have a Sheriff or Process Server formally give (serve) documents. It is possible there are no Service Fees.

How do I figure out how much money is owed including interest?

The Judgment and Order will likely tell you the start date and the rate at which interest accrues – that means how much money will be added to the total amount due, how quickly.

Here's an example of how to calculate the amount.

The Order says “post-judgment interest on the unpaid balance shall accrue at the rate of 10% per annum beginning on August 1, 2024.”

This means that, once per year, beginning on August 1, 2024, you add 10% of the total to the total. If the total judgment is \$650.00 and it is August of 2024, the math would look like this:

$$650.00 \times 0.10 = 65.00$$

$$650.00 + 65.00 = 715.00$$

$$\text{Current Total} \times \text{Percent Interest} = \text{Amount of Interest}$$

$$\text{Current Total} + \text{Amount of Interest} = \text{New Total}$$

In this example, after the first year, the \$650 debt is now a \$715 debt.

The Order is in my favor. What can I do if the other person does not pay me?

There are several things you can do to enforce the Order and try to get the money that is owed to you. The options include things called garnishment, liens, and seizure. These are all complicated processes, and it is important that you understand them before you try to use any of them. You can learn more about enforcing a judgment by visiting the Equal Justice Wyoming website and exploring Money Issues.

Who can help me with this situation?

It is important for you to know that Court Clerks are not allowed to give you legal advice or assistance. Here are some free resources that can help:

- Legal Aid of Wyoming Hotline. This Hotline gives you an opportunity to talk with a lawyer. 1-877-432-9955. This service is for people who have limited income and limited assets.
- Wyoming Free Legal Answers. This website gives you a chance to privately ask questions about your situation and then receive answers from a lawyer.
<https://wyoming.freelegalanswers.org/> This service is for people who have limited income and limited assets. The volunteer lawyers on the website cannot

- assist with business matters, which includes owning or managing rental properties.
- Volunteer Reference Attorney Program. This program lets you have a short informational meeting with a lawyer. You can learn about the locations and dates by checking the calendar on the Equal Justice Wyoming website. This service is for people who have limited income and limited assets. Volunteer Reference Attorneys cannot assist with business matters, which includes owning or managing rental properties.

If you do not qualify for the free services above, you can contact the Wyoming State Bar at 307-632-9061 for referral to Wyoming lawyers. (Those lawyers charge for their services.)

Where can I read the Wyoming laws about small claims cases?

These laws are found in Wyoming Statutes Title 1, Chapter 21, Article 2.

You can read them online by visiting the Wyoming Legislative Service Office website (<https://wyoleg.gov/>) or you can look at statute books at your local library.