

INSTRUCTIONS FOR
PUBLISHING A
NOTICE OF APPLICATION FOR SUMMARY DISTRIBUTION

Wyoming Statute 2-1-205(d) requires everyone who files an Application for a Decree of Summary Distribution of Real Property to let the public know about the Application. This is done by publishing a Notice of Application in a newspaper.

How to Publish a Notice of Application

There are a couple important things to know about the requirement to publish a Notice:

- It takes time. The notice must be published once a week for two weeks and, after that, you must wait 30 days to see if anyone responds.
- You will pay the newspaper to publish the Notice.

Process for publishing a Notice:

- Fill out the Notice of Application. (Do not sign or date it. The Clerk will do that. If you don't have a Case Number yet, you can write that in after the Clerk assigns the number.)
- When you file the Application with the Clerk of District Court, take the filled-out Notice form too. The Clerk will sign the Notice and make copies of it. (There will probably be a fee for the copies.)
- The Clerk will give you a filed Notice of Application. You must make arrangements with a local newspaper to publish the Notice. Publishing notices is a regular part of what newspapers do so they will already have a process in place. Follow their instructions to provide them with the filed Notice of Application and to pay their fees.
 - The newspaper you use must publish at least once per week, and they must publish in the county where you filed the Application. If there is no newspaper published in that county, you must use a newspaper that is published in Wyoming and that is usually sold and read in that county. Your Notice must be published once per week for two consecutive weeks (two weeks in a row).
- While the publication process is happening, you also need to mail a copy of the Application and a copy of the Notice to every person who has a legal right to be notified about your claim. **You must do this within ten days of the first publication date.** It will be helpful to look at the address information you wrote in Section 14 or 15 of the Application.

- Use the form called Notice of Application and Publication when you mail the copies. File a copy of the Notice of Application and Publication and its Affidavit of Service by First-Class Mail for each person or creditor you mail the documents to. (For example: If you mail the documents to the Decedent’s spouse and your cousin and a credit card company, you will file three Notice of Application and Publication forms with the Clerk of Court.)
 - Important Note: Each Affidavit of Service by First-Class Mail must be notarized, and you will be under oath when you sign it.
- **If you do not know where all the necessary people are**, you must tell the Court that there are Missing Distributees. Fill out and file the Notice to the Court of Missing Distributees form.
- After the Notice is published the last time (Week 2), the newspaper will send you an Affidavit of Publisher. This is the newspaper’s own form. It will probably have a copy of the Notice attached to it. The Affidavit of Publisher records the newspaper’s role in publishing the Notice, and it shows which dates the Notice was published in the newspaper.
- File the Affidavit of Publisher with the Clerk of Court.
- Wait until 30 days have passed since the first publication **and** 20 days have passed since you mailed the documents. Read the Instructions for Request to Set Hearing to learn about your next steps.

Important Things You Need to Know

What is a Notary and where can I find one?

A Notary Public (usually just called “a notary”) is a person who has a license to witness people signing legal papers and to confirm that the signatures are authentic (which means the signatures are real and were done on purpose). **A notary will probably require you to show your driver’s license or some kind of photo ID to prove that you are really you.**

Some notaries charge for their services, but it is usually easy to find a notary who will witness your signature and sign your paper for free. If you have an account at a local bank, you can probably get free notary services at that bank. Most libraries also offer free notary services.

Who can help me with these forms?

It is important for you to know that Court Clerks are not allowed to help you fill out these forms.

Here are some free resources that can help people with limited income and limited assets:

- Legal Aid of Wyoming Hotline. This Hotline gives you an opportunity to talk with a lawyer. 1-877-432-9955.
- 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/>
- 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 Wyoming Judicial Branch website at
<https://www.wyocourts.gov/find-legal-services/>

If you do not qualify for the free services above, you can contact the Wyoming State Bar at 307-432-2107 for referral to Wyoming lawyers. (Those lawyers charge for their services.)

Where can I read the Wyoming laws about distribution of real property?

These laws are found in Wyoming Statutes Title 2, Chapter 1, Article 2. The laws about real property start at statute 2-1-205.

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.