

This guide is designed to help you make decisions for yourself. It is not legal advice.
Court Clerks cannot give you legal advice or explain the information in this guide.
If you want to talk with a lawyer, you can contact the Wyoming State Bar for a list of attorneys.

CHILD ABDUCTION PREVENTION ORDERS IN WYOMING: Helpful Information for a Respondent to Know

This document has a lot of important information. It will be helpful to read it carefully.

Here are a few very important things you need to know right away:

- ⊗ If the Court issues an Order on Abduction Prevention and you are the Respondent, the law requires you to follow all of the rules and restrictions in the Order.
- ⊗ If you do not follow the rules and restrictions in the Order, there may be serious consequences. In some situations, breaking the Order can lead to criminal charges.
- ⊗ You may have strong feelings about the Order. You may feel upset or believe the rules and restrictions are unfair. You are required to follow the Order even if you think it is unfair.

The information on this sheet does not assume you did what the Petitioner claims. It also does not assume that you did not do those things. The information on this sheet is here to help you understand the process. It will help you:

- ☐ Understand what an Order on Abduction Prevention is.
- ☐ Understand what happens at hearings.
- ☐ Understand what you can do to communicate with the Court.

Important Things You Need to Know

Why am I called a Respondent?

Somebody asked the Court for an Order on Abduction Prevention. The person who asked is called the Petitioner.

If the Petitioner asked for an Order that will restrict you, you are called the Respondent. The word "Respondent" means you are the person who will *respond* to the claims in the petition.

Is this a criminal matter?

An Order on Abduction Prevention and the Petition that is used to ask for one are parts of a **civil case**. A civil case is not a criminal case.

It is important to understand that **there might also be a criminal case** related to this situation. If there is a criminal case, lawyers for the government may bring charges against you. The Petitioner cannot charge you with a crime.

What happens if the Petitioner asks me to break the rules and restrictions?

You can get in trouble anyway.

The Court created the rules and restrictions in the Order, and the Court is in charge of them. If you break the rules because the Petitioner asked you to do it, you are still violating the Order.

What do I do if the information in the Petition is wrong?

Because a Petition was filed, the Court will schedule a hearing (meeting) so that you and the Petitioner can tell the judge what happened. At the hearing, the Petitioner will have a chance to tell their side of the situation, and you will have a chance to tell your side.

If the personal information about you or your relationship to the children is incorrect in the Petition, you might choose to file a form called “Optional Notice of Respondent Information.” The form tells the Court that you plan to take part in any hearings that are held, and it gives you the chance to submit your personal information. The form is optional – you do not have to file it.

It is important to understand that the form cannot be used to argue against the Petitioner’s allegations (claims) about your actions. To tell the judge your side of the situation, you must take part in the hearing.

Is it important to take part in the hearing?

Yes.

If you want to tell the judge your side of what happened, you must take part in the hearing. The hearing is also your chance to tell the judge what you think about the “request for relief” that the Petitioner put in the Petition. The request for relief is the part of the Petition where the Petitioner asked the judge to make certain restrictions and rules that you must follow. During the hearing, you can tell the judge if some of those rules feel too difficult or unfair to you. That will be important information for the judge to consider.

Important Note: Even if you do not take part in the hearing, the judge is allowed to make any or all of the rules that the Petitioner asked for, and is not required to give you another chance to tell your side of the situation.

What will happen at the hearing?

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

After considering your side of the situation and the Petitioner’s side, the judge will make decisions about whether to give the Petitioner an Order on Abduction Prevention, what restrictions and rules to include in it, and how long it will last.

What can I do if I disagree?

The hearing on the Petition will be your opportunity to explain your view directly to the judge. It’s important to take part in the hearing, and it’s important to be prepared to explain your side of the situation calmly and honestly.

In addition to the hearing, you can ask the Court to do something differently by filing a specific kind of document called a “motion.” Forms for motions are available on the [Wyoming Judicial Branch website forms page \(wyocourts.gov/self-help-forms/\)](https://wyocourts.gov/self-help-forms/), in Packet #10 under “Family Law.”