

INSTRUCTIONS FOR
MOTION TO MODIFY AN ORDER OF PROTECTION,
MOTION TO TERMINATE AN ORDER OF PROTECTION,
MOTION TO EXTEND AN ORDER OF PROTECTION
IN WYOMING

Read these instructions carefully.

These Instructions can be used for three different kinds of Motions. If you are not the Petitioner or the Respondent on a current Order of Protection, you cannot use this form.

Before You Get Started

This form might seem complicated at first, but these Instructions can help you make sense of it.

This form will be used to ask the Court to do something. There are three different things you can use this form for, but **you can only make one request per form**. If you want to ask for two different things, you will need to file two different versions of this form.

This form can be used to ask the Court to **Modify** the Order of Protection. This means you want the Court to change some of the rules or restrictions in the Order.

Or:

This form can be used to ask the Court to **Terminate** the Order of Protection. This means you want the Court to end the rules and restrictions in the Order before its expiration date.

Or:

This form can be used to ask the Court to **Extend** the Order of Protection. This means you want the Court to make the rules and restrictions in the Order last longer than its expiration date.

No matter which of these things you want to ask for, you will fill out the top of the form the same way. Start with the instructions for “top of the page.”

The top of the page on this Motion.

The top of the page has blanks for the name of the county that the Court is in (for example, County of Big Horn) and the number of the judicial district (for example, Fifth Judicial District). This information will be on the top of the Order of Protection.

The next blanks are for the name of the Petitioner and the name of the Respondent. Copy these exactly the way they are written on the Order of Protection. If you are listed as the Petitioner on the Order, you are still the Petitioner. If you are listed as the Respondent on

the Order, you are still the Respondent.

The next blank is for the Case Number. Copy the number that is written on the Order of Protection. (The number may include letters.)

Next you will see the title of the Motion. It is written between the two long bars on the page. The title tells the Court that this is a Motion about an Order of Protection. Use the check boxes to tell the Court whether you want to Modify, Terminate, or Extend the Order. **Only check one box.**

Now you will move on to Section 1.

Section 1 is for basic information.

Mark the check box next to either Petitioner or Respondent to tell the Court who you are.

In the blanks, write the date the Order of Protection was entered. This date will be written above the judge's signature on the last page of the Order.

If you want the Court to Modify (change) the Order, move on to Section 2 now.

If you want the Court to Terminate (end) the Order, move on to Section 3 now.

If you want the Court to Extend the Order (make it last longer), move on to Section 4 now.

Section 2 is about Modifying the Order of Protection.

If you want the Court to change the Order of Protection, fill out this section.

Mark the box next to Modify.

In the first set of blank lines, tell the Court what changes you want. Be clear and specific. On these blank lines, you are only listing the changes. Do not explain your reasons here.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

In the second set of blank lines, tell the Court why you want those changes. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining the changes you want and your reasons, go to the end

of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 3 or Section 4.

Section 3 is about Terminating the Order of Protection.

If you want the Court to end the Order of Protection, fill out this section.

Mark the box next to Terminate.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to end before its expiration date. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 4.

Section 4 is about Extending the Order of Protection.

If you want the Court to make the Order of Protection last longer, fill out this section.

Mark the box next to Extend.

On the blank lines, tell the Court why you want the rules and restrictions in the Order to last longer than its expiration date. Explain your reasons as clearly as you can.

If you do not have enough room on the blank lines, you can continue on a separate sheet of paper. If you do this, mark the box under the blank lines to tell the Court there are more pages. **Do not write on the back of the form.**

When you are finished explaining your reasons, go to the end of the form and the “Signature Section” part of the Instructions.

Do not write anything in Section 2 or Section 3.

Signature Section – Important!

On the line labelled DATED, write the date you are signing the form.

Sign your name on the signature line and mark the correct box to show whether you are the Petitioner or the Respondent. (If you cannot remember, look at the names on the top of the form.)

By signing the form, you are telling the Court that everything you wrote on the form is true. Review your answers carefully before you sign the form.

Important Things You Need to Know

What do I do after I fill out the form?

You must file the form with the Clerk of Circuit Court in the county named at the top of the Order of Protection.

The Wyoming Judicial Branch website has a list of circuit court locations. The Clerk's office is at the court.

Will there be a hearing about my Motion?

Maybe.

The judge might choose to schedule a hearing, or the judge might choose not to. Remember to pay attention to any mail you receive from the Court so you will know if a hearing is scheduled.

Can I use this form for any Order of Protection?

Yes.

In Wyoming, a person can ask a Court for an Order of Protection to address Domestic Violence or Sexual Assault or Stalking. You can use this form to make a Motion about the Order of Protection, no matter which kind it is.

Important Note: If the Order of Protection has already expired, you cannot use this form. More information about *when* you can use this form is below.

When can I use this form?

You can file a **Motion to Modify** when you have specific reasons to ask for changes in the Order of Protection.

You can file a **Motion to Terminate** when you have specific reasons to ask for the rules and restrictions to end.

You can file a **Motion to Extend** when the Order of Protection is getting close to its expiration date and you have specific reasons to ask for the Order to last longer. It is helpful to file the Motion to Extend at least ten days before your Order expires.

Are **Extending** and **Tolling** the same thing?

No.

According to Wyoming law, an Order of Protection **tolls** when the Respondent is in jail or prison. **Tolling** means the protection order will last longer than was originally planned. This is done to help protect the Petitioner after the Respondent gets out of jail/prison.

It's important to know that tolling is different from getting the Order extended.

If you want an Order of Protection to last longer because the Respondent got out of jail/prison (or will be getting out soon), you can file a Notice of Incarceration or Imprisonment to let the Court know about that. You can get a form for that Notice from the Clerk of Court's office. Important Note: It doesn't matter why the Respondent went to

jail/prison. You can use the Notice of Incarceration or Imprisonment even if the jail/prison time did not have anything to do with the Order of Protection.
If you want the Order of Protection to last longer for other reasons, you can file a Motion to Extend.