

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D. 1981

In the Matter of Amending)
Rule 40.1(b)(1), Wyoming)
Rules of Civil Procedure)

JAN 3 1982
RITA M. WHITE
CLERK

ORDER

IT IS ORDERED that Rule 40.1(b)(1) of Wyoming Rules of Civil Procedure be, and it is hereby, amended to read:

"40.1(b)(1) Peremptory Disqualification. -- A party may peremptorily disqualify a district judge by filing a motion requesting a change of judge. The motion must be filed at least fifteen (15) days before the date set for the hearing on any motion or application filed pursuant to Rule 12, 42, 56, 65 OR 71.1 W.R.C.P., or ~~72.1~~ RULE 12, W.R.A.P., or if there be no such motion hearing set, then at least fifteen (15) days before the date set for pretrial, and if there be no pretrial set, then at least fifteen (15) days before the date set for trial, or if the date is set within fifteen (15) days after the order of setting, within five (5) days after receipt of such order; provided, however, that no more than one (1) such motion shall be filed by the parties plaintiff or parties defendant. After the filing of such motion, the presiding judge shall forthwith call in another district judge to try the action."

All Copies
distributed
by
Court
Clerk
Ronda
1-25-82

IT IS FURTHER ORDERED that the above amended rule be published in "Wyoming Court Rules" and become effective on May 1, 1982, which date shall be at least 60 days after such publication and distribution by the publisher; that the amended rule as set out herein shall be spread at length on the journal of this court, but the stricken words of the original rule and the capitalized added words thereof shall not be shown as stricken or capitalized in the publication in Wyoming Court Rules.

Dated at Cheyenne, Wyoming this 25th day of January, 1982.

BY THE COURT:


Robert R. Rose, Jr.
Chief Justice