

IN THE SUPREME COURT, STATE OF WYOMING

OCTOBER TERM, A.D., 1986

IN THE SUPREME COURT
STATE OF WYOMING
FILED

In the matter of the amend-)
ment to Rule 11, Wyoming)
Rules of Civil Procedure)

JAN 29 1987

ORDER

M. J. Cooney
CLERK

The Permanent Rules Advisory Committee, Civil Division, having recommended to the court the following amendment to Rule 11, Wyoming Rules of Civil Procedure; the court having examined the proposed amendment; and, it appearing advisable that the court adopt the amendment;

IT IS ORDERED, that Rule 11(a), Wyoming Rules of Civil Procedure be amended by deleting the language of the present rule and inserting the following language, to wit;

Rule 11. Signing and verification.

(a) Signing of pleadings. -- EVERY PLEADING, MOTION, AND OTHER PAPER OF A PARTY REPRESENTED BY AN ATTORNEY SHALL BE SIGNED BY AT LEAST ONE ATTORNEY OF RECORD IN HIS INDIVIDUAL NAME, WHOSE ADDRESS SHALL BE STATED AND WHO SHALL BE A MEMBER OF THE WYOMING STATE BAR. A PARTY WHO IS NOT REPRESENTED BY AN ATTORNEY SHALL SIGN HIS PLEADING, MOTION, OR OTHER PAPER AND STATE HIS ADDRESS. EXCEPT WHEN OTHERWISE SPECIFICALLY PROVIDED BY RULE OR STATUTE, PLEADINGS NEED NOT BE VERIFIED OR ACCOMPANIED BY AFFIDAVIT. THE RULE IN EQUITY THAT THE AVERMENTS OF AN ANSWER UNDER OATH MUST BE OVERCOME BY THE TESTIMONY OF TWO WITNESSES OR OF ONE WITNESS SUSTAINED BY CORROBORATING CIRCUMSTANCES IS ABOLISHED. THE SIGNATURE OF AN ATTORNEY OR PARTY CONSTITUTES A CERTIFICATE BY HIM THAT HE HAS READ THE PLEADING, MOTION, OR OTHER PAPER; THAT TO THE BEST OF HIS KNOWLEDGE, INFORMATION, AND BELIEF FORMED AFTER REASONABLE INQUIRY IT IS WELL GROUNDED IN FACT AND IS WARRANTED BY EXISTING LAW OR A GOOD FAITH ARGUMENT FOR THE EXTENSION, MODIFICATION, OR REVERSAL OF EXISTING LAW, AND THAT IT IS NOT INTERPOSED FOR ANY IMPROPER PURPOSE, SUCH AS TO HARASS OR TO CAUSE UNNECESSARY DELAY OR NEED-LESS INCREASE IN THE COST OF LITIGATION. IF A PLEADING, MOTION, OR OTHER PAPER IS NOT SIGNED, IT SHALL BE STRICKEN UNLESS IT IS

SIGNED PROMPTLY AFTER THE OMISSION IS CALLED TO THE ATTENTION OF THE PLEADER OR MOVANT. IF A PLEADING, MOTION, OR OTHER PAPER IS SIGNED IN VIOLATION OF THIS RULE, THE COURT, UPON MOTION OR UPON ITS OWN INITIATIVE, SHALL IMPOSE UPON THE PERSON WHO SIGNED IT, A REPRESENTED PARTY, OR BOTH, AN APPROPRIATE SANCTION, WHICH MAY INCLUDE AN ORDER TO PAY TO THE OTHER PARTY OR PARTIES THE AMOUNT OF THE REASONABLE EXPENSES INCURRED BECAUSE OF THE FILING OF THE PLEADING, MOTION, OR OTHER PAPER, INCLUDING A REASONABLE ATTORNEY'S FEE.

IT IS FURTHER ORDERED, that the foregoing amendment shall be published in the Advance Sheets of the Pacific Reporter and in the Wyoming Reporter and shall become effective sixty (60) days after publication in the Advance Sheets of the Pacific Reporter; and that the rule shall thereupon be spread at length on the journal of this court.

Dated this 29th day of January, 1987.

By the Court


C. Stuart Brown
Chief Justice