

IN THE SUPREME COURT, STATE OF WYOMING

October Term, A.D. 2006

In the Matter of Amendments to)
Rule 6 and Rule 40 of the Wyoming)
Rules of Civil Procedure)

**ORDER ADOPTING AMENDMENTS TO RULE 6 AND RULE 40 OF THE
WYOMING RULES OF CIVIL PROCEDURE**

This matter came before the Court upon a recommendation from the Permanent Rules Advisory Committee, Civil Division. The Committee has recommended that Rule 6 and Rule 40 of the Wyoming Rules of Civil Procedure be amended. This Court, having carefully reviewed the proposed amendments, finds that the proposed amendments should be adopted. It is therefore

ORDERED that the amendments to Rule 6 and Rule 40 of the Wyoming Rules of Civil Procedure, attached hereto, are adopted and that those amendments be published in the advance sheets of the Pacific Reporter and in the Wyoming Reporter. The amendments shall be effective March 1, 2007, and thereafter shall be spread at length upon the journal of this Court.

DATED this ____ day of December, 2006.

BY THE COURT:

BARTON R. VOIGT
Chief Justice

Wyoming Rules of Civil Procedure

Rule 6. Time

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(c) *Motions and motion practice.* –

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(2) A request for hearing may be served by the moving party or any party affected by the motion within ~~30~~ 20 days after service of the motion. The court may, in its discretion, determine such motions without a hearing, except for those motions which will determine the final rights of a party in an action. ~~Absent a timely request for hearing the court may, in its discretion, determine the motion without a hearing.~~ Any motion, under Rules 50(b) and (c)(2), 52(b), (d) and (e), and 60(b), not determined within 90 days after filing shall be deemed denied; unless, within that period, the determination is continued by order of the court, which continuation may not exceed 60 days, at which time, if the motion has not been determined, it shall be deemed denied. ~~A party whose motion has been deemed denied shall have 10 days after the effective date of such denial to serve such pleadings or other papers, if any, as may be required or permitted.~~

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Rule 40. Assignment of cases for trial or alternative dispute resolution.

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(g) Retained jurisdiction. -- Assignment of a case to alternative dispute resolution shall not suspend any deadlines or cancel any hearings or trial. The court retains jurisdiction for any and all purposes while the case is assigned to any alternative dispute resolution.