

HOUSE BILL NO. HB0103

Chancery court amendments.

Sponsored by: Representative(s) Greear and Olsen and
Senator(s) Nethercott and Perkins

A BILL

for

1 AN ACT relating to chancery courts; amending provisions
2 related to the chancery court of the state of Wyoming;
3 clarifying disposition of fees; clarifying the jurisdiction
4 of the chancery court as specified; making technical
5 corrections; making conforming amendments; and providing
6 for an effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 5-13-102(a), 5-13-109(a)(ii) and
11 (iii) and 5-13-115(b)(vii), (xiii), (xiv), by creating a
12 new paragraph (xvi), (c) and (d) are amended to read:

13

14 **5-13-102. Chancery court fund account created;**
15 **purposes.**

1

2 (a) There is created an account entitled "the
3 chancery court account." The chancery court account shall
4 receive all filing fees received by the chancery court. Any
5 interest accruing to the account shall be retained in the
6 account and may be expended for the purposes provided in
7 this section. No funds shall be expended from the account
8 until the legislature appropriates the funds. Funds within
9 the account shall be used for the purpose of funding
10 operation of the chancery courts, including judicial
11 salaries, staff salaries, supplies, operating costs and
12 other expenses of the chancery court.

13

14 **5-13-109. Temporary assignment to fill vacancies;
15 appointments to fill vacancies in office.**

16

17 (a) Prior to the appointment of a chancery court
18 judge under subsection (b) of this section or in the event
19 a chancery court judge appointed under W.S. 5-13-107 dies,
20 becomes unable or unwilling to perform the duties of his
21 office, the supreme court may temporarily assign the duties
22 of chancery court judge to be performed by a person who

1 meets the qualifications set forth in W.S. 5-13-108. Any
2 assignment shall be made to:

3

4 (ii) A retired district court ~~justice-judge~~; or

5

6 (iii) A member of a panel of up to five (5)
7 active district court judges selected by the supreme court
8 to serve as a chancery court judge on an ad hoc basis.

9

10 **5-13-115. Purpose and jurisdiction.**

11

12 (b) The chancery court shall have jurisdiction to
13 hear and decide actions for equitable or declaratory relief
14 and for actions where the prayer for money recovery is an
15 amount exceeding fifty thousand dollars (\$50,000.00),
16 exclusive of claims for punitive or exemplary damages,
17 prejudgment or post judgment interest, costs and attorney
18 fees provided the cause of action arises from at least one
19 (1) of the following:

20

21 (vii) Shareholder derivative actions. The
22 monetary threshold set forth in this subsection ~~(b) of this~~

1 ~~section~~ shall not apply to ~~action~~ actions brought under
2 this paragraph;

3

4 (xiii) Dissolution of corporations,
5 partnerships, limited liability companies, limited
6 liability partnerships, joint ventures, banks and trust
7 companies. The monetary threshold ~~of~~ set forth in this
8 subsection ~~(b) of this section~~ shall not apply to ~~action~~
9 actions brought under this paragraph;

10

11 (xiv) Transactions governed by the Wyoming
12 Uniform Trust Code; ~~or~~

13

14 (xvi) A dispute concerning a trademark, trade
15 name or service mark. The monetary threshold set forth in
16 this subsection shall not apply to actions brought under
17 this paragraph.

18

19 (c) The chancery court ~~shall have no~~ may exercise
20 supplemental ancillary jurisdiction over any cause of
21 action not listed in subsection (b) of this section at the
22 discretion of the chancery court.

23

1 (d) All chancery court judges throughout the state
2 shall have concurrent jurisdiction with all district court
3 judges throughout the state only as to the causes of action
4 enumerated in subsection (b) of this section and to the
5 causes of action for which the chancery court exercises
6 supplemental ancillary jurisdiction under subsection (c) of
7 this section.

8
9 **Section 2.** This act is effective immediately upon
10 completion of all acts necessary for a bill to become law
11 as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

13

14

(END)