

2010

State Law Report Card



Wyoming

Access to Orders of Protection

In Wyoming, the law does not specify whether minors can obtain Orders of Protection (OPs), nor does it specify whether OPs can be issued against minor abusers. Wyoming allows people in dating relationships to seek OPs against their abusers.¹

Procedure

State law does not specify whether minors can petition for OPs on their own behalf, nor does it specify who may file on their behalf. If a minor is able to file on their own behalf, Wyoming law does not specify whether the parent or guardian of the minor will be notified about the OP.

Definition of Abuse

A judge may issue an OP if the respondent has physically abused, threatened to physically abuse or sexually abused the petitioner.² The statute fails to explicitly recognize stalking and harassment as qualifications for relief. The statute may recognize other forms of abuse not specifically listed here.

Relief Available

The court may order³ the respondent to:

- stay away from the petitioner;
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support and spousal support;
- participate in a counseling or batterers' intervention program;
- pay restitution for other harm; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner. The Order of Protection is modifiable.⁴

Minors' Access to Sensitive Services⁵

All minors can consent to:

- Contraceptive services
- HIV/STI testing and treatment
- Adoption

Parental notice and consent is required for abortion services.

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School Response to Dating Violence

Wyoming law does not provide for a school response to dating violence.

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Recommendations for Immediate Policy Change

In order to improve Wyoming's response to teen dating violence, the following changes are recommended:

- Allow minors to petition for OPs on their own behalf and explicitly describe the procedure for doing so.
- Allow courts to issue OPs against minors.
- Allow victims of intimate partner stalking and harassment to access OPs.
- Allow all minors to access all sensitive services, including prenatal care, adoption and medical care for a minor child, without parental involvement.

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The logo for the Wyoming State Law Report Card. It features a blue background with a yellow shape that resembles a folded piece of paper or a card. On the yellow shape, there is a white circle containing a blue letter 'C'. Below the yellow shape, the word 'Wyoming' is written in a bold, black, sans-serif font.

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References

¹ WYO. STAT. ANN. § 35-21-102(a)(iv) (2009).

² *Id.* § 35-21-102(a)(iii).

³ *Id.* § 35-21-105(a)-(b)

⁴ *Id.* § 35-21-106(b).

⁵ Guttmacher Institute, An overview of minors' consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf, accessed December 1, 2009.

Break the Cycle

Empowering Youth to End
Domestic Violence

For more information about state law
and policy, visit www.breakthecycle.org
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