

## RULES FOR MUNICIPAL COURTS — ADMINISTRATIVE RULES

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#### **Rule 1. Department of Audit supervision.**

(a) *System of accounting and auditing.* — The Legislature has provided that the Department of Audit shall establish, supervise, and as necessary from time to time, modify a system of accounting and auditing for municipal courts in order to furnish a proper and uniform accounting of all money received and disbursed by them (W.S. §§ 5-4-216, 5-4-219 and 9-2-410). To accomplish this mandate, these rules set out procedures, approved by the Director of the Department of Audit, for municipal courts.

(b) *Definition.* — When used in this rule the word “justice” shall mean “municipal judge”.

(Added November 20, 1974, effective January 1, 1975; amended June 30, 2000, effective July 1, 2000; amended December 2, 2002, effective January 6, 2003.)

#### **Rule 2. Department of Audit requirements.**

(a) *Dockets.* — Rules 3 and 3.1 W.R.Cr.P., require each civil and criminal proceeding, including proceedings when citations have issued, to be entered on justice dockets. Docket books and records shall be uniform in format as established by the computer system approved by the Director of the Department of Audit and the Wyoming Supreme Court.

(b) *Cash receipts.* — A cash receipt must be issued by each court for all moneys paid to the court. Each receipt will be in triplicate and prenumbered in numerical sequence by the computer software program used for receipt generation. The original receipt shall be issued to the payer of money received by the justice in payment of fines, fees, costs, bail forfeitures, bail bonds, garnishments, attachments, judgments and other official business. The duplicate copy shall be filed with the city treasurer when the money is deposited in the city treasury. The triplicate copy shall be retained by the justice. The docket number must be shown on each cash receipt issued. The cash receipt number will be entered in the docket. If the computer system is not functional, a hand written receipt will be prepared. Later entry to the computer system will conform to procedures established by the Wyoming Supreme Court.

(c) *Deposits.* —

- (1) All money received by each justice, in his official capacity, shall be kept separate and not commingled with his personal funds. To that end each justice will open a special account labeled “special criminal account” in an officially designated bank in which all money received in a criminal case will be deposited daily. The cash receipt numbers will be shown on the deposit slip. The cash receipts and the total deposited must balance. In the event the justice remits such money to the city treasurer on a daily basis, such sums need not be deposited in a bank, but the cash receipt numbers shall be shown on the treasurer’s receipt which the justice obtains. In turn, the treasurer’s receipt number shall be entered in the respective dockets.

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(2) Money received in civil matters by a justice shall not be deposited in the same bank account as that received in criminal matters (W.S. § 5-4-218). The justice shall open a separate bank account denominated "special civil account".

(3) Money received by each court, as payment for third parties in civil judgments, must be deposited into an account labeled "civil trust account." Payments to third parties are to be issued by checks from this account per the terms of the judgments. The balance in this bank account must be reconciled and separately identified as to each payer at the close of each month during the fiscal year.

(d) *Disbursements.* — Disbursements of money so deposited will be by check made payable to the party concerned. Each check will identify the transaction by a cross-reference to the cash receipt and docket numbers on the check.

(e) *Bank statements.* — The bank statements must be reconciled each month both with the checkbook and the docket. The balance, if any, shown on the checkbook shall be identified by docket numbers. The bank statements, cancelled checks, daily and monthly receipt reports, monthly disbursement report and monthly trial balances shall be retained for future reference and examination. Receipts from the city treasurer for remittances made in cash or by check shall be retained for audit purposes.

(f) *[Abrogated]*

(g) *Reporting.* —

(1) Each justice shall remit to the city treasurer all money received by him as official business within 30 days after receipt (W.S. § 5-4-224). If such remittance is made on a monthly basis, it shall be remitted no later than the twenty-fifth day of the month following the month in which the money was received. (See W.S. §§ 9-1-507 and 18-3-814.)

(2) Copies of computer generated month-end receipts journal, monthly disbursements and monthly trial balances shall be provided to the city treasurer with the remittance of fines, costs forfeitures and fees. The city treasurer shall provide a receipt to the justice. A second copy of the month-end reports shall be provided to the city clerk for information to the city council. The original shall be retained and filed by the justice. The Department of Audit suggests that daily computer reports be kept to lessen the workload at the end of the month and to give immediate index reference to all recent cases.

(3) Each justice shall submit annual reports to the Department of Audit, Public Funds, on a form approved by the Department of Audit and the Wyoming Supreme Court (W.S. § 5-4-220).

(4) Justice records shall be public and available for examination during regular business hours (W.S. § 5-4-222).

(h) *Penalties.* — Reference to the following penalty sections relevant to all justices is not all-inclusive but should be read by those concerned: W.S. §§ 5-4-223, 6-5-111, 6-10-108, 9-1-510 and 18-3-814.

(i) *Municipal Courts not on computer system.* — Those municipal courts which do not use the computer system managed by the Wyoming Supreme Court shall be deemed to have substantially complied with all of the above-enumerated requirements, so long as all applicable rules, regulations and directives of the Department of Audit are fully utilized in accounting for funds received in such courts.

(Added November 20, 1974, effective January 1, 1975; amended May 3, 1984; amended June 30, 2000, effective July 1, 2000; amended December 2, 2002, effective January 6, 2003.)

## APPENDIX

(SAMPLE)

REPORT OF POLICE JUSTICE TO MAYOR AND CITY COUNCIL  
FOR THE MONTH ENDING \_\_\_\_\_ (YEAR) \_\_\_\_\_

Date	Receipt No.	Docket Case No.	Defendant	Fee	Fine	Costs	Bail Forfeit	Total Rec'd

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