

SENATE FILE NO. SF0129

Department of family services-legal representation.

Sponsored by: Senator(s) Sessions and Massie and
Representative(s) Landon

A BILL

for

1 AN ACT relating to the department of family services;
2 specifying roles, responsibilities and limitations of
3 attorneys employed by, or under contract with, the
4 department of family services in child support enforcement
5 actions; providing for confidentiality; and providing for
6 an effective date.

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

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10 **Section 1.** W.S. 20-6-113 is created to read:

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12 **20-6-113. Child support attorneys representing the**
13 **state.**

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1 (a) Attorneys employed by the department may
2 represent this state or another state in an action brought
3 under the authority of this chapter or federal law.

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5 (b) Any attorney employed by, or under contract with,
6 the department represents the interests of the state and
7 not the interest of any other party. The provision of
8 services by an attorney under this title does not create an
9 attorney client relationship between the attorney and any
10 other party.

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12 (c) The department shall, at the time an application
13 for services is made, inform the applicant that any
14 attorney who provides services for the department is the
15 attorney for the state of Wyoming and that the attorney
16 providing these services does not provide legal
17 representation to any other party in the matter.

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19 (d) An attorney employed by, or under contract with,
20 the department to provide child support services shall not
21 be appointed or act as guardian ad litem for a child or
22 another party.

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1 (e) Attorneys employed by, or under contract with,
2 the department may intervene in an action involving child
3 support. Intervention by the state in an existing action
4 is an unconditional right and is accomplished by the state
5 filing an entry of appearance.

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7 (f) All information contained in case files
8 maintained by an attorney representing the department as
9 provided in this section is privileged and confidential.

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11 **Section 2.** This act is effective July 1, 2003.

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(END)