

SENATE FILE NO. SF0069

Electronic records retention.

Sponsored by: Senator(s) Nethercott, Furphy and Landen and
Representative(s) Crago, Olsen and Provenza

A BILL

for

1 AN ACT relating to courts; providing for the digitizing and
2 retention of court records as specified; striking obsolete
3 language; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 5-7-103 is amended to read:

8

9 **5-7-103. Filing, preserving and use of papers;**
10 **electronic record retention permitted.**

11

12 The clerk shall file together and carefully preserve in his
13 office, all papers delivered to him for that purpose in
14 every action or proceeding. He shall not permit the papers
15 to be taken from his office except to be used at a session

1 of the court or upon legal process, and he shall be liable
2 upon his official bond to the party suffering injury on
3 account of any violation of this section. This section
4 shall not apply to matters in probate. Upon the order of
5 the judge of the district, the clerk may transmit by
6 express or registered mail to an attorney of the state
7 appearing in the action or proceeding, who resides in a
8 different county or away from the county seat, such
9 original files as are not represented by copies in the
10 clerk's office, and the clerk shall take the attorney's
11 receipt for each paper in each case. Nothing in this
12 section shall limit or prohibit the clerk from ~~microfilming~~
13 ~~scanning or digitizing~~ papers, ~~in his office,~~ disposing of
14 the originals in accordance with ~~W.S. 9-2-411~~ any rule or
15 order issued by the supreme court and retaining the
16 ~~official microfilm~~ digitized or imaged records in a case
17 management system in lieu of retaining the original papers
18 ~~pursuant to W.S. 9-2-413~~ in a physical file.

19

20 **Section 2.** This act is effective July 1, 2023.

21

22

(END)