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WYOMING	
	<p>New rules as adopted by Wyoming Supreme Court to be effective 7/1/06.            Variations from the Model Rules are noted.            Rules only; Comment comparison not included.</p>
Preamble	<p>[2], adds as second sentence: As an intermediary between clients, a lawyer seeks to reconcile their divergent interests as an advisor and, to a limited extent, as a spokesperson for each client.            Adds as last sentence: As a guardian ad litem, a lawyer represents the best interests of the individual for whom the lawyer has been appointed to act, and the lawyer’s obligations pursuant to these rules shift accordingly.</p>
Scope	<p>[15]: includes text of MR [16]            [16] – [18]: same as MR [17] – [19]            [19], same as MR [20] but changes last sentence: “Nevertheless, since the Rules do establish standards of conduct by lawyers, the Rules may be evidence of the applicable standard of conduct.”            [20]: same as MR [21]</p>
Rule 1.0	<p>Adds: (b) "Confidential information" is information provided by the client or relating to the client which is not otherwise available to the public.            (c): same as MR (b) but uses “informed decision”            (d): same as MR (c)            (e): same as MR (d) but deletes “and has a purpose to deceive”            (f): same as MR (e) but uses “informed decision”            (g) – (o): same as MR (f) – (n)</p>
Rule 1.1	
Rule 1.2	<p>(c) A lawyer may limit the scope of the representation pursuant to Rule 6.5 or if the limitation is reasonable under the circumstances and the client makes an informed decision.            (1) The limitation(s) must be fully disclosed and explained to the client in a manner which can reasonably be understood by the client.            (2) Unless the representation of the client consists solely of telephone consultation, the disclosure and consent required by this subsection shall be in writing.            (3) The use of a written notice and consent form approved by, or substantially similar to, a form approved by the Board of Judicial Policy and Administration shall create the presumptions that:            (i) the representation is limited to the attorney and the services described in the form; and            (ii) the attorney does not represent the client generally or in any matters other</p>

	<p>than those identified in the form.</p> <p>Adds: (e) When a lawyer is appointed to act as a guardian ad litem, the lawyer shall represent what he or she reasonably believes to be in the best interests of the individual. The lawyer shall not, therefore, be bound by the individual's objectives for the representation. The lawyer shall, however, consult with the individual, in a manner appropriate to the age and/or abilities of the individual, as to the objectives the lawyer intends to pursue, as well as the means by which those objectives will be pursued.</p>
Rule 1.3	
Rule 1.4	<p>(a)(1): uses "informed decision," cross-reference is to 1.0(f)</p> <p>(b): adds to end "except that a lawyer appointed to act as a guardian ad litem shall be ultimately responsible for making decisions in the best interests of the individual"</p>
Rule 1.5	<p>(e)(1): replaces "or" with "and"</p> <p>(e)(2): the client is informed of the arrangement; and</p> <p>Adds: (f) A lawyer shall not pay or receive a fee or commission solely for referring a case to another lawyer.</p>
Rule 1.6	<p>(a): uses "confidential information," uses "informed decision"</p> <p>(b): same as former MR</p> <p>(b)(1): to prevent the client from committing a criminal act;</p> <p>(b)(2) – (4): same as MR (b)(4) – (6)</p> <p>Adds: (b)(5) to protect the best interests of an individual when the lawyer has been appointed to act as a guardian ad litem or as an attorney for the best interests of that individual.</p>
Rule 1.7	<p>(b)(4): before proceeding with the representation, each affected client makes an informed decision to waive the conflict, in writing signed by the client.</p>
Rule 1.8	<p>Title: refers to "Specific Prohibited Transactions"</p> <p>(a)(3): uses "informed decision"</p> <p>(b): uses "confidential information," uses "informed decision"</p> <p>(c), changes first sentence: "A lawyer shall not prepare an instrument giving the lawyer or a person related to the lawyer any substantial gift unless the lawyer or other recipient of the gift is related to the client.</p> <p>(f)(1): uses "informed decision"</p> <p>(j): refers to "current client," adds to end "or unless the lawyer and client are married. A lawyer shall not have sexual relations with the spouse of a current client."</p>
Rule 1.9	<p>(a) and (b)(2), changes end: "unless the former client makes an informed decision to waive the conflict, confirmed in writing signed by the client."</p> <p>(c)(1) and (2): uses "confidential information"</p>
Rule 1.10	<p>Title: refers to "Imputed Conflicts of Interest"</p> <p>(b)(2): cross-reference is to 1.9(b)</p>
Rule 1.11	<p>(a)(2) and (d)(2)(i), changes end: "unless the appropriate government agency makes an informed decision, confirmed in writing, to allow the representation."</p>
Rule 1.12	<p>(a), changes end: "unless all parties to the proceeding make an informed decision to allow the representation, confirmed in writing signed by the</p>

	<p>client.”</p> <p>(c)(2), adds after “notice:” “including a description of the screened lawyer’s prior representation and of the screening procedures employed”</p>
Rule 1.13	Same as former MR
Rule 1.14	Adds: (d) A lawyer appointed to act as a guardian ad litem represents the best interests of that individual, and shall act in the individual’s best interests even if doing so is contrary to the individual’s wishes. To the extent possible, however, the lawyer shall comply with paragraph (a) of this rule.
Rule 1.15	<p>(a) A lawyer shall hold property of clients or third persons that is in a lawyer’s possession in connection with a representation separate from the lawyer’s own property. Funds shall be kept in a separate trust account maintained in the State of Wyoming or elsewhere with the written consent of the client or third person. Other property shall be identified as belonging to the appropriate entity and appropriately safeguarded. The trust account shall comply with the following provisions:</p> <p>(1) The trust account shall include all client or third party funds except those funds deposited pursuant to the written instructions of the client or third party in a special interest bearing account with the interest being paid pursuant to the written instructions of the client or third party.</p> <p>(2) No interest from such trust account shall be made available to a lawyer or law firm.</p> <p>(3) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person, provided however, notification to interested parties whose funds are nominal in amount or to be held for a short period of time is not required. The determination of whether the funds are nominal in amount or to be held for a short period of time rests in the sound judgment of each lawyer or law firm.</p> <p>Adds: (b) Any interest-bearing trust account established pursuant to subsection (a) of this Rule may be established with any financial institution which is authorized by federal or state law to do business in Wyoming and which is a member of the Federal Deposit Insurance Corporation, or any successor agency. Funds deposited in such accounts shall be subject to withdrawal by check and without delay. The account must be in the name of the lawyer or the law firm and be clearly labeled or designated as a “trust account.”</p> <p>(c): same as MR (b)</p> <p>(d): similar to MR (c). Ends first sentence after “advance.” Adds as second sentence: The lawyer may withdraw those funds only as fees are earned or expenses incurred.</p> <p>(e): similar to MR (d). Deletes first sentence. Adds as last sentence: Complete records of such accounting shall be kept by the lawyer and shall be preserved for a period of five years after termination of the representation.</p> <p>(f): similar to MR (e). Replaces “the property shall be kept separate” with “the property in dispute shall be kept in trust”</p> <p>Adds: (g) A lawyer shall keep complete and current records of the trust account funds. These records shall be preserved for a period of five years after termination of the representation. Specifically, the following records must be</p>

	<p>maintained:</p> <p>(1) a receipt and disbursement journal showing a running balance and identifying all deposits in and withdrawals from the account, including:</p> <ul style="list-style-type: none"> <li>(i) the dates of the deposits and withdrawals,</li> <li>(ii) from whom the deposits were received, and</li> <li>(iii) for whom the withdrawals were made;</li> </ul> <p>(2) a separate accounting page or column for each client or third person for whom funds are held showing a running balance and identifying all receipts and disbursements as described in subsection (1) above;</p> <p>(3) at least quarterly a written reconciliation of trust account journals, ledgers, and bank statements;</p> <p>(4) all checkbooks, bank statements, and copies or originals of the canceled or voided checks.</p> <p>Adds: (h) This rule does not apply to any member of the Wyoming State Bar, who, (1) is not engaged in the practice of law in Wyoming; (2) is employed on a full-time basis by any governmental agency or subdivision and is not engaged in the private practice of law; or (3) is employed on a full-time basis by any corporation or association which does not provide legal services to the public and who is not otherwise engaged in the private practice of law.</p> <p>Adds: (i) Each active member of the Wyoming State Bar who practices within the state shall certify each year upon making payment of annual license fees that the member has and intends to keep in force in the State of Wyoming a separate bank account or accounts for the purpose of keeping money in trust for clients, which account conforms to the requirements of this rule, or that because of the nature of the member's practice no client funds are received. Certification shall be upon a form to be provided by the Wyoming State Bar and shall include the following: (1) the name and address of the lawyer or law firm filing the certification; (2) the name and address of each financial institution in which the account or accounts are maintained; (3) the number of each account maintained pursuant to this rule; (4) the dates covered by the certification; and (5) the signature, under penalty of perjury, of the lawyer making the certification.</p>
<p>Adds Rule 1.15A</p>	<p>Interest on lawyers trust accounts program.</p> <p>(a) Nothing in these rules shall prohibit the account required in Rule 1.15(a) hereof from being established as an interest-bearing trust account for the benefit of the charitable purposes of a court-approved Interest on Lawyer Trust Accounts (IOLTA) program.</p> <p>(b) Unless an election not to do so is submitted in accordance with the procedure set forth in subsection (c) of this Rule, a lawyer or law firm with which the lawyer is associated shall maintain the account required in Rule 1.15(a) hereof as an interest-bearing account for the benefit of the charitable purposes of a court-approved Interest on Lawyer Trust Accounts (IOLTA) program.</p> <p>(c) A lawyer or law firm that elects to decline to maintain the required account as an IOLTA program account shall submit a Notice of Declination in writing to the Executive Director of the Wyoming State Bar by October 1 of the year</p>

	<p>preceding that to which the Notice of Declination will apply.</p> <p>(1) Notwithstanding the foregoing, any lawyer or law firm may petition the Wyoming State Bar at any time and for good cause shown for leave to file a Notice of Declination at a time other than those specified above. An election to decline participation may be revoked at any time by filing a request for enrollment in the program.</p> <p>(2) A lawyer or law firm that does not file with the Executive Director of the Wyoming State Bar a Notice of Declination in accordance with the provisions of this rule shall be required to maintain the required account as an IOLTA program account in accordance with subsection (b) of this Rule.</p> <p>(d) Lawyers or law firms which maintain the account required in Rule 1.15(a) of this rule as an IOLTA program account shall direct the depository institution:</p> <p>(1) to remit interest or dividends, net of any service charges or fees, on the average monthly balance in the account, or as otherwise computed in accordance with the institution's standard accounting practice for other depositors, at least quarterly, to the Wyoming State Bar Foundation;</p> <p>(2) to transmit with each remittance to the Wyoming State Bar Foundation a statement showing the name of the lawyer or law firm for whom the remittance is sent and the rate of the interest applied; and</p> <p>(3) to transmit to the depositing lawyer or law firm at the same time a report showing the amount paid to the Wyoming State Bar Foundation, the rate of interest applied, and the average account balance of the period for which the report is made.</p> <p>(e) The Wyoming State Bar Foundation shall maintain records of each remittance and statement received from depository institutions for a period of at least three years and shall, upon request, promptly make available to a lawyer or law firm the records and statements pertaining to that lawyer's or law firm's account.</p> <p>(f) All interest transmitted to the Wyoming State Bar Foundation shall be distributed by the entity for the purposes of:</p> <p>(1) providing legal services to the poor of Wyoming, who would otherwise be unable to obtain legal assistance;</p> <p>(2) providing public education projects which promote a knowledge and awareness of the law;</p> <p>(3) providing projects which improve the administration of justice; or</p> <p>(4) providing for the reasonable costs of administration of interest earned on client's trust accounts under this rule.</p> <p>Subject to the fulfillment of fund purposes, the Wyoming State Bar Foundation shall have the sole discretion of allocation, division, and distribution.</p>
Rule 1.16	
Rule 1.17	<p>(a) A lawyer or a law firm may sell or purchase a law practice, or an area of practice, including good will, if the conditions provided in this rule are satisfied. The seller shall give written notice of the following to each of the seller's clients for whom the seller has work in progress or is subject to an ongoing engagement agreement:</p>

	<p>(1) the sale of the law practice or area of practice; the name and address of the purchasing lawyer or law firm; and, the date the sale will be completed;</p> <p>(2) the purchasing lawyer or each lawyer of a law firm purchaser is licensed to practice law in the State of Wyoming having a current active status and in good standing with the Wyoming State Bar;</p> <p>(3) subject to any written engagement agreement in force between the seller and the client, the client may:</p> <p>(i) consent to assignment of said agreement to the purchaser;</p> <p>(ii) retain other legal counsel and take possession of the client's file;</p> <p>(iii) take possession of the client's file.</p> <p>(4) the client's consent to the transfer of the client's files will be presumed if the client does not take any action or does not otherwise object within ninety (90) days of receipt of the notice; and</p> <p>(5) the fees charged clients shall not be increased by reason of the sale, unless otherwise agreed in writing by the client.</p> <p>(b) If a client cannot be given notice, the representation of that client may be transferred to the purchaser only upon entry of an order so authorizing by a court having jurisdiction. The seller may disclose to the court in camera information relating to the representation only to the extent necessary to obtain an order authorizing the transfer of a file.</p> <p>(c) The terms of sale of a law practice between a seller and purchaser may otherwise be more restrictive or conditional than the provisions of this rule provided that such terms are in compliance with these Rules.</p>
Rule 1.18	(d)(1), changes end: "prospective client have made an informed decision to allow the representation, confirmed in writing signed by the affected client and the prospective client; or"
Rule 2.1	
Rule 2.2	Did not delete. (a)(1): uses "informed decision," adds to end "in writing signed by the client;"
Rule 2.3	(b), changes end: "unless the client makes an informed decision to allow the evaluation."
Rule 2.4	Title and first sentence of (b): adds "arbitrator, mediator or" before "third-party neutral"
Rule 3.1	(a): first sentence of MR (b): second sentence of MR Adds: (c) The signature of an attorney constitutes a certificate by him that he has read the pleading, motion, or other court document; that to the best of his knowledge, information, and belief, formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law; and that it is not interposed for any improper purpose such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.
Rule 3.2	
Rule 3.3	

Rule 3.4	
Rule 3.5	(b): replaces “such a person during the proceeding” with “an official acting in an adjudicative capacity concerning any substantive or procedural issue before him, or which is likely to be before him”
Rule 3.6	(b)(1), adds to beginning: “the general nature of a”
Rule 3.7	
Rule 3.8	(b), adds to beginning: “prior to interviewing an accused or prior to counseling a law enforcement officer with respect to interviewing an accused,” Does not have MR (e) (e): same as MR (f)
Rule 3.9	Title: deletes “Advocate in”
Rule 4.1	(b): adds “to a third person” after “material fact”
Rule 4.2	Adds “or entity” after “person”
Rule 4.3	
Rule 4.4	Adds: (c) A lawyer shall not present, participate in presenting, or threaten to present criminal charges solely to obtain an advantage in a civil matter.
Rule 5.1	
Rule 5.2	
Rule 5.3	
Rule 5.4	(a)(2): replaces “disappeared” with “otherwise unavailable” Adds: (a)(3) a lawyer who undertakes to complete unfinished legal business of a deceased, disabled, or otherwise unavailable lawyer may pay to the estate of the deceased lawyer or other representative of that lawyer that proportion of the total compensation which fairly represents the services rendered by the deceased, disabled, or otherwise unavailable lawyer; and (a)(4): same as MR (a)(3) Does not have MR (a)(4)
Rule 5.5	Title: does not include “Multijurisdictional Practice of Law” (c) A lawyer admitted in another United States jurisdiction, and not disbarred or suspended from practice in any jurisdiction, may provide legal services on a temporary basis in this jurisdiction in a pending proceeding before a tribunal in this jurisdiction, if the lawyer, is authorized by law or order to appear in such proceeding with a lawyer who is admitted to practice in this jurisdiction and who actively participates in the matter. (d)(2): replaces “other” with “tribal”
Rule 5.6	
Rule 5.7	
Rule 6.1	Title: does not include “Voluntary” Does not include “publico” with “pro bono” throughout the rule First paragraph designated (a) (a)(1): same as MR (a) but adds “within the State of Wyoming” after “legal services” (a)(1)(i) and (ii): same as MR (a)(1) and (2)

	<p>(a)(2) and (2)(i) – (iii): same as MR (b) and (b)(1) – (3)</p> <p>(b) In the alternative, a lawyer should voluntarily contribute \$500.00 per year to any existing non-profit organization which provides direct legal assistance to persons of limited means such as the Wyoming State Bar Foundation, the Wyoming Legal Services Corporation offices, the University of Wyoming College of Law Legal Clinic, or some similar organization.</p>
Rule 6.2	
Rule 6.3	
Rule 6.4	
Rule 6.5	<p>Title: does not include “Court-Annexed”</p> <p>(a): replaces “who” with “may,” adds “the state or county bar association” after “organization,” adds “if the lawyer informs the client of the scope of the representation at the time legal services are provided and the client makes an informed decision to the limited scope. In such circumstances, the lawyer:” to end</p> <p>(a)(1) and (2): adds “actually” before “knows”</p> <p>(a)(2): cross-reference is to 1.9</p> <p>Adds: (b) Unless the representation of the client consists solely of telephone consultation(s), the disclosure and consent required by subsection (a) shall be in writing.</p> <p>(c): same as MR (b)</p>
Rule 7.1	<p>Has former MR</p> <p>Adds: (d) contains a dramatization prohibited by Rule 7.2(h), a testimonial or endorsement.</p>
Rule 7.2	<p>(a) Subject to the requirements of Rule 7.1, a lawyer may advertise services. The services may be advertised through public media, such as a telephone directory, Internet, legal directory, newspaper or other periodical, outdoor sign or billboard, radio or television, or through written or electronic communication. Advertisements shall not involve solicitation as defined in Rule 7.3.</p> <p>Adds: (b) A copy or recording of an advertisement or communication shall be kept for four years after it s last dissemination along with a record of when and where it was used.</p> <p>Adds: (c) Any of the following information in advertisements and written or electronic communications shall be presumed to be in compliance with the provisions of Rule 7.1, and the disclaimer required by Rule 7.2(g) need not be included.</p> <p>(1) Subject to the requirements of Rule 7.1 and Rule 7.2, the name of the lawyer or law firm, a listing of lawyers associated with the firm, office addresses and telephone numbers, and facsimile number. E-mail addresses, office and telephone service hours, and a designation such as "attorney" or "law firm."</p> <p>(2) Date of admission to the Wyoming State Bar and other bars and a listing of federal courts and jurisdictions other than Wyoming where the lawyer is licensed to practice.</p>

(3) Technical and professional licenses granted by the state or other recognized licensing authorities.

(4) Foreign language ability.

(5) Prepaid or group legal service plans in which the lawyer participates.

(6) Acceptance of credit cards.

(7) Fee for initial consultation and fee schedule.

(8) A listing of the name and geographic location of a lawyer or law firm as a sponsor of a public service announcement or charitable, civic or community program or event.

(d) and (d)(1) – (3): same as MR (b) and (b)(1) – (3)

Does not have MR (b)(4)

(e): same as MR (c)

Adds: (f) Advertisements on electronic media such as television, radio and the Internet may contain the same factual information and illustrations as permitted in advertisements in the print media. If a person appears or speaks as a lawyer in an advertisement for legal services, or under such circumstance as may give the impression that the person is a lawyer, such person must be a member of the Wyoming State Bar, admitted to practice and in good standing before the Wyoming Supreme Court and must be the lawyer who will actually perform the service advertised or a lawyer associated with the law firm which is advertising. If a person appears in an advertisement as an employee of a lawyer or law firm, such person must be an actual employee of the lawyer or law firm whose services are advertised. If an actor appears in any other role not prohibited by these rules, the advertisement must disclose such person is an actor.

Adds: (g) Except as permitted by Rule 7.4, advertisement containing information in addition to that set forth in Rule 7.2(c) shall contain the following disclaimer:  
The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer's credentials and ability, and not rely upon advertisements or self-proclaimed expertise.  
The disclaimer must appear within the advertisement itself, or in the instance of a telephone or other directory, upon the same or the facing page as the advertisement appears. The disclaimer shall be in a type size at least as large as the smallest type size appearing in the advertisement.

Adds: (h) There shall be no testimonials, endorsements, or dramatizations in any advertisement in any medium.

Adds: (i) A lawyer shall not advertise services under a name that violates the provisions of Rule 7.5.

Adds: (j) Nothing in Rule 7.2 prohibits a lawyer or law firm from the inclusion in reputable law lists and law directories such information as has traditionally been included in such lists or directories.

Adds: (k) This rule shall not apply to public service advertisements disseminated by the Wyoming State Bar, Wyoming Trial Lawyers, or other non-profit associations.

Rule 7.3	<p>Adds: (d) Any targeted communication to prospective clients by a lawyer in person, contact through a third party at the direction of the lawyer, by telephone, or real-time electronic contact is prohibited. Written communication by telegraph, facsimile, by mail or other writing, electronic communication or by any other means of communication directed to a specific prospective client with whom the lawyer has no family or prior professional relationship, who may need legal services due to a specific occurrence, is prohibited within thirty (30) days of the occurrence. After the thirty (30) days have elapsed exclusive of the day of the occurrence, written communication may be directed to a specific prospective client, but such written communication must comply with Rule 7.1 and 7.3(c).</p> <p>(e): same as MR (d)</p>
Rule 7.4	<p>Title: does not include "Specialization"</p> <p>(d)(1): replaces language after "approved" with "by the Wyoming State Bar"</p>
Rule 7.5	<p>(b): replaces "other professional designation" with "a similar name"</p> <p>(d): Lawyers shall clearly and accurately state the organizational structure of the organization in which they practice. Lawyers may not state or imply that they practice in a partnership, firm or other organization if that is not the fact. If lawyers use a name or designation that implies they are practicing in a partnership, firm or other organization, when, in fact, they are not, adding a disclaimer such as "not a partnership" or "an association of sole practitioners" shall not render the name or designation permissible under Rule 7.4.</p>
Rule 7.6	Did not adopt
Rule 8.1	
Rule 8.2	
Rule 8.3	
Rule 8.4	<p>Adds: (g) knowingly employ or continue to employ or contract with any person in the practice of law who has been disbarred or is under suspension from the practice of law by any jurisdiction, or is on disability inactive status by any jurisdiction. The prohibition of this rule extends to the employment of or contracting for the services of such disbarred or suspended person in any position or capacity (including but not limited to as an employee, independent contractor, paralegal, secretary, investigator or consultant) which is directly or indirectly related to the practice of law as defined by Rule 11(a) of the Rules of the Supreme Court of Wyoming Providing for the Organization and Government of the Bar Association and Attorneys at Law of the State of Wyoming, whether or not compensation is paid.</p>
Rule 8.5	Did not make MJP changes