

**PETITION
TO ESTABLISH CUSTODY
AND VISITATION**

D – 8

The District Court Filing Office
is located on the first floor at
75 Court Street
Reno, NV 89501

ATTENTION

**THIS PACKET IS NOT A SUBSTITUTE FOR THE
ADVICE OF AN ATTORNEY**

IMPORTANT

If either party is in the military, special rules may apply and it is recommended you seek the advice of an attorney.

Counsel Is Always Recommended For Legal Matters

The law allows any person to represent himself or herself in a legal action. However, filing papers with the court and representing yourself in the courtroom can involve complicated legal issues. This packet does not address all the legal issues involved in bringing your matter before the court. This packet is created to help you access the legal system without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The laws and rules are set out in the Nevada Revised Statutes, The Rules of Civil Procedure, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet including the definitions of terms.

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. THE COURT, SELF-HELP CENTER, NON-PROFIT ORGANIZATION, OR LAW LIBRARY THAT MAY PROVIDE THIS INFORMATION SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

**PETITION TO ESTABLISH
CUSTODY AND VISITATION**

Packet D-8

This packet is to be used only when the paternity of the child or children has already been established through either:

1. A voluntary acknowledgment of paternity being signed by both parent and filed with the Bureau of Vital Statistics (usually done at the time of the birth)
-or-
2. Through another judicial proceeding such as a child support case.
-or-
3. Through completed genetic testing
-or-
4. If the child carries the father's last name

This packet **cannot be used**:

1. If paternity has not already been legally established or the child does not carry the father's last name.
2. If the child is not a resident of the State of Nevada and/or has not been physically present in the State of Nevada for a continuous period of six months out of the last twelve months.

This packet was created by the Family Court Self-Help Center for use by those representing themselves in the Washoe County Family Court. Questions concerning the use of this packet should be directed to private counsel or the Family Court Self-Help Center located at One South Sierra Street, Reno, Nevada. Telephone number (775) 325-6731.

This packet is in no way a substitute for private counsel.

INSTRUCTIONS FOR FILLING OUT FORMS

CAREFULLY READ THROUGH ALL OF THE INSTRUCTIONS
BEFORE STARTING TO FILL OUT ANY OF THE FORMS

*Use black ink or blue ink to fill out the forms and neatly
print the information requested.*

*Do not use Wite-Out or other correction fluid/tape on the forms.
They will not be accepted by the Court if correction fluid/tape is used.*

Included in this packet are the following forms:

- 1. Civil Cover Sheet**
- 2. Family Court Information Sheet**
- 3. Declaration Under Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA)**
- 4. Financial Disclosure Form**
- 5. Petition To Establish Custody and Visitation**
- 6. Two Summons Forms**

IMPORTANT:

This packet does not contain all of the documents you may need for your case. The forms in this packet only “initiate” the action. If the other party files an Answer and Counterclaim, you will need the A1 Reply to Counterclaim packet. If the other party does not file an Answer at all within 20-days after service, you will need the P5 Default Documents to Establish Custody and Visitation packet to finish your case.

The penalty for making a false statement in a declaration that is made under penalty of perjury is a minimum of 1 year and a maximum of 4 years in prison, with the possibility of an additional fine of \$5000 or more if authorized or required by statute. See N.R.S. §199.145

STEP 1

Filling Out the Civil Cover Sheet

Fill in the top portion of the cover sheet with the name, address and telephone number of both parties.

Check the box labeled “Custody (Non-Divorce) (CU).”

Fill in the date at the bottom of the sheet and print and sign your name on the line indicated.

STEP 2

Filling Out the Family Court Information Sheet

Print your name on the line for Petitioner and the other party’s name on the line for Respondent.

Fill in your name and the Respondent’s name and Social Security Numbers. If you or the Respondent do not have a Social Security number, print “do not have one” on the line for the number.

Complete the form, filling in all the information you can on yourself, the Respondent and the children. If any children listed do not have Social Security numbers, print “do not have one” on the line for the number.

STEP 3

Filling Out The Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)

Fill in your name, address and telephone number in the upper left hand corner.

Print your name on the line for Petitioner and the other party’s name on the line for Respondent. Leave the Case No. blank and Dept. No. blank. When you file the documents with the filing clerk, a case number and a department number will be assigned.

Complete all information as required. Follow the directions carefully and fill in the necessary information on dependants and children being sure to include any information on where the child or children have lived for the past five (5) years. This information informs the Court of its jurisdiction to enter orders regarding child custody and visitation.

Pay special attention to the information required regarding any other cases that may have been filed regarding the parties or the children. The information required includes cases such as Temporary Protection Orders, Social Services cases, child support cases or guardianships.

Sign and date the document.

STEP 4

Filling Out The Financial Disclosure Form

Fill in your name, address and telephone number in the upper left hand corner.

Print your name on the line for Petitioner and the other party's name on the line for Respondent. Leave the Case No. blank and Dept. No. blank. When you file the documents with the filing clerk, a case number and a department number will be assigned.

Review the document carefully prior to attempting to answer the questions. This form focuses on your employment, income and expenses as they are *at this moment in time*. This is a snapshot of your financial status as you fill out this form, not your financial status as it was in the past or what it will be in the future.

The income and expenses are based on your *monthly* income and expenses. Those items that you pay every few months should be averaged as to their monthly cost. For instance, if you pay your car insurance every six months, your monthly expense for the insurance would be 1/6th of your payment.

If you do not know the approximate value of such things as a vehicle or a house, state "unknown." Do not guess as to values of major property. It is important to remember that the value of such things as furniture and clothes is not the replacement value or the original cost. The value is what one would pay for such things in a second hand store or a thrift store.

STEP 5

Filling out the Petition to Establish Custody and Visitation

Fill in your name, address and telephone number in the upper left hand corner.

Print your name on the line for Petitioner and the other party's name on the line for Respondent. Leave the Case No. blank and Dept. No. blank. When you file the documents with the filing clerk, a case number and a department number will be assigned.

The directions for the Petition are printed on the form. *Follow the directions carefully. The custody, visitation and support information must be complete.*

Be sure you are familiar with the terms and the definitions regarding child custody and visitation. Also, be sure you know how the child support must be figured according to the Child Support Statutes. If a child support obligation has already been established through the District Attorney's Family Support Unit, make sure to include that information.

STEP 6

Filling Out The Two Summons Forms

The information filled out on both forms will be the same.

Print your name on the line for Petitioner and the other party's name on the line for Respondent. Leave the Case No. blank and Dept. No. blank. When you file the documents with the filing clerk, a case number and a department number will be assigned.

On the line provided in the middle of the page, fill in the object of this action – such as “Custody and Visitation.”

Print your name, address and telephone number in the space on the bottom left side of the Summons.

On the second page of the document, list any other documents to be served along with the Petition. Do not fill in any other lines/information at this time.

STEP 7

Copying and Filing The Documents

Make two copies of all documents except the Summons. Take the original documents and the copies to the filing clerk's office which is located on the first floor of the Courthouse at 75 Court Street, Reno, NV.

There will be a filing fee charged when the documents are filed. You may check with the filing clerk's office at 328-3110 to confirm the fee.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the application found in the **F6** or **F6JP** fee waiver packet.

The **F6** and **F6JP** fee waiver packets may be obtained in the following locations:

- Family Court Self Help Center, 1 South Sierra Street, Reno, NV
- Filing Clerk's Office, 75 Court Street, Reno, NV
- www.washoecourts.com

The clerk will assign a case number and department number to your documents. The clerk will file stamp all the documents, keep the original of all the documents except the Summons, and return the copies to you.

The clerk will then "issue" the Summons by signing it and putting a raised seal on the original Summons. Both the original Summons and the copy of the Summons will be returned to you.

STEP 8

Serving the Documents

Staple the **copy** of the Summons to a copy of the Petition along with a copy of all other documents you have filed with the Court.

These documents must be served on the other party within ONE HUNDRED AND TWENTY (120) days of the date the Summons was "issued" by the clerk or the Court may dismiss the action.

Someone other than you must make service on the other party.

Service may be made:

- 1) By the Civil Division of the Sheriff's Office in the county in which the Defendant resides or works.
- 2) By a responsible adult over the age of 18 years, such as a friend or relative.
- 3) By a private process server.

You cannot serve the documents on the Respondent yourself and you cannot serve the documents by mail.

The documents must be served on the other party directly and personally, or they may be left at the home of the party with an adult at that residence.

If you choose to have the Sheriff's office serve the documents, you must deliver the **original Summons** and the packet of documents to be served to the Washoe County Sheriff's Civil Division at 911 Parr Blvd., Reno, NV.

The Sheriff's office will charge a service fee. However, if the Judge signed an Order waiving your fees and costs, you may show a copy of the Order to the Sheriff's office and they will waive the service fee if the other party is to be served in Washoe County.

The Sheriff's office will serve the documents, complete the Declaration of Service and send the original Summons back to the Clerk for filing. You may choose to keep in contact with the Civil Division of the Sheriff's office and the Court's filing clerk to make sure the documents are served and the Declaration of Service is filed with the Court.

You may also have the documents served on the other party through a private, professional process server or service. Follow up with the process server to ensure that the server fills out the Declaration of Service and files the **original Summons** with the court.

If you choose to have anyone other than the Sheriff's office or a professional process server serve the other party, the Declaration of Service on the second page of the **original Summons** must be filled out and signed by the person who served the documents.

After the Declaration of Service is completed, the **original Summons** must be filed with the filing clerk. It is a good idea to make a copy of the **original Summons** with the Declaration of Service completed and have it filed stamped when you file the **original Summons** with the clerk. The clerk will return the copy to you for your records.

The other party has twenty (20) days from the date of service (not counting the day of service) in which to answer, oppose or respond to the Petition.

After Service Is Completed

How your case will be handled after service of the Petition and Summons is completed on the Respondent will depend entirely on whether an Answer, Opposition or Response is filed by the Respondent.

It is important to take immediate action if the other party files and serves you any kind of documents. There are important time frames in which documents and pleadings must be filed. If those time frames are not met, you may be put at a great disadvantage.

REMINDER: These documents only initiate the case. They do not take you through the whole procedure.

SOME DEFINITIONS and EXPLANATIONS OF TERMS USED IN FAMILY CASES
WITH CHILDREN

The following definitions and explanations are only to be used as general guidance. In no way are they intended to cover all the legal significance and importance of the terms. You are advised to seek a full explanation of the terms, definitions, and explanations, from a private attorney licensed to practice law in the State of Nevada.

Alimony or Spousal Support: Alimony, or Spousal Support is the amount paid to one spouse by the other for a period of time after the marriage is over, usually to assist the spouse in being able to maintain a lifestyle to which that spouse is accustomed, until that spouse can get back on firm financial footing. Spousal support may be for a limited amount of time, such as months or years, until remarriage, or may be permanent until remarriage. If the spouse that is receiving support remarries, unless otherwise agreed upon, and ordered by the court, the spousal support stops at the time of remarriage. There is no formula for spousal support and either party may receive spousal support. The factors governing spousal support are complicated and if you have any questions regarding spousal support, *they should be discussed with a private attorney.*

Answer to Complaint or Petition: When a defendant or respondent is “served” with a complaint or petition, a *formal, written, “answer”* must be filed with the court by the “defendant” or “respondent” within twenty (20) days of the date the Complaint was served, either agreeing with, or opposing, the requests of the plaintiff or petitioner. If the defendant or respondent does not file a written, formal, answer to the claims, the other party (the plaintiff or petitioner) may take a “default” and receive all that they request in the complaint or petition. Very often, when a person receives a copy of the “complaint” or “petition”, they wait for some kind of a notice of a hearing. No hearing is automatically scheduled. Unless the defendant or respondent actually, formally, answers the complaint or petition, in writing, and files it with the court, the court will, most likely, automatically grant the plaintiff or petitioner everything they request.

If the defendant or respondent wants something different than is stated in the Complaint, the defendant or respondent may file a “counterclaim” with the answer.

Child Custody: There are two kinds of custody, “legal” custody and “physical” custody. Physical custody has to do with the actual, physical interaction and contact between parent and child. Legal custody has to do with the rights and responsibilities to make decisions about the important aspects of the child’s life, such as the child’s education and the child’s health needs.

The following are not complete legal definitions, but only give you an idea of what terms are commonly used in documents and what they *generally* mean. For a more complete definition, please speak to an attorney, or clarify the terms with the mediator, if you are in mediation, or, clarify the terms at the time of any hearing or conference with the judge.

Primary Physical Custody: The child physically resides with, and spends the great majority of time with, one parent, designated as the primary physical custodian, and the other parent has visitation rights and privileges. For example: the non-custodial parent may have visitation at least every other weekend, one evening during the off week, alternate holidays and some block time for vacation periods. Non-custodial arrangements vary with each set of circumstances.

Joint Physical Custody: Each parent has significant periods of time with the child. It **DOES NOT MEAN** that each parent has an exact equal amount of time with the child. The significant time may be worked out over longer periods such as weekly, monthly, or even annually. This may also be designated as *shared physical custody*. Joint physical custody does not mean that there will be no child support obligation. Usually, there is still a child support obligation of some kind from one parent to the other, depending upon the financial position in which each is left following the divorce.

Sole Physical Custody: Sole physical custody is very seldom granted by the court. Usually, the term is used when one parent is completely out of the child's life, such as in prison, or in circumstances that contact with the non-custodial parent would expose the child to physical danger or abuse. Sole physical custody does not automatically mean that the non-custodial parent has no visitation rights. The court may grant one parent sole physical custody and grant the non-custodial parent specific visitation. The term sole physical custody is most often combined with sole legal custody which then grants one parent the complete control over making all the decisions for the child without any input by the non-custodial parent. However, sole physical custody may also be combined with joint legal custody. In that case, although one parent has the child solely in their physical custody, the important decisions for the child are made with input by the non-custodial parent.

Joint Legal Custody: Both parents equally share the right and responsibility to make decisions about the child's health, education and welfare. Should the parents not be able to agree on such decisions, the parents usually return to mediation to see if they can work out their differences and if they cannot work them out through mediation, the matter is presented to the Court for the final decision. Both parents have an equal right to access such things as the child's doctor's records and school records.

Sole Legal Custody: One parent, alone, has the right and responsibility to make all the decisions about the child's health, education and welfare, without any input from the non-custodial parent. Sole legal custody is only granted in extreme and unusual cases and circumstances.

Child
Support:

Child support is governed by statute and, like child custody, can become complicated. Although the basic formula as set by statute is 18% of the non-custodial parent's gross income for 1 child, 25% for 2 children, 29% for 3 children, 31% for 4 children and an additional 2% for each additional child, **there are deviations from the formula that can be considered**. The minimum child support allowed is \$100.00 per month, per child, and the maximum for each child is determined by the gross income of the non-custodial parent as set out in the statutes, with a cap that is adjusted annually. **Under certain conditions, there are deviations**

from the minimum and maximum amounts. The child support statutes can be found at NRS 125B.070 and NRS 125B.080. You are urged to seek the advice of a private attorney on how to fully address child support and any deviations from the formula. Child support must be reviewed every 3 years or at any time if there is a substantial change of circumstances (such as the loss of a job or the legal responsibility for the support of another family member or another child). It is the responsibility of the parties to request a review and modification of the child support.

Child Visitation:
or
Parenting Time

The statute governing child visitation and exchange is clear. It is not enough to just state “reasonable visitation” in any kind of agreement. The visits and terms of the exchange of the child must be clear and specific. There must be specific days, times and places of exchange included in the agreement, and the holiday calendar must be clearly defined. If there are expenses involved with the exchange and visits, the agreement must state which parent is going to bear the expenses, or, if the expenses are going to be shared. If there is travel involved, who makes the travel arrangements must be stated. If the visitation is going to be “supervised”, the arrangements must be stated as to who will supervise the visits, whether the supervised parenting time will be temporary or permanent, and, if temporary, when unsupervised parenting time will commence, and under what conditions. *It must be remembered that the written agreement for visitation or parenting time is the controlling agreement and any verbal agreements are usually not enforceable through the courts.*

Complaint: The document filed to start a case. Also may be known as a “Petition”. The “complaint” or “petition” sets out the claims of the “plaintiff” or “petitioner” and tells the court what they want the court to order, as well as the basis for why the court should enter an order granting them what they want. The Complaint, or Petition, is then served on the Defendant, or Respondent, with a Summons notifying the Defendant, or Respondent, that a suit has been filed against them.

Counterclaim While the Complaint or Petition sets out the claims of the “plaintiff” or “petitioner,” a counterclaim sets out the claims of the “defendant” or “respondent”. The counterclaim is included within the Answer to the Complaint that defendant or respondent files. For example, if plaintiff asks for primary physical custody of the children in the Complaint and the defendant wants primary physical custody, the defendant can use the counterclaim to ask for primary physical custody.

Debts: Generally, any bills or debts acquired during the marriage are considered community debts and are equally divided at the time of the divorce. *There are exceptions.* Debts that are incurred for such things as gambling or for purchasing things that are not for the benefit of the community, may be considered sole and separate debts. *Such debts should be discussed with a private attorney.*

Default: When a party does not formally, *in writing*, answer or respond to legal documents served on them, the party that filed the documents can request that the court grant them everything they ask for in the documents. The party upon whom the documents were served is said to have “defaulted” and, because they did not file something saying they disagreed with what is being requested, it is assumed they agree with the

requests and the court enters a “default” order. The “default” is most commonly used when a party is served with a divorce complaint and does not file any kind of answer or response and the court grants the divorce on “default”. *It is important to remember that there are legal time frames in which an answer or response must be filed.*

Defendant: The party that answers or “defends” an action brought against them by the Plaintiff or Petitioner. The Defendant may also be labeled as the Respondent.

Habitual Residence: The state where the child or children have lived for at least the past six months.

Mediation: Both parties meet with a professional “mediator”, usually in an attempt to work out a parenting plan for children involved in a custody dispute. However, the division of property may also be “mediated” under certain circumstances. If you file in Washoe, Clark, Douglas and Carson City Counties, mediation of custody and visitation issues is mandatory if the parents cannot come to an agreement regarding custody and visitation of the children. If you file in Washoe, Clark, Douglas and Carson City Counties, you may use the Court mediation programs in the county in which you file. There are certain circumstances under which mediation can be “waived”. However, those circumstances are very special and if you believe you are eligible for waiver of mediation, you need to speak to a private attorney on how to go about filing the correct documents to request that mediation be waived in your case.

Motion: A request to the court, by one party, to enter an order requiring the other party to do something, or, to prevent the other party from doing something, or, for a clarification or reconsideration of an order that has already issued from the court. For example, the motion may request the court to:

1. Order the other party to do something
2. Prevent the other party from doing something
3. To review and/or change child support
4. To allow the custodial parent to relocate with the children
5. To change provisions of the custody and visitation order or agreement
6. Make the terms of a prior order clearer or easier to understand

This list is only an *example* of those things that can be addressed in a motion. Unless the motion is an *ex parte motion*, the motion must be served on the other party and the other party must have an opportunity to file a “response” or “opposition” to the motion.

An ex parte motion is one that is presented to the court without notice to the other party that it is being filed and requests that an immediate order issue from the court without any notice to the other party and without the other party being able to respond to the motion before the order is entered. Usually, the *ex parte motion* is used only when there is an immediate, physical, danger to children. However, an *ex parte motion* may also be used in a disputed divorce to protect the assets of the community by preventing both parties from selling, or hiding, or transferring, or giving the assets away. *Ex parte motions* are extremely rare.

Moving Party: The person who files a motion or brings an action against another party. The moving party may be either the plaintiff or the defendant, or the petitioner or the respondent. For instance, a defendant may file a motion against the plaintiff in an action.

Order To Show Cause Regarding Contempt: When one party is not obeying a court order, the other party may bring a contempt charge against that party. The court will issue the order directing the party charged with not obeying the order to appear and “show cause” why they should not be held in contempt. The moving party, or the one bringing the contempt must prove three things: (1) that there exists a valid court order regarding the issue; (2) that the other party has the ability to obey the order; and, (3) the other party simply chooses not to obey the order. If the party is found in contempt of the court order, the party can be punished. Punishment may range from a fine to jail time.

Petitioner: A party that starts or “brings” an action against another party.
or Plaintiff: The party who answers the action, or against whom the action is brought, is termed the Defendant.

Property: Following are terms associated with property.

Assets: Generally, *anything* acquired or purchased during the time of the marriage is considered a community asset and, therefore, community property, and it usually does not matter if one name is on the property or both names are on the property. Nevada is a “community property” State and the law in Nevada is that community assets are equally divided at the time of a divorce. *There are some exceptions, and those should be discussed with a private attorney.* The term “community assets” includes: the income of both parties during the marriage and anything purchased with either income, any interest acquired in real property, any retirement funds earned during the marriage, vehicles purchased during the marriage (even if in only one name), furniture purchased during the marriage, etc. In many cases, it does not matter in whose name these things are purchased. Sole and separate property is not *usually* considered “community property” *unless* it was given as a gift to the community or the community has acquired an interest in it in another way. If one party “wastes” community assets or give community assets away without the other party’s knowledge or consent, that party may have to reimburse the community for the “wasting” of assets. If there is a question of wasted assets, *those should be discussed with a private attorney.*

Community Property: Any assets acquired or purchased during the marriage are usually considered “community property”, no matter whose name they are in. That is the starting point for the division of property of the marriage. Nevada is a community property State and it is the law that the division of community property start with an equal division. *However*, there are important deviations and exceptions to equal community property distribution. See “Assets” above. *A private attorney should be consulted regarding division and distribution of community property.*

Sole and Separate Property: Sole and separate property are those things Husband and Wife owned prior to the marriage, and it *may* also include a personal injury

settlement received during the marriage by one of the parties, or money or property inherited by a party *if* the proceeds were kept entirely separate from the community, during the marriage. Sole and separate property remains the property of the individual who owned it prior to the marriage. *There are exceptions, such as a home or other real property.* The “community” may acquire an interest in a home or real property during the time of the marriage even if it belonged to one party prior to the marriage. If there is a question regarding such an interest, and what percentage the community may have acquired, *you are urged to see a private attorney.*

Relocation or Moving Out Of The State With Children The law is clear on a parent’s relocation with the children. The custodian that wants to relocate out of the State, ***must, before the move,*** either have the other parent’s written permission to move out of the State, or, a court order allowing the move if the other parent will not give written permission for the move. The parent wishing to move must file a Motion For Relocation and serve the other parent with the Motion. Leaving the State with the children without either written permission from the other parent or an order from the court allowing the relocation may be the basis for a change of custody of the children and may be prosecuted as a crime. ***Before leaving the area or State with children, it is urged that you seek the advice of an attorney.***

Reply to Counterclaim When defendant or respondent files and serves their answer and counterclaim on the plaintiff or petitioner, the plaintiff or petitioner then has the duty to respond to the counterclaim by filing a Reply to Counterclaim. Within that Reply, plaintiff has the opportunity to tell the court what parts of the counterclaim he/she agrees with and what parts he/she disagrees with. Plaintiff or petitioner has 20 days from the date the counterclaim is served on them to file and serve the Reply. If plaintiff does not file a Reply to Counterclaim within that 20 days, the defendant or respondent has the right to take a default against the plaintiff. If a default is granted, the defendant may get everything she/he asked for in the counterclaim.

Reply to Response or Reply to Opposition: The person who files a motion with the court, has an opportunity to “reply” to the formal “response” or “opposition” to their motion, if one is filed by the opposing party. This “reply” is filed by the “moving party”.

Residency Requirement: One of the parties must be a resident of the State of Nevada and that person is known as the “resident.” In order to establish residency in the State of Nevada, that person must have physically lived and physically been here in the State for at least six (6) weeks immediately prior to filing the Complaint or Petition. If both people are residents of the State of Nevada, only one is actually designated as the “resident” for purposes of the filling out and filing of the Declaration of Resident Witness Form.
A child, or the children, MUST be a resident, or residents, of the State of Nevada for a period in excess of six (6) MONTHS before the State of Nevada can enter any orders regarding custody, or visitation, of the child or children. This is STATE and FEDERAL LAW. If the child, or children, are not residents of the State of Nevada for a period of more than six (6) months immediately prior to the filing of

the Petition or Complaint, the State of Nevada has no jurisdiction over orders regarding the children. THERE ARE EXCEPTIONS, but those should be discussed with a private attorney. The parties *cannot* automatically agree to waive the jurisdiction issue.

Resident Witness: A person that will swear under oath or on the Declaration of Resident Witness that one of the parties has been physically present in the State of Nevada for a period of at least six (6) weeks immediately prior to the filing of the Complaint or Petition. The Resident Witness may be a friend, a family member or a co-employee.

Response or Opposition: An answer to a motion that has been filed and served. The person upon whom the motion has been served has ten (10) days to file a formal "response" or "opposition" to the motion if the motion is personally served on them and thirteen (13) days from the date of mailing in which to file a formal "response" or "opposition" if the motion is mailed to them. If no formal "response" or "opposition" is filed, in some counties, the person making the motion may then request to have their motion submitted to the judge for a decision and the judge can grant the person everything they asked for in the motion. See also "default".

Summons: Notice to a party that a complaint or petition has been filed against them in court. The Summons is a court document which is "issued" by the court clerk at the time the complaint or petition is filed in. It must be served on the other party, with a copy of the complaint or petition, **usually by personal service by a third, independent, party, but there are some other methods of service by court order.** The party upon which it is served, has twenty days (not counting the day of service) in which to file a **written** response, or answer, with the court. A copy of the written response, or answer, must be served by the party filing it, on the other party.

Wage Assignment: The legal process of having child support payments deducted directly from the paycheck of the person who owes the support. The payment is then sent by the employer to the State Collection and Disbursement Unit or to the District Attorney's Office Family Support Unit who will send it to the person who is owed the child support.

CHILD SUPPORT STATUTES

NRS 125B.070 Amount of payment: Definitions; adjustment of presumptive maximum amount based on change in Consumer Price Index.

1. As used in this section and NRS 125B.080, unless the context otherwise requires:

(a) "Gross monthly income" means the total amount of income received each month from any source of a person who is not self-employed or the gross income from any source of a self-employed person, after deduction of all legitimate business expenses, but without deduction for personal income taxes, contributions for retirement benefits, contributions to a pension or for any other personal expenses.

(b) "Obligation for support" means the sum certain dollar amount determined according to the following schedule:

- (1) For one child, 18 percent;
- (2) For two children, 25 percent;
- (3) For three children, 29 percent;
- (4) For four children, 31 percent; and
- (5) For each additional child, an additional 2 percent,

of a parent's gross monthly income, but not more than the presumptive maximum amount per month per child set forth for the parent in subsection 2 for an obligation for support determined pursuant to subparagraphs (1) to (4), inclusive, unless the court sets forth findings of fact as to the basis for a different amount pursuant to subsection 6 of NRS 125B.080.

2. For the purposes of paragraph (b) of subsection 1, the presumptive maximum amount per month per child for an obligation for support, as adjusted pursuant to subsection 3, is: **(SEE ATTACHED SCHEDULE)**

If a parent's gross monthly income is equal to or greater than \$14,583, the presumptive maximum amount the parent may be required to pay pursuant to paragraph (b) of subsection 1 is \$800.

3. The presumptive maximum amounts set forth in subsection 2 for the obligation for support must be adjusted on July 1 of each year for the fiscal year beginning that day and ending June 30 in a rounded dollar amount corresponding to the percentage of increase or decrease in the Consumer Price Index (All Items) published by the United States Department of Labor for the preceding calendar year. On April 1 of each year, the Office of Court Administrator shall determine the amount of the increase or decrease required by this subsection, establish the adjusted amounts to take effect on July 1 of that year and notify each district court of the adjusted amounts.

4. As used in this section, "Office of Court Administrator" means the Office of Court Administrator created pursuant to NRS 1.320.

(Added to NRS by 1987, 2267; A 1991, 1334; 2001, 1865; 2003, 101, 342)

NRS 125B.080 Amount of payment: Determination. Except as otherwise provided in NRS 425.450:

1. A court of this State shall apply the appropriate formula set forth in NRS 125B.070 to:

- (a) Determine the required support in any case involving the support of children.
- (b) Any request filed after July 1, 1987, to change the amount of the required support of children.

2. If the parties agree as to the amount of support required, the parties shall certify that the amount of support is consistent with the appropriate formula set forth in NRS 125B.070. If the amount of support deviates from the formula, the parties must stipulate sufficient facts in accordance with subsection 9 which justify the deviation to the court, and the court shall make a written finding thereon. Any inaccuracy or falsification of financial information which results in an inappropriate award of support is grounds for a motion to modify or adjust the award.

3. If the parties disagree as to the amount of the gross monthly income of either party, the court shall determine the amount and may direct either party to furnish financial information or other records, including income tax

returns for the preceding 3 years. Once a court has established an obligation for support by reference to a formula set forth in NRS 125B.070, any subsequent modification or adjustment of that support, except for any modification or adjustment made pursuant to subsection 3 of NRS 125B.070 or NRS 425.450 or as a result of a review conducted pursuant to subsection 1 of NRS 125B.145, must be based upon changed circumstances.

4. Notwithstanding the formulas set forth in NRS 125B.070, the minimum amount of support that may be awarded by a court in any case is \$100 per month per child, unless the court makes a written finding that the obligor is unable to pay the minimum amount. Willful underemployment or unemployment is not a sufficient cause to deviate from the awarding of at least the minimum amount.

5. It is presumed that the basic needs of a child are met by the formulas set forth in NRS 125B.070. This presumption may be rebutted by evidence proving that the needs of a particular child are not met by the applicable formula.

6. If the amount of the awarded support for a child is greater or less than the amount which would be established under the applicable formula, the court shall:

- (a) Set forth findings of fact as to the basis for the deviation from the formula; and
- (b) Provide in the findings of fact the amount of support that would have been established under the applicable formula.

7. Expenses for health care which are not reimbursed, including expenses for medical, surgical, dental, orthodontic and optical expenses, must be borne equally by both parents in the absence of extraordinary circumstances.

8. If a parent who has an obligation for support is willfully underemployed or unemployed to avoid an obligation for support of a child, that obligation must be based upon the parent's true potential earning capacity.

9. The court shall consider the following factors when adjusting the amount of support of a child upon specific findings of fact:

- (a) The cost of health insurance;
- (b) The cost of child care;
- (c) Any special educational needs of the child;
- (d) The age of the child;
- (e) The legal responsibility of the parents for the support of others;
- (f) The value of services contributed by either parent;
- (g) Any public assistance paid to support the child;
- (h) Any expenses reasonably related to the mother's pregnancy and confinement;
- (i) The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction of the court which ordered the support and the noncustodial parent remained;
- (j) The amount of time the child spends with each parent;
- (k) Any other necessary expenses for the benefit of the child; and
- (l) The relative income of both parents.

(Added to NRS by 1987, 2267; A 1989, 859; 1991, 1334; 1993, 486; 1997, 2295; 2001, 1866)

NRS 125B.145 Review and modification of order for support: Request for review; jurisdiction; notification of right to request review.

1. An order for the support of a child must, upon the filing of a request for review by:

(a) The Division of Welfare and Supportive Services of the Department of Health and Human Services, its designated representative or the district attorney, if the Division of Welfare and Supportive Services or the district attorney has jurisdiction in the case; or

(b) A parent or legal guardian of the child,

Ê be reviewed by the court at least every 3 years pursuant to this section to determine whether the order should be modified or adjusted. Each review conducted pursuant to this section must be in response to a separate request.

2. If the court:

(a) Does not have jurisdiction to modify the order, the court may forward the request to any court with appropriate jurisdiction.

(b) Has jurisdiction to modify the order and, taking into account the best interests of the child, determines that modification or adjustment of the order is appropriate, the court shall enter an order modifying or adjusting the previous order for support in accordance with the requirements of [NRS 125B.070](#) and [125B.080](#).

3. The court shall ensure that:

(a) Each person who is subject to an order for the support of a child is notified, not less than once every 3 years, that the person may request a review of the order pursuant to this section; or

(b) An order for the support of a child includes notification that each person who is subject to the order may request a review of the order pursuant to this section.

4. An order for the support of a child may be reviewed at any time on the basis of changed circumstances. For the purposes of this subsection, a change of 20 percent or more in the gross monthly income of a person who is subject to an order for the support of a child shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child.

5. As used in this section:

(a) "Gross monthly income" has the meaning ascribed to it in [NRS 125B.070](#).

(b) "Order for the support of a child" means such an order that was issued or is being enforced by a court of this State.

(Added to NRS by [1989, 859](#); A [1991, 1337](#); [1993, 2626](#); [1997, 2299](#); [2003, 546](#))

Child Support Worksheets

Worksheet A - Primary Physical Custody Child Support Calculation Worksheet

If you are asking for primary physical custody, fill out this worksheet and attach it to the document you are filing. Primary physical custody exists when one parent has the child more than 60% (219 days) of the time calculated over a one year period.

- Determine the Gross Monthly Income (GMI) of the non-custodial parent (estimate if unknown).**

Gross monthly income is the income received from all sources. If you do not know the parent's gross monthly income, you can calculate the number with the formula on the last page.

- Determine Child Support Obligation.**

GMI \$ _____	X	.18 (for 1 Child) .25 (for 2 Children) .29 (for 3 Children) .31 (for 4 Children) Add .02 for each additional child	=	Monthly Child Support: \$ _____ OR \$100 per child \$ _____ (write the higher amount) Higher Amount: \$ _____
-----------------	---	--	---	---

- Apply the Presumptive Maximum (*rarely applicable*).**

Usually, this is the maximum amount a parent may be required to pay per month per child (and can *reduce* – not increase – the amount that would be owed under step). This amount changes every year on July 1st and can be found by going to <http://nvcourts.gov> and searching the phrase “presumptive maximum.” Make sure you are using the most current chart.

Presumptive Maximum Reduction to: \$ _____ Or <input type="checkbox"/> not applicable
--

- Deviations.** You may request an amount of child support that is lower or higher than the amount in or , but your reason(s) must be based upon one of the following factors. (*check all that apply*)

- | | |
|---|--|
| <input type="checkbox"/> The cost of health insurance | <input type="checkbox"/> Expenses reasonably related to the mother's pregnancy and confinement |
| <input type="checkbox"/> The cost of childcare | <input type="checkbox"/> Cost of transportation for visitation if the custodial parent moved out of the jurisdiction |
| <input type="checkbox"/> Special educational needs | <input type="checkbox"/> The amount of time the child spends with each parent |
| <input type="checkbox"/> Age of the child | <input type="checkbox"/> Any other necessary expenses for the benefit of the child |
| <input type="checkbox"/> Parent's legal responsibility to support others | <input type="checkbox"/> The relative income of both parents |
| <input type="checkbox"/> The value of services contributed by either parent | |
| <input type="checkbox"/> Public assistance paid to support the child | |

Explain: _____

Total Child Support: \$ _____

Worksheet B - Joint Physical Custody Child Support Calculation Worksheet

If you are asking for joint physical custody, fill out this worksheet and attach it to the document you are filing. A joint physical custody arrangement exists when each parent has the child at least 40% (146 days) of the time calculated over a one year period.

Parent 1's Name: Parent 2's Name:

Determine Each Parent's Gross Monthly Income (GMI) (estimate other parent's income if unknown).

Gross monthly income is the income received from all sources. If you do not know a parent's gross monthly income, you can calculate the number with the formula on the last page.

Determine Each Parent's Child Support Obligation.

Parent 1 GMI \$ _____	X	.18 (for 1 Child) .25 (for 2 Children) .29 (for 3 Children) .31 (for 4 Children) Add .02 for each additional child	=	Parent 1's Monthly Child Support: \$ _____ OR \$100 per child \$ _____ (write the higher amount and use in step 3) Higher Amount: \$ _____
Parent 2 GMI \$ _____				Parent 2's Monthly Child Support: \$ _____ OR \$100 per child \$ _____ (write the higher amount and use in step 3) Higher Amount: \$ _____

Subtract the lower earning parent's amount of child support in from the higher earning parent's amount.

Higher \$ _____	-	Lower \$ _____	=	Child Support Obligation \$ _____	paid by	Name of higher income parent: _____
--------------------	---	-------------------	---	--------------------------------------	---------	--

Apply the Presumptive Maximum (rarely applicable).

Usually, this is the maximum amount a parent may be required to pay per month per child (and can *reduce* – not increase – the amount that would be owed under step). This amount changes every year on July 1st and can be found by going to <http://nycourts.gov> and searching the phrase "presumptive maximum." Make sure you are using the most current chart.

Presumptive Maximum Reduction to:
 \$ _____
 Or not applicable

Deviations. You may request an amount of child support that is lower or higher than the amount in or , but your reason(s) must be based upon one of the following factors. (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> The cost of health insurance | <input type="checkbox"/> Expenses reasonably related to the mother's pregnancy and confinement |
| <input type="checkbox"/> The cost of childcare | <input type="checkbox"/> Cost of transportation for visitation if the custodial parent moved out of the jurisdiction |
| <input type="checkbox"/> Special educational needs | <input type="checkbox"/> The amount of time the child spends with each parent |
| <input type="checkbox"/> Age of the child | <input type="checkbox"/> Any other necessary expenses for the benefit of the child |
| <input type="checkbox"/> Parent's legal responsibility to support others | <input type="checkbox"/> The relative income of both parents |
| <input type="checkbox"/> The value of services contributed by either parent | |
| <input type="checkbox"/> Public assistance paid to support the child | |

Explain: _____

Total Child Support:
 \$ _____

To Determine a Parent’s Gross Monthly Income:

Gross monthly income is a parent’s income from all sources before taxes. To find this number, calculate the following:

	Parent 1	Parent 2
*Monthly Wages from Employment (before taxes)	\$	\$
Monthly Tip Income	\$	\$
Monthly Self-Employment Income (after business expenses)	\$	\$
Monthly Unemployment Benefits	\$	\$
Social Security	\$	\$
Social Security Disability	\$	\$
Retirement / Pension	\$	\$
Other: _____	\$	\$
TOTAL INCOME	\$	\$

***To Determine a Parent’s Employment Income:**

If you do not know a parent’s gross monthly income from employment, you can calculate the number if you know the 1) hourly wage, 2) weekly income, or 3) annual income.

Gross Monthly Income Based on Annual Income:

Annual Income \$ _____ \div 12 = \$ _____

Gross Monthly Income Based on Weekly Income:

Weekly Income \$ _____ x 52 = Annual Income \$ _____

Annual Income \$ _____ \div 12 = \$ _____

Gross Monthly Income Based on Hourly Wage:

Hourly Wage \$ _____ x # of Hours Worked per week _____ = Weekly Income \$ _____

Weekly Income \$ _____ x 52 = Annual Income \$ _____

Annual Income \$ _____ \div 12 = \$ _____

IMPORTANT
BEFORE
YOU START

READ ALL INSTRUCTIONS
CAREFULLY

DO NOT use Wite-Out®

or other correction fluid/tape on the documents.
The Filing Office will not accept documents with
Wite-Out® or other correction fluid/tape on them.

Use Black Ink

PRINT all information neatly

CIVIL (FAMILY/ JUVENILE-RELATED) COVER SHEET

..... WASHOE County, Nevada

Case No.
(Assigned by Clerk's Office)

I. Party Information (provide both home and mailing addresses if different)

Plaintiff/ Petitioner (name/ address/ phone):	Defendant/ Respondent/ Co-petitioner (name/ address/ phone):
D.O.B.	D.O.B.
Attorney (name/ address/ phone):	Attorney (name/ address/ phone):
Will an Interpreter be required for court hearings? Yes <input type="checkbox"/> No <input type="checkbox"/>	Will an Interpreter be required for court hearings? Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, what language will need to be interpreted? _____	If yes, what language will need to be interpreted? _____

Contact court clerk for further information about interpreters

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

Family-Juvenile Related Cases	
Domestic Relations Case Filing Types	Other Family Related Case Filing Types
<input type="checkbox"/> Marriage Dissolution Case <input type="checkbox"/> Annulment (AN) <input type="checkbox"/> Divorce - With Children (DC) <input type="checkbox"/> Divorce - Without Children (DO) <input type="checkbox"/> Foreign Decree (FD) <input type="checkbox"/> Joint Petition - With Children (JC) <input type="checkbox"/> Joint Petition - Without Children (JN) <input type="checkbox"/> Separate Maintenance (LS) <input type="checkbox"/> Paternity - (PY) <input type="checkbox"/> Custody (Non-Divorce) (CU) <input type="checkbox"/> Support (Non-Divorce) <input type="checkbox"/> Intrastate (Title IV-D) (UF) <input type="checkbox"/> Other Support (Non-Title IV-D) (UO) <input type="checkbox"/> Visitation (Non-Divorce) (VS) <input type="checkbox"/> Termination of Parental Rights (TPR) <input type="checkbox"/> State-Initiated TPR Petition (District Attorney filing only) (TS) <input type="checkbox"/> Other TPR Petition (Private Request) (TV) <input type="checkbox"/> Adoptions <input type="checkbox"/> Adult (AA) <input type="checkbox"/> Minor (AM)	<input type="checkbox"/> Request for Temporary Protective Order (TP) <input type="checkbox"/> Request for Extended Temporary Protective Order <input type="checkbox"/> Other Domestic Relation Case Filings <input type="checkbox"/> Name Change-Minor (NM) <input type="checkbox"/> Permission to Marry (MM) <input type="checkbox"/> Other Domestic Relation Filings (OF) <input type="checkbox"/> Mental Health (IC)
	<p style="text-align: center;">Guardianship Case Filing Types</p> <input type="checkbox"/> Guardianship of an Adult (GA) <input type="checkbox"/> Guardianship of a Minor (GB) <input type="checkbox"/> Guardianship Trust (OG) Estimated Estate Value: _____
	<p style="text-align: center;">Juvenile-Related Case Filing Types</p> <input type="checkbox"/> Miscellaneous Juvenile Petition <input type="checkbox"/> Emancipation Petition (EM)

Children involved in this case:

Name: _____	DOB: _____
Name: _____	DOB: _____
Name: _____	DOB: _____

_____ Date _____ Signature of initiating party or representative

*For Clark and Washoe Counties, please use their Family Court Cover Sheet for family-related case filings.
Please see the Family Court Clerk in those counties for copies of their forms.*

1 IN THE FAMILY DIVISION
2 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
3 IN AND FOR THE COUNTY OF WASHOE

4 **CONFIDENTIAL**
5 **FAMILY COURT INFORMATION SHEET**

6 _____
7 Plaintiff/Petitioner,

8 vs.

9 _____
10 Defendant/Respondent.

Case No. _____

Dept. No. _____

11 Name: _____ Name: _____
12 Social Security #: _____ Social Security #: _____
13 Date of Birth: _____ Date of Birth: _____

14 **IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:**

15 Residential Address: _____ Residential Address: _____

16 Mailing Address: _____ Mailing Address: _____
17 City, State, Zip: _____ City, State, Zip: _____

18 Telephone #: _____ Telephone #: _____
19 Are you employed? YES [] NO [] Are you employed? YES [] NO []
20 Name of Employer: _____ Name of Employer: _____

21 Business Address: _____ Business Address: _____
22 City, State, Zip: _____ City, State, Zip: _____

23 Telephone #: _____ Telephone #: _____
24 Driver's License #: _____ Driver's License #: _____
25 Date of Birth: _____ Date of Birth: _____

26 Ethnicity: [] White (Not Hispanic) Ethnicity: [] White (Not Hispanic)
27 [] African-American [] Hispanic [] African-American [] Hispanic
28 [] Asian or Pacific Islander [] Asian or Pacific Islander
29 [] Native American/Alaskan Native [] Other [] Native American/Alaskan Native [] Other

30 **CHILDREN INVOLVED IN THIS CASE**

31 Name: _____ SSN: _____ DOB: _____
32 Name: _____ SSN: _____ DOB: _____
33 Name: _____ SSN: _____ DOB: _____
34 Name: _____ SSN: _____ DOB: _____
35 Name: _____ SSN: _____ DOB: _____

36 If there are more than five children, list their names on a separate sheet of paper and attach.

37 Does this case involve family violence: [] Yes [] No
38 Are you requesting Child Support Enforcement Services
39 from the District Attorney's Office (IV-D) Services? [] Yes [] No
40 Court Personnel Only: [] Custodial Parent [] Non-Custodial Parent

This document contains the social security number of a person as required by NRS 123.130, NRS 125, 230, and NRS 125B.055

1 Code: 3385
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Self-Represented Litigant

6 IN THE FAMILY DIVISION
7 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 _____, Case No. _____
10 Plaintiff / Petitioner / Joint Petitioner,
11 vs. Dept. No. _____
12 _____,
13 Defendant / Respondent / Joint Petitioner.
14 _____/

15 DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION
16 AND ENFORCEMENT ACT (UCCJEA)

17 I declare as follows:

18 **I.**

19 For each child under the age of 18, born to, or adopted by, the parents at any time
20 during their relationship, list where the child currently lives, where the child has lived
21 for the past 5 years, and the names and current addresses of the persons with whom the
22 child lived at each address.

23 If there is more than one child, and the information is the same for each child, please
24 write "same as above" in the space provided for the child's address, person with whom
25 the child lived, and relationship. You must still provide information regarding each
26 child's name, date of birth, and gender.
27
28

Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Period of Residence	Child's Address (Street Address, City, State)	Person With Whom Child Lived (Name and Current Address)	Relationship
to present			
to			
to			
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Period of Residence	Child's Address (Street Address, City, State)	Person With Whom Child Lived (Name and Current Address)	Relationship
to present			
to			
to			
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Period of Residence	Child's Address (Street Address, City, State)	Person With Whom Child Lived (Name and Current Address)	Relationship
to present			
to			
to			

If more room is needed, attach additional sheets.

II.

Please answer each question below.

1. Please identify any other court case in which you have participated as a party, witness, or in any other way concerning the custody of or visitation with the child(ren) listed above.

Name(s) of child(ren) involved: _____

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Court: _____

Case number: _____ Date of custody determination: _____

2. Please identify any court case that could affect this case, including any case relating to domestic violence, protective orders, termination of parental rights, adoptions, guardianships, dependency, and paternity actions.

Name(s) of child(ren) involved: _____

Court: _____ Type of case: _____

Case number: _____ Date of last order: _____

3. Please identify the names and addresses of any person(s) not a party to this court case who has physical custody of the child(ren) or claims rights of legal custody or physical custody of, or visitation with, the child(ren).

Name(s) of child(ren) involved: _____

Name and address of person(s) claiming custody or visitation rights: _____

If more room is needed, attach additional sheets.

This document does not contain the Social Security Number of any person.

I declare under penalty of perjury, under the law of the State of Nevada, that the foregoing statements are true and correct.

DATED: _____ Signature: _____

Print Your Name: _____

Completing the General Financial Disclosure Form

Do Not Copy Or File This Page

1) Print your name, address, email, and telephone number.

2) Print "Second".

3) Print "Washoe County".

4) Print the names of the parties, the case number and department number just as they appear on all other forms in this case.

5) Answer all of the questions on each page of the form. There are a total of eight (8) pages that need to be completed.

MISC
 Name: _____
 Address: _____
 Phone: _____
 Email: _____
 Attorney for Nevada State Bar No. _____

_____ Judicial District Court
 _____, Nevada

_____ Plaintiff, _____	Case No. _____
vs. _____ Defendant.	Dept. _____

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (*first, middle, last*) _____
 2. How old are you? _____ 3. What is your date of birth? _____
 4. What is your highest level of education? _____

B. Employment Information:

1. Are you currently employed/ self-employed? (*check one*)
 No
 Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? (*check one*)
 No
 Yes If yes, what is your level of disability? _____
 What agency certified you disabled? _____
 What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: _____ Date of Hire: _____ Date of Termination: _____
 Reason for Leaving: _____

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MISC

Name: _____

Address: _____

Phone: _____

Email: _____

Attorney for _____

Nevada State Bar No. _____

_____ Judicial District Court

_____, Nevada

<p style="text-align: center;">_____ Plaintiff,</p> <p style="text-align: center;">vs.</p> <p style="text-align: center;">_____ Defendant.</p>	<p>Case No. _____</p> <p>Dept. _____</p>
--	--

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (*first, middle, last*) _____
2. How old are you? _____
3. What is your date of birth? _____
4. What is your highest level of education? _____

B. Employment Information:

1. Are you currently employed/ self-employed? (*check one*)
 - No
 - Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? (*check one*)
 - No
 - Yes If yes, what is your level of disability? _____
 - What agency certified you disabled? _____
 - What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: _____ Date of Hire: _____ Date of Termination: _____

Reason for Leaving: _____

Monthly Personal Income Schedule

A. Year-to-date Income.

As of the pay period ending _____ my gross year to date pay is _____.

B. Determine your Gross Monthly Income.

Hourly Wage

	\times		$=$		\times	52	$=$		\div	12	$=$	
Hourly Wage		Number of hours worked per week		Weekly Income		Weeks		Annual Income		Months		Gross Monthly Income

Annual Salary

	\div	12	$=$	
Annual Income		Months		Gross Monthly Income

C. Other Sources of Income.

Source of Income	Frequency	Amount	12 Month Average
Annuity or Trust Income			
Bonuses			
Car, Housing, or Other allowance:			
Commissions or Tips:			
Net Rental Income:			
Overtime Pay			
Pension/Retirement:			
Social Security Income (SSI):			
Social Security Disability (SSD):			
Spousal Support			
Child Support			
Workman's Compensation			
Other:			
Total Average Other Income Received			

Total Average Gross Monthly Income (add totals from B and C above)	
---	--

D. Monthly Deductions

	Type of Deduction	Amount
1.	Court Ordered Child Support (automatically deducted from paycheck)	
2.	Federal Health Savings Plan	
3.	Federal Income Tax	
4.	Health Insurance Amount for you: _____ For Opposing Party: _____ For your Child(ren): _____	
5.	Life, Disability, or Other Insurance Premiums	
6.	Medicare	
7.	Retirement, Pension, IRA, or 401(k)	
8.	Savings	
9.	Social Security	
10.	Union Dues	
11.	Other: (Type of Deduction) _____	
Total Monthly Deductions (Lines 1-11)		

Business/Self-Employment Income & Expense Schedule

A. Business Income:

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?
\$ _____

B. Business Expenses: Attach an additional page if needed.

Type of Business Expense	Frequency	Amount	12 Month Average
Advertising			
Car and truck used for business			
Commissions, wages or fees			
Business Entertainment/Travel			
Insurance			
Legal and professional			
Mortgage or Rent			
Pension and profit-sharing plans			
Repairs and maintenance			
Supplies			
Taxes and licenses (include est. tax payments)			
Utilities			
Other: _____			
Total Average Business Expenses			

Personal Expense Schedule (Monthly)

A. Fill in the table with the amount of money **you** spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

Expense	Monthly Amount I Pay	For Me <input type="checkbox"/>	Other Party <input type="checkbox"/>	For Both <input type="checkbox"/>
Alimony/Spousal Support				
Auto Insurance				
Car Loan/Lease Payment				
Cell Phone				
Child Support (not deducted from pay)				
Clothing, Shoes, Etc...				
Credit Card Payments (minimum due)				
Dry Cleaning				
Electric				
Food (groceries & restaurants)				
Fuel				
Gas (for home)				
Health Insurance (not deducted from pay)				
HOA				
Home Insurance (if not included in mortgage)				
Home Phone				
Internet/Cable				
Lawn Care				
Membership Fees				
Mortgage/Rent/Lease				
Pest Control				
Pets				
Pool Service				
Property Taxes (if not included in mortgage)				
Security				
Sewer				
Student Loans				
Unreimbursed Medical Expense				
Water				
Other: _____				
Total Monthly Expenses				

Household Information

A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

	Child's Name	Child's DOB	Whom is this child living with?	Is this child from this relationship?	Has this child been certified as special needs/disabled?
1 st					
2 nd					
3 rd					
4 th					

B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

Type of Expense	1 st Child	2 nd Child	3 rd Child	4 th Child
Cellular Phone				
Child Care				
Clothing				
Education				
Entertainment				
Extracurricular & Sports				
Health Insurance (if not deducted from pay)				
Summer Camp/Programs				
Transportation Costs for Visitation				
Unreimbursed Medical Expenses				
Vehicle				
Other: _____				
Total Monthly Expenses				

C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

Name	Age	Person's Relationship to You (i.e. sister, friend, cousin, etc...)	Monthly Contribution

Personal Asset and Debt Chart

A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

Line	Description of Asset and Debt Thereon	Gross Value	Total Amount Owed	Net Value	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.		\$	- \$	= \$	
2.		\$	- \$	= \$	
3.		\$	- \$	= \$	
4.		\$	- \$	= \$	
5.		\$	- \$	= \$	
6.		\$	- \$	= \$	
7.		\$	- \$	= \$	
8.		\$	- \$	= \$	
9.		\$	- \$	= \$	
10.		\$	- \$	= \$	
11.		\$	- \$	= \$	
12.		\$	- \$	= \$	
13.		\$	- \$	= \$	
14.		\$	- \$	= \$	
15.		\$	- \$	= \$	
Total Value of Assets (add lines 1-15)		\$	- \$	= \$	

B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

Line #	Description of Credit Card or Other Unsecured Debt	Total Amount owed	Whose Name is on the Account? You, Your Spouse/Domestic Partner or Both
1.		\$	
2.		\$	
3.		\$	
4.		\$	
5.		\$	
6.		\$	
Total Unsecured Debt (add lines 1-6)		\$	

CERTIFICATION

Attorney Information: Complete the following sentences:

1. I (have/have not) _____ retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$_____ on my behalf.
3. I have a credit with my attorney in the amount of \$_____.
4. I currently owe my attorney at total of \$_____.
5. I owe my prior attorney at total of \$_____.

IMPORTANT: Read the following paragraphs carefully and initial each one.

_____ This document does not contain the Social Security Number of any person.

_____ I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

_____ **I have attached a copy of my 3 most recent pay stubs to this form.**

_____ **I have attached a copy of my most recent YTD income statement/P&L state to this form, if self-employed.**

_____ **I have not attached a copy of my pay stubs to this form because I am currently unemployed.**

Signature

Date

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on *(date)* _____, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

Via 1st Class U.S. Mail, postage fully prepaid addressed as follows:

Via Electronic Service, in accordance with the Master Service List, pursuant to NEFCR 9, to:

Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file herein to: _____

Executed on the ____ day of _____, 20__.

Signature

1 Code: \$3609
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Acting In Proper Person

6 IN THE FAMILY DIVISION
7 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WASHOE

9 _____,
10 Petitioner
11 vs Case No. _____
12 _____,
13 Respondent. Dept. No. _____
14 _____/

15 PETITION TO ESTABLISH CUSTODY AND VISITATION

16
17 Petitioner, _____, acting in proper person, petitions this
18 (Your name)

19 Court for an Order judicially establishing custody and visitation for the following minor children

<u>Child's Name</u>	<u>Child's Birthdate</u>
_____	_____
_____	_____
_____	_____
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28 Petitioner, _____ states as follows:

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I.

My present address is:

I have lived at that address for: _____(circle one) days, months, years.

Prior to living at my present address, I lived at:

I lived at that address for _____(circle one) days, months, years.

II.

The child(ren) presently live at:

The child(ren) have lived at that address for _____ (circle one) days, months, years.

The child(ren) are presently living with _____.
(State with whom the children are presently living)

Prior to the present address the child(ren) lived at:

And the child(ren) lived at that address for _____ (circle one) days, months, years.

The child(ren) lived at the prior address with _____.
(State with whom the children lived at that address)

III.

The other parent of the child(ren) is: _____
(Name of the other parent)

1 That parent resides at:

2 _____
3 _____
4 _____

5 The other parent has lives at that address for _____(circle one) days, months, years.

6 Prior to living at that present address, the other parent lived at:

7 _____
8 _____
9 _____

10 The other parent lived at that address for _____(circle one) days, months, years.

11 IV.

12 ***Print "YES" on the line in front of the statement that fits your***
13 ***circumstances. Print "NO" on those lines that are not applicable to***
14 ***your set of circumstances.***

15 The paternity of the child(ren) has been established by:

16 _____ A voluntary acknowledgment of paternity was signed by both parents at the time
17 of the child's birth and Father's name is on the birth certificate.

18 _____ Paternity was established through a court proceeding in:
19 Name of court: _____
20 Address of court: _____
21 Date proceeding was held: _____
22 Case Number of court proceeding: _____

22 _____ Through genetic testing, a copy of which is attached to this pleading.

23 _____ The child(ren) have the Father's last name.

24 V.

25 ***Child Support***
26 ***Print "YES" on each line in front of all of the statements that fit your***
27 ***circumstances and fill in the blanks regarding each of the "yes" answers.***
28 ***Print "N/A" (not applicable) on each line in front of all of the statements that do***
not fit your circumstances.

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_____ I am paying child support directly to the other parent in the amount of \$_____ per (circle one) week, month.

_____ I am paying child support through the District Attorney's Office in the amount of \$_____ per (circle one) week, month.

_____ I am not paying child support.

_____ I am receiving child support directly from the other parent in the amount of \$_____ per (circle one) week, month.

_____ I am receiving child support through the District Attorney's Office in the amount of \$_____ per (circle one) week, month.

_____ I am not receiving any child support.

_____ I am receiving welfare benefits for the child(ren).

_____ The child(ren) is /are on Medicaid.

_____ The child(ren) is / are currently covered by health insurance provided by _____ and the premiums are \$_____ per _____ (Mother or Father) (week or month)

I wish this Court to enter an Order for child support as follows:

_____ shall pay child support to _____ in the amount of (Father or Mother) (Father or Mother)

\$_____ per month, per child, for a total of \$_____ per month, the payment to be due on or before the _____ day of the month.

Print "YES" on every line in front of the statement that fits your circumstances. Print "no" on those lines that are not applicable to your set of circumstances.

This request is made based upon the following information:

_____ The parent paying child support is unemployed and therefore the child support should be set at the minimum statutory requirement.

_____ The parent paying child support is employed and earns \$_____ per (circle one) hour, day, week, month.

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_____ The parent paying child support is capable of earning \$_____ per (circle one) hour, day, week, month but is currently unemployed and the child support should be set at the minimum statutory amount until employed and then the support should be reviewed.

_____ The parent paying child support is capable of earning \$_____ per (circle one) hour, day, week, month, but is currently unemployed or under-employed and should pay the statutory amount.

_____ The child support should be more than the statutory amount because:

_____ The child support should be less than the statutory amount because:

VI.

To my knowledge, the following custody and visitation orders have been entered regarding the child(ren):

If any kind of custody or visitation orders have ever been filed, including orders in Temporary Protective Orders, regarding the child(ren), state the provisions of the orders. If no orders have ever been filed print "NONE" in the space.

VII.

Up to the present time, _____ has been the primary caretaker and (Mother or Father) physical custodian of the child(ren).

I request that this Court enter a custody order granting the following:

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Print "YES" in the ONE space that describes the kind of custody you want the court to order. Print "NO" in all the other spaces.

- _____ Joint legal and joint physical custody to the Petitioner and the Respondent.
- _____ Joint legal custody to the parties with primary physical custody to the Petitioner.
- _____ Joint legal custody to the parties with primary physical custody to the Respondent
- _____ Other: _____

VIII.

Fully explain the type of contact both parents have had with the child(ren), including physical contact, telephone contact, etc.

Mother has had contact with the child(ren) in the following way:

Father has had contact with the child(ren) in the following way:

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REGULAR WEEKLY/MONTHLY EXCHANGE AND VISITATION

Visitation must be set out in specific detail, including a full weekly or monthly schedule with the days the exchanges will take place, the times of the exchanges, and who will provide transportation. Without very specific visitation, an order will not be granted. Terms such as "reasonable visitation" and "visitation at reasonable times and places" will not be accepted. If you are requesting supervised visitation, be very specific as to who is going to act as supervisor.

I wish this Court to enter an Order for regular, specific, weekly/monthly visitation and exchange of my child(ren) as follows:

HOLIDAY VISITATION

(You may add or subtract any holidays on the following list. If you choose not to exchange the child/ren on a specific holiday, print "N/A" in the spaces for that holiday. If no changes for the holidays are to be made in the regular visitation schedule, state that clearly in the next paragraph and print "not applicable" on the lines provided for the individual holidays.)

The major holidays will be handled in the following manner:

(Name each specific holiday, such as Thanksgiving, Christmas, Easter, Passover, Hanukkah)

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New Year's Day will be alternated with _____ having the child(ren)
(Father or Mother)
in the year _____ and each _____ year thereafter.
(odd or even)

Martin Luther King's Birthday will be alternated with _____ having the child(ren)
(Father or Mother)
in the year _____ and each _____ year thereafter.
(odd or even)

President's Day will be alternated with _____ having the child(ren) in the
(Father or Mother)
year _____ and each _____ year thereafter.
(odd or even)

Memorial Day will be alternated with _____ having the child(ren) in the year
(Father or Mother)
_____ and each _____ year thereafter.
(odd or even)

Fourth of July will be alternated with _____ having the child(ren) in the year
(Father or Mother)
_____ and each _____ year thereafter.
(odd or even)

Labor Day will be alternated with _____ having the child(ren) in the year
(Father or Mother)
_____ and each _____ year thereafter.
(odd or even)

Nevada Day will be alternated with _____ having the child(ren) in the year _____
(Father or Mother)
and each _____ year thereafter.
(odd or even)

1 Halloween will be alternated with _____ having the child in the year _____
2 (Father or Mother)

3 and each _____ year thereafter.
4 (odd or even)

5 Veteran's Day will be alternated with _____ having the child in the year _____
6 (Father or Mother)

7 and each _____ year thereafter.
8 (odd or even)

9 Child's birthday will be alternated with _____ having the child in the year
10 _____
11 (Father or Mother)

12 _____ and each _____ year thereafter.
13 (odd or even)

14 _____ Mother shall have the child on Mother's Day and Father shall have the child on
15 Father's Day.

16 _____ Holidays not specifically time defined shall begin at _____ a.m. and end at
17 _____ p.m. on that same day. The parent who has the holiday will pick the
18 child up and return the child to the other parent at the end of the scheduled time.

19 Should a holiday fall on a three day weekend and it is the other parent's weekend to have
20 the child(ren), the three day holiday will be handled as follows:
21 _____
22 _____
23 _____
24 _____

25 _____ shall have a block time of time with the child(ren) for vacation
26 (Father or Mother or both parents)

27 purposes. That length of time for vacation period shall be _____
28 (one week, two weeks, three weeks, one month)

1 _____ shall notify the other parent, in writing, at least _____
2 (Father or Mother) (days or weeks)

3 in advance of the choice of time.

4 **WHEREFORE**, Petitioner prays that this Court enter an Order granting Petitioner's
5 requests regarding custody, visitation and support as set forth above.

6 This document does not contain the Social Security Number of any Person.

7 I declare, under penalty of perjury under the law of then State of Nevada, that the foregoing
8 is true and correct.

9
10 Date: _____

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12 _____
(Print name)

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14 _____
(Signature)

Code: 4085

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IN THE FAMILY DIVISION
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Plaintiff / Petitioner / Joint Petitioner,
vs. Case No. _____
Dept. No. _____

Defendant / Respondent / Joint Petitioner.

SUMMONS

TO THE DEFENDANT: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING WITHIN 20 CALENDAR DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.

A civil complaint or petition has been filed by the plaintiff(s) against you for the relief as set forth in that document (see complaint or petition). When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure, Rule 4(b).
The object of this action is: _____

1. If you intend to defend this lawsuit, you must do the following within 20 calendar days after service of this summons, exclusive of the day of service:
 - a. File with the Clerk of the Court, whose address is shown below, **a formal written answer** to the complaint or petition, along with the appropriate filing fees, in accordance with the rules of the Court, and;
 - b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.
2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint or petition.

Dated this _____ day of _____, 20_____.

Issued on behalf of Plaintiff(s): JACQUELINE BRYANT
CLERK OF THE COURT
Name: _____ By: _____
Address: _____ Deputy Clerk
Second Judicial District Court
Phone Number: _____ 75 Court Street
Reno, Nevada 89501

DECLARATION OF PERSONAL SERVICE

(To be filled out and signed by the person who served the Defendant or Respondent)

STATE OF _____)

COUNTY OF _____)

I, _____, declare:
(Name of person who completed service)

- 1. That I am not a party to this action and I am over 18 years of age.
- 2. That I personally served a copy of the Summons and the following documents:

upon _____, at the following
(Name of Respondent/Defendant who was served)

address: _____

on the _____ day of _____, 20_____.
(Month) (Year)

This document does not contain the Social Security Number of any Person.

I declare, under penalty of perjury under the law of then State of Nevada, that the foregoing is true and correct.

(Signature of person who completed service)

Code: 4085

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IN THE FAMILY DIVISION
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

Plaintiff / Petitioner / Joint Petitioner,
vs. Case No. _____
Dept. No. _____

Defendant / Respondent / Joint Petitioner.

SUMMONS

TO THE DEFENDANT: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING WITHIN 20 CALENDAR DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.

A civil complaint or petition has been filed by the plaintiff(s) against you for the relief as set forth in that document (see complaint or petition). When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure, Rule 4(b).
The object of this action is: _____

1. If you intend to defend this lawsuit, you must do the following within 20 calendar days after service of this summons, exclusive of the day of service:
 - a. File with the Clerk of the Court, whose address is shown below, **a formal written answer** to the complaint or petition, along with the appropriate filing fees, in accordance with the rules of the Court, and;
 - b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.
2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint or petition.

Dated this _____ day of _____, 20_____.

Issued on behalf of Plaintiff(s): JACQUELINE BRYANT
CLERK OF THE COURT
Name: _____ By: _____
Address: _____ Deputy Clerk
Second Judicial District Court
Phone Number: _____ 75 Court Street
Reno, Nevada 89501

