ANS

(Your Name) _____

(Address)_____

_____

(Telephone) _____

(Email Address)_____

Defendant In Proper Person

DISTRICT COURT

CLARK COUNTY, NEVADA

_____ Plaintiff, vs. _____ Defendant.	CASE NO.: _____ DEPT NO.: _____ **ANSWER AND COUNTERCLAIM FOR DIVORCE**

COMES NOW, Defendant, *(your name)*, _____, in Proper Person and hereby files his/her Answer and Counterclaim to Plaintiff's Complaint for Divorce as follows:

1. Defendant admits the allegations contained in paragraph(s) *(write the paragraph number(s) from the Complaint that you agree with)* _____
_____
_____
of the Complaint.

2. Defendant denies the allegations contained in paragraph(s) *(write the paragraph number(s) form the Complaint that you do not agree with)*_____
_____
_____
of the Complaint.

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3. After reasonable investigation, this Defendant is without sufficient information to form a belief as to the truth or falsity of the matters alleged in paragraph(s) *(write the paragraph number(s) that you do not know to be true or false because you do not have enough information)* _____

_____

of the Complaint.

COUNTERCLAIM

Defendant, as and for a Counterclaim for Divorce against Plaintiff alleges as follows:

4. That Plaintiff or Defendant, for more than six (6) weeks immediately before the filing of this action, has been and continues to be an actual, bona fide resident of Clark County, Nevada and that Plaintiff or Defendant has been actually physically present and domiciled in Nevada for more than six (6) weeks prior to the filing of this action.

5. That Plaintiff and Defendant were married on the *(date)*_____ in the city of _____, State of _____ and have since remained husband and wife.

6. That the wife in this case *(☑ check one)* ☐is/☐ is not currently pregnant.

I. Child Information

7. That Plaintiff and Defendant have *(number)* _____ minor children in common who are either biological or adopted. *(If no minor children, write the number zero "0")*

8. The minor child(ren)'s name(s), date(s) of birth, state(s) and length(s) of residence is/are as follows: *(If no minor children, write "N/A" in the table below)*

Child's Name:	Child's Date of Birth	State of Residence:	Length of time child has lived in the state:

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9. Child(ren) Residency: ***(☑ check one)***

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The children are residents of Nevada and have lived here for at least the past six (6) months and, as such, this Court has the necessary UCCJEA jurisdiction to enter orders regarding custody.

☐ The children are not residents of Nevada and have not lived here for at least the past six (6) months and, as such, this Court does NOT have the necessary UCCJEA jurisdiction to enter orders regarding custody.

10. Legal Custody. Legal Custody involves having basic legal responsibility for a child and making major decisions about the child like the child's health, education and religious upbringing. ***(☑ check one)***

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The child(ren) is/are not residents of the State of Nevada.

☐ The parties should be granted joint legal custody of the minor child(ren).

☐ The Plaintiff should be granted sole legal custody of the minor child(ren).

☐ The Defendant should be granted sole legal custody of the minor child(ren).

11. Physical Custody. Physical custody refers to the amount of time the child spends in the care of each parent. ***(☑ check one)***

> Joint physical custody exists when each parent has physical custody of the child(ren) at least 40% (146 days) of the time calculated over a one year period.
>
> Primary Physical custody exists when one parent has physical custody of the child(ren) more than 60% (219 days) of the time calculated over a one year period.

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The child(ren) is/are not residents of Nevada.

☐ The Plaintiff and Defendant should be granted joint physical custody of the minor child(ren) with a timeshare as outlined in Exhibit 1.

☐ The Plaintiff should be awarded primary physical custody of the minor child(ren) with the Defendant having visitation as proposed in Exhibit 1.

☐ The Defendant should be awarded primary physical custody of the minor child(ren) with the Plaintiff having visitation as proposed in Exhibit 1.

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12. Holiday Visitation. ***(☑ check one)***

- ☐ The Plaintiff and Defendant do not have minor children in common.
- ☐ The child(ren) is/are not residents of Nevada.
- ☐ A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should take precedence when in conflict with the regular visitation schedule.
- ☐ A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and should NOT take precedence when in conflict with the regular visitation schedule.

13. Health Insurance. ***(☑ check one)***

- ☐ The Plaintiff and Defendant do not have minor children in common.
- ☐ The Plaintiff should maintain medical and dental insurance for the minor child(ren), if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Defendant should maintain medical and dental insurance for the minor child(ren), if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.
- ☐ The Plaintiff and Defendant should both maintain medical and dental insurance for the minor child(ren) if available. Any deductibles and expenses not covered by insurance should be paid equally by both parties.

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14. Unreimbursed Medical Expenses. ***(☑ check one)***

30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment resulting in that reimbursement, the parent receiving the reimbursement shall equally divide said reimbursement with the other parent within seven (7) days of receipt of same. Both parents have the authority to contact the insurance provider directly in order to determine the status of any individual claim.

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The Defendant asks the court to adopt the 30/30 Rule.

☐ The Defendant asks the court to NOT adopt the 30/30 Rule.

15. Child Support Amount. *(Fill out the child support worksheet (Worksheet A or Worksheet B) that applies to your custody arrangement BEFORE you answer this question.)*

☐ The Plaintiff and Defendant do not have minor children in common.

☐ Based upon the proposed physical custody arrangement, *(☑ check one)* ☐Plaintiff/☐Defendant should pay $_____ dollars per month for support of the parties' minor child(ren).

16. Child Support Calculation. The amount of child support requested was calculated based upon the following: ***(☑ check one)***

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The statutory minimum of $100 per month, per child.

☐ The calculation for a primary physical custody arrangement as shown on the attached Worksheet A.

☐ The calculation for a joint physical custody arrangement as shown on the attached Worksheet B.

☐ Other: _____

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17. Wage Withholding Order. ***(☑ check one)***

☐ The Plaintiff asks that the court order a wage withholding against the obligor parent (parent who owes child/spousal support) to secure payment of child support and spousal support, if any.

☐ Good cause exists to postpone the withholding of income from the obligor parent to pay child support and spousal support, if any.

18. Child Support Arrears. ***(☑ check one)***

☐ The Plaintiff and Defendant do not have minor children in common.

☐ The Defendant is not asking for back child support and waives his/her right to child support arrears.

☐ The Defendant is the noncustodial parent and therefore is not entitled to back child support.

☐ The Defendant asks the court to award the Plaintiff back child support from (*date*) _____ to *(date)* _____ *(max. 4 years)* and certifies that during that time period, the Defendant gave the Plaintiff a total of $_____ for child support.

☐ The Defendant asks the court to award the Defendant back child support from (*date*) _____ to *(date)* _____ *(max. 4 years)* and certifies that during that time period, the Plaintiff gave the Defendant a total of $_____ for child support.

II. Property/Debt Information

19. Community Property. There may be additional community assets of the parties, the exact amounts and descriptions of which are presently unknown to Defendant. Defendant asks permission of this Court to amend this Complaint to insert this information when it becomes known to Defendant or at the time of trial. ***(☑ check one)***

☐ There is no community property to be divided by the Court.

☐ There is community property which should be divided by the Court as follows:

To Plaintiff:

1. _____

2. _____

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3. _____

4. _____

To Defendant:

1. _____

2. _____

3. _____

4. _____

20. Community Debt. There may be additional community debts of the parties, the exact amounts and descriptions of which are presently unknown to Defendant. Defendant asks permission of this Court to amend this Complaint to insert this information when it becomes known to Plaintiff or at the time of trial. ***(☑ check one)***

☐ There are no community debts to be adjudicated by the Court.

☐ There are community debts which should be divided by the court as follows:

To Plaintiff:

1. _____

2. _____

3. _____

4. _____

To Defendant:

1. _____

2. _____

3. _____

4. _____

21. Spousal Support: ***(☑ check one)***

☐ Neither party should be awarded spousal support.

☐ Spousal support should be awarded to *(☑ check one)* ☐ Plaintiff/☐ Defendant in the amount of $ _____ dollars per month for (number) _____ *(☑ check one)* ☐months/☐years.

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22. Name Change for Wife: ***(☑check one)***

☐ The wife should not have her former or maiden name restored.

☐ The wife should have her former or maiden name of _____ _____ restored to her.

☐ The wife never changed her name and therefore should retain her current name.

☐ The Defendant is the husband and therefore, cannot ask that the Court to change the wife's surname.

23. Reason for Divorce: ***(☑check one)***

☐ The husband and wife have become so incompatible in marriage that there is no possibility of reconciliation.

☐ The husband and wife have lived separate and apart for more than one year and there is no possibility of reconciliation.

WHEREFORE, Defendant prays for a Judgment as follows:

1. That the marriage existing between Plaintiff and Defendant be dissolved and that Plaintiff be granted an absolute Decree of Divorce and that each of the parties be restored to the status of a single, unmarried person;
2. That the Court grant the relief requested in this Counterclaim; and
3. For such other relief as the Court finds to be just and proper.

DATED this *(day)* _____ day of *(month)* _____, 20____.

Submitted By: ▸ _____
(your signature)

_____
(print your name)

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VERIFICATION

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

(Your name) _____, under penalties of perjury, being first duly sworn, deposes and says:

That I am the Defendant in the above-entitled action; that I have read the foregoing Answer and Counterclaim and know the contents thereof; that the same is true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true.

DATED this *(day)* _____ day of *(month)* _____, 20___.

Submitted By:

▸ _____
(your signature)

_____
(print your name)

SUBSCRIBED and SWORN to before me
this _____ day of _____, 20____.

_____
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF NEVADA)
)ss:
COUNTY OF CLARK)

On this *(day)* _____ day of *(month)* _____, 20___, before me, the undersigned Notary Public in and for the said County and State, personally appeared *(your name)* _____, known to me to be the person described in and who executed the foregoing Answer and Counterclaim, and who acknowledged to me that he/she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

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EXHIBIT 1

Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Sample	Mom Pick up at 11 a.m.	Mom	Dad Pick up after school at 3 p.m.	Dad	Dad	Mom Pick up after school at 3 p.m.	Mom
Week #1							
Week #2							
Week #3							
Week #4							

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EXHIBIT 2

Check box if this holiday applies:	Holiday:	Time (circle a.m. or p.m.):	Every Year	Even Years	Odd Years
☐	New Year's Eve	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	New Year's Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Martin Luther King, Jr. Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Presidents' Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Passover	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Easter	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Memorial Day	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Mother's Day	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Father's Day	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	4th of July	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Labor Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Rosh Hashanah	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Yom Kippur	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Nevada Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Halloween	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Veterans Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Thanksgiving Day	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad

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Holiday Visitation Continued…

☐	Chanukkah (Days): _____	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Chanukkah (Days): _____	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Christmas Eve	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Christmas	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Father's Birthday	From: _____a.m./p.m. To: _____a.m./p.m	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Mother's Birthday	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐	Child's Birthday	From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐		From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad
☐		From: _____a.m./p.m. To: _____a.m./p.m.	☐ Mom ☐ Dad	☐ Mom ☐ Dad	☐ Mom ☐ Dad

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EXHIBIT 3

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