

# **COMPLAINT FOR SEPARATE MAINTENANCE**

**WITH MINOR CHILDREN**

**D – 20**

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

**COMPLAINT FOR SEPARATE MAINTENANCE**  
**WITH MINOR CHILDREN**

**PACKET D-20**

The procedure for a “legal separation” or “decree of separate maintenance” is the same as for a divorce.

Custody, visitation, child support and the division of assets and debts are all addressed in this action just as they would be addressed in a divorce action.

This packet is to be used only when BOTH of the following circumstances exist:

1. There are minor children of the marriage, either natural or adopted;  
and,
2. The children have been residents of the State of Nevada and physically present in the state of Nevada for at least 6 months prior to the filing of these documents.

*If there are orders regarding the children that have been issued by another state, there may be a jurisdictional issue and you should seek the advice of private counsel or further guidance through the Self-Help Center.*

**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.**

**COMPLAINT FOR SEPARATE MAINTENANCE  
WITH CHILDREN  
D-20**

**INSTRUCTIONS FOR FILLING OUT FORMS**

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

*Use black ink only 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 Filing Clerk's Office if correction fluid/tape is used.*

Included in this packet are the following documents:

1. A Civil Cover Sheet
2. A Family Court Information Sheet
3. A Personal Case Information Form
4. A Financial Disclosure Form
5. A Complaint For Separate Maintenance (also known as a Legal Separation)-with Custody At Issue
6. A Declaration of Resident Witness
7. Two (2) Summons Forms

**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**

## **FILLING OUT THE DOCUMENTS**

### **The Civil Cover Sheet**

Starting at the top, leave the Case No. blank. When you file the documents with the filing clerk, a case number and a department number will be assigned.

Fill in your name address and telephone number in the space for Plaintiff. Fill in the name, address and telephone number of the other party in the space for Defendant. If you do not know the address and telephone number of the Defendant, write “unknown” in the space provided.

Under the heading, “Marriage Dissolution Case,” check the box labeled “**Legal Separation – LS.**”

You must sign and date the document at the bottom of the page.

### **The Family Court Information Sheet**

Print your name on the line for Plaintiff and the other party’s name on the line for Defendant. 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.

Fill in your name and the Defendant’s name, Social Security Numbers and dates of birth. If you or the Defendant do not have a Social Security number, print “do not have one” on the line for the number. Complete the form as directed.

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

### **The Personal Case Information Form**

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

Print your name on the line for Plaintiff and the other party’s name on the line for Defendant. 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. Fill in all of the information requested on the form.

This form gives the court important and necessary information regarding such things as the education of both parties, the employment status of both parties, the names and ages of children both of the marriage and other dependents of the parties. Most importantly, however, this form tells the court whether or not it has jurisdiction to enter orders concerning the custody and visitation of the

children and whether there have ever been any other legal actions concerning you, the Defendant, and the children involved in this matter.

### **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 Plaintiff and the other party's name on the line for Defendant. 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. 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.

### **The Complaint For Separate Maintenance**

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

Print your name on the line for Plaintiff and the other party's name on the line for Defendant. 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

Follow the directions printed on the Complaint For Separate Maintenance very carefully. If the custody, visitation and support information is not complete, the separation cannot be granted.

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.

### Declaration of Resident Witness

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

Fill in your name as the Plaintiff and the other party's name as the Defendant. 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.

**Do not fill in any other part of the Declaration. The rest of the Declaration must be filled in by the person who is going to declare that you have been in the State of Nevada for at least six (6) weeks prior to filing any of the documents. YOU CANNOT BE YOUR OWN RESIDENT WITNESS.**

### Two Summons Forms

On both copies of the Summons:

1. Print your name as the Plaintiff and the other party's name as the Defendant.
2. Fill in "Separate Maintenance" as the object of this action on the line provided in the middle of the form.
3. Print your name, address and telephone number in the space on the bottom left side of the Summons
4. On the second page of the Summons, at item number 2, list any other documents that will be served to the other party along with the Summons and Complaint. **Do not fill in any other lines/information at this time. Leave all other spaces blank.**

### COPYING AND FILING THE DOCUMENTS

Make two (2) copies of all documents. Take the original and the two (2) copies to the filing clerk's office, which is located on the first floor of the courthouse located at 75 Court Street, Reno, NV. There are no facilities for making copies at the filing clerk's office. The filing clerks, if they have time, may make your copies, but they must charge you \$1.00 *per page* for any copies made.

Take all of the originals **and the copies** of the documents, as well as both of the Summons to the filing clerk's office to be "filed in." There may be a filing fee payable when you file the documents. To confirm the amount of the filing fee, you may call the Filing Office at (775) 328-3110.

## **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](http://www.washoecourts.com)

The filing clerk will keep the original documents and return the file-stamped copies of the documents to you. The filing clerk will "issue" the Summons and place a raised stamp on one of the copies of the Summons, making this copy the **original Summons**. The second copy of the Summons will not have a raised stamp and will be considered a **copy** of the original Summons.

## **SERVING THE DOCUMENTS**

Once the documents have been filed by the Filing Clerk's Office, the document must be served by personal service or by publication. **The documents cannot be served by mail.**

### **Personal Service**

Staple the **copy** of the Summons to a **copy** of the Complaint.

**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 service.

After service is completed on the other party, the person who performed the service must fill out the Declaration of Service which is attached to the **original Summons**. The **original Summons** and Declaration of Service must then be filed with the Filing Clerk.



If service is accomplished by the Sheriff's Office or a private process service, they will either fill out the Declaration of Service attached to the **original Summons** and file it with the filing clerk or they may return the completed **original Summons** to you and you must file it with the filing clerk.

If you choose to have a friend or another adult over the age of 18 serve the documents, that person must fill out the Declaration of Service and it is your responsibility to file the **original Summons** with the Filing Clerk.

Without proof of service on the Defendant, the Court cannot grant a Decree of Annulment.

The Defendant has twenty (20) days **after** the date of service in which to file a formal, written Answer to the Complaint.

### **If You Do Not Know Where To Find Defendant**

If you do not know where the Defendant is, you may serve by "publication" in the newspaper but you must get an Order from the Court allowing such service. The supplemental packet **E-4 Ex Parte Motion For Publication of Summons** is the packet used for this purpose.

**IMPORTANT** : Service on the other party, either in person or by publication, **MUST BE MADE within ONE HUNDRED TWENTY DAYS (120) days after the Complaint is filed or the action may be dismissed.**

### **After Service Is Completed**

How your case will be handled after service of the Complaint and Summons is completed on the Defendant will depend entirely on whether an Answer or Answer and Counterclaim is filed by the Defendant.

***Nothing happens automatically in a divorce case. It is your responsibility to keep the case moving.***

It is strongly recommended that you seek the advice, counsel and representation of a private attorney. The Family Court Self-Help Center, located in the Courthouse at 1 South Sierra Street on the first floor, can give you general guidance on 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](#))

**CHILD SUPPORT WHEN PARENTS ARE SHARING**

**JOINT PHYSICAL CUSTODY**

**OR**

**WHEN THE CHILDREN ARE GOING TO BE SPLIT BETWEEN PARENTS**

The Nevada Supreme Court set out an additional formula to that found in the child support statutes for parents who share joint physical custody of their children or who are going to split the custody of the children.

**Joint physical custody presumes the child is going to spend an approximate equal amount of time with each parent.**

**Split custody is when one parent has the physical custody of more children than the other parent.** For instance: In a family of three children: Father has primary physical custody of two children and Mother has primary physical custody of one child.

**Joint Physical Custody**

The Court directed that the child support be figured according to the percentage as stated in NRS 125B.070 and the parent earning the most pays the parent earning the less, the difference. At the present time, \$100 per month, per child is the minimum even if a parent is not working.

**For example:** If parents are sharing joint physical custody of one child and mother is not working, the child support would be figured as follows:

18% of Father's gross monthly income

\$100 for Mother's obligation

The difference between the two would be the child support Father would pay to Mother.

**Another example:** If parents are sharing joint physical custody of two children and both parents are working:

25% of Father's gross monthly income

25% of Mother's gross monthly income

The parent who earns the most would pay the parent who makes the less the difference.

### Split Custody

Both parents have a support obligation to the other and it must be figured according to the statutory formula.

For example: There are 3 children of the family. Father has the primary physical custody of 2 and Mother has the primary physical custody of 1.

Mother would have an obligation of 25% of her gross income for the two children who primarily live with Father.

Father would have an obligation of 18% of his gross income for the one child who primarily lives with Mother.

Subtract the less from the greater and the difference is paid to the parent who has the lesser obligation.

Some figures on the example:

Mother's gross monthly income is \$1600.

25% of that is \$400 - that is mother's obligation for the 2  
children living with father

Father's gross monthly income is \$1700.

18% of that is \$306 - that is father's obligation for the 1  
child living with mother

Therefore, Mother would pay Father the difference - \$94 a month in child support.

**Please note: If the presumptive maximum is in the equation, that figure is used after the difference is figured.**

### IMPORTANT REMINDER

**The deviations listed in NRS 125B.080 still may be figured into the formula to increase or decrease the child support obligation.**

**PRESUMPTIVE MAXIMUM AMOUNTS OF CHILD SUPPORT  
EFFECTIVE JULY 1, 2010 - JUNE 30, 2011**

**NRS 125B.070**

*Presumptive Maximum Amounts increased 2.7% pursuant to the Consumer Price Index (all items) increase in Calendar Year 2009 (December - December ) as published by the U.S. Department of Labor*  
<http://www.bls.gov/cpi/#tables>

<b><u>INCOME RANGE</u></b>			<b><u>PRESUMPTIVE MAXIMUM AMOUNT</u></b>
<i>If the Parent's Gross Monthly Income is at Least</i>		<i>But Less Than</i>	<i>The Presumptive Maximum Amount the Parent May Be Required to Pay per Month per Child Pursuant to Paragraph (b) of Subsection 1 is</i>
\$0	-	\$4,235	\$621
\$4,235	-	\$6,351	\$683
\$6,351	-	\$8,467	\$747
\$8,467	-	\$10,585	\$807
\$10,585	-	\$12,701	\$870
\$12,701	-	\$14,816	\$931
\$14,816	-	No Limit	\$995

Determined and issued by the Administrative Office of the Courts on or before April 1 of each year in accordance with the provisions of NRS 125B.070 (3). Please contact Deanna Bjork at (775) 684-1708 if you have any questions concerning the calculations.

**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-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): \_\_\_\_\_  
  
Date of Birth (DOB): \_\_\_\_\_  
Attorney (name/address/phone): \_\_\_\_\_

Defendant/Respondent/Co-Petitioner (name/address/phone): \_\_\_\_\_  
  
Date of Birth (DOB): \_\_\_\_\_  
Attorney (name/address/phone): \_\_\_\_\_

**II. Nature of Controversy** (Place X in applicable bold category and another in applicable subcategory, if available)

**Family-Related Cases**

**Domestic Relations**

**Guardianship**

- Marriage Dissolution Case**
  - Annulment - AN
  - Divorce – With children - DC
  - Divorce – Without children - DO
  - Foreign Decree - FD
  - Joint Petition – With children - JC
  - Joint Petition – Without children - JN
  - Separate Maintenance – LS
- Support/Custody/Visitation – CU**
- UIFSA Case (formerly URESA) – UF**
- Adoptions**
  - Adult - AA
  - Minor – AM
- Paternity - PY**
- Termination of Parental Rights**
  - State - TS
  - Private – TV
- Miscellaneous Domestic Relations**
  - Name Change – Minor - NM
  - Permission to Marry - MM
  - Other Family – OF

- Guardianship of an Adult - GA**
- Guardianship of a Minor - GB**
- Guardianship Trust - OG**

**Other Family-Related Case Filing Types**

- Mental Health – IC**
- Request for Temporary Protective Order**
  - Children - TC
  - No Children - TP
- Miscellaneous Juvenile**
  - Emancipation - EM

**Children involved in this case:**

Name: \_\_\_\_\_  
Name: \_\_\_\_\_  
Name: \_\_\_\_\_

Date of Birth (DOB): \_\_\_\_\_  
Date of Birth (DOB): \_\_\_\_\_  
Date of Birth (DOB): \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Preparer

*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

3 **CONFIDENTIAL**  
4 **FAMILY COURT INFORMATION SHEET**

4 \_\_\_\_\_,  
5 Plaintiff/Petitioner,

5 vs.

6 \_\_\_\_\_,  
7 Defendant/Respondent.

Case No. \_\_\_\_\_

Dept. No. \_\_\_\_\_

8 Name: \_\_\_\_\_

9 Social Security #: \_\_\_\_\_

10 Date of Birth: \_\_\_\_\_

Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

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

12 Residential Address: \_\_\_\_\_

Residential Address: \_\_\_\_\_

13 Mailing Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

14 City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

15 Telephone #: \_\_\_\_\_

Telephone #: \_\_\_\_\_

16 Are you employed? YES [ ] NO [ ]

Are you employed? YES [ ] NO [ ]

17 Name of Employer: \_\_\_\_\_

Name of Employer: \_\_\_\_\_

18 Business Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

19 City, State, Zip: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

20 Telephone #: \_\_\_\_\_

Telephone #: \_\_\_\_\_

21 Driver's License #: \_\_\_\_\_

Driver's License #: \_\_\_\_\_

22 Date of Birth: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

23 Ethnicity: [ ] White (Not Hispanic)

Ethnicity: [ ] White (Not Hispanic)

[ ] African-American [ ] Hispanic

[ ] African-American [ ] Hispanic

[ ] Asian or Pacific Islander

[ ] Asian or Pacific Islander

[ ] Native American/Alaskan Native [ ] Other

[ ] Native American/Alaskan Native [ ] Other

24 **CHILDREN INVOLVED IN THIS CASE**

25 Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

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

27 Does this case involve family violence: [ ] Yes [ ] No

28 Are you requesting Child Support Enforcement Services  
from the District Attorney's Office (IV-D) Services? [ ] Yes [ ] No

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**



Code: 3385

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

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

\_\_\_\_\_  
Plaintiff/Petitioner

Case No. \_\_\_\_\_

vs

Dept No. \_\_\_\_\_

\_\_\_\_\_  
Defendant/Respondent

PERSONAL CASE INFORMATION  
as required under the Uniform Child Custody Jurisdiction Act

This document is submitted by: \_\_\_\_\_  
(Your name)

**Wife/Mother Information**

**Husband/Father Information**

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Place of Employment: \_\_\_\_\_

Address of Employer: \_\_\_\_\_

Address of Employer: \_\_\_\_\_

Age: \_\_\_\_\_

Age: \_\_\_\_\_

Education: \_\_\_\_\_ Education: \_\_\_\_\_

Date of Marriage (if applicable) \_\_\_\_\_

Date of Separation (if applicable) \_\_\_\_\_

**CHILDREN BORN TO THIS MARRIAGE OR RELATIONSHIP**

<b>Name</b>	<b>Date of Birth/Age</b>	<b>With Whom Child Resides/ How Long There</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**OTHER DEPENDANTS FOR WHOM YOU ARE RESPONSIBLE  
(Including other children who are not of this marriage or relationship)**

<b>Name</b>	<b>Date of Birth/Age</b>	<b>With Whom That Person Resides/How Long</b>
_____	_____	_____
_____	_____	_____
_____	_____	_____

=====

**Only** for each child directly involved in these proceedings, the residence of the child, and with whom the child has lived, must be traced for the past five (5) years. Start with the current address of the child and with whom the child is presently living and continue tracing where the child has lived, and with whom the child has lived prior to the present, for the past five (5) years. If more space is needed, please attach additional sheets or request additional sheets from the Facilitator's Office.

**CHILD NUMBER 1**

Child's Full Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Date child moved to the present address: \_\_\_\_\_

Child currently lives with: (check one)

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child is presently residing with adults other than parents, please state who the adults are and their relationship to the child.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Child's address prior to the present address: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

=====  
Child's address prior to the address listed above: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_  
=====

**CHILD NUMBER 2**

Child's Full Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Date child moved to the present address: \_\_\_\_\_

Child currently lives with: (check one)

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child is presently residing with adults other than parents, please state who the adults are and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_  
=====

Child's address prior to the present address: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_  
=====

Child's address prior to the address listed above: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_  
=====

**CHILD NUMBER 3**

Child's Full Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Date child moved to the present address: \_\_\_\_\_

Child currently lives with: (check one)

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child is presently residing with adults other than parents, please state who the adults are and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_  
=====

Child's address prior to the present address: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

=====  
Child's address prior to the address listed above: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

**CHILD NUMBER 4**

Child's Full Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

Date child moved to the present address: \_\_\_\_\_

Child currently lives with: (check one)

\_\_\_\_\_ Mother    \_\_\_\_\_ Father    \_\_\_\_\_ Both parents    \_\_\_\_\_ Adults other than parents

If the child is presently residing with adults other than parents, please state who the adults are and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

Child's address prior to the present address: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_Mother \_\_\_\_\_Father \_\_\_\_\_Both parents \_\_\_\_\_Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

=====  
Child's address prior to the address listed above: \_\_\_\_\_

How long did the child live at that address: \_\_\_\_\_

With whom did the child live at that address?

\_\_\_\_\_Mother \_\_\_\_\_Father \_\_\_\_\_Both parents \_\_\_\_\_Adults other than parents

If the child lived with someone other than the parents, please state with whom the child resided and their relationship to the child.

\_\_\_\_\_  
\_\_\_\_\_

**Please answer each of the following questions.**

=====  
1. Have you participated in any way in any kind of litigation or court action concerning the custody of any of the children involved in this proceeding?

\_\_\_\_\_NO \_\_\_\_\_YES

2. Do you have any information of ANY CUSTODY PROCEEDING concerning the child/children that is now pending in a court of this State or any other State?

\_\_\_\_\_NO \_\_\_\_\_YES

3. Do you know of any person who is not a party to these proceedings who has physical or legal custody of the child/children or claims to have custody or visitation rights to the child/children involved in this case?

\_\_\_\_\_NO \_\_\_\_\_YES

**IF YOU ANSWERED "YES" TO ANY OF THE PREVIOUS QUESTIONS, PLEASE GIVE AN EXPLANATION OF YOUR ANSWER ON THE SPACE PROVIDED BELOW:**

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**If any other actions have ever been filed involving both of the parties in this action, or, either of the parties and any of the children in this action, during the past ten (10) years, please fill out the following information as fully as you can.**

---

1. Name of Court in which the action was filed: \_\_\_\_\_

Location of Court (County & State): \_\_\_\_\_

Parties involved: \_\_\_\_\_

Case Number: \_\_\_\_\_ Type of action: \_\_\_\_\_

Date case filed: \_\_\_\_\_ Date case closed: \_\_\_\_\_

2. Name of Court in which the action was filed: \_\_\_\_\_

Location of Court (County & State): \_\_\_\_\_

Parties involved: \_\_\_\_\_

Case Number: \_\_\_\_\_ Type of action: \_\_\_\_\_

Date case filed: \_\_\_\_\_ Date case closed: \_\_\_\_\_

3. Name of Court in which the action was filed: \_\_\_\_\_

Location of Court (County & State): \_\_\_\_\_

Parties involved: \_\_\_\_\_

Case Number: \_\_\_\_\_ Type of action: \_\_\_\_\_

Date case filed: \_\_\_\_\_ Date case closed: \_\_\_\_\_

4. Name of Court in which the action was filed: \_\_\_\_\_

Location of Court (County & State): \_\_\_\_\_

Parties involved: \_\_\_\_\_

Case Number: \_\_\_\_\_ Type of action: \_\_\_\_\_

Date case file \_\_\_\_\_ Date case closed: \_\_\_\_\_

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 is true and correct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Telephone: \_\_\_\_\_



CODE: \_\_\_\_\_

Nevada Bar No. \_\_\_\_\_

Attorney for \_\_\_\_\_

IN THE FAMILY DIVISION  
OF THE \_\_\_\_\_ JUDICIAL DISTRICT COURT  
IN AND FOR THE COUNTY OF \_\_\_\_\_, STATE OF NEVADA

\_\_\_\_\_  
Plaintiff or Petitioner

Case No. \_\_\_\_\_

\_\_\_\_\_  
Defendant or Respondent

Dept. No. \_\_\_\_\_

**FINANCIAL DISCLOSURE FORM**

Financial Statement of: \_\_\_\_\_

First name Middle Last name

Occupation: \_\_\_\_\_

Employed by: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

Previously Employed by: \_\_\_\_\_ From: \_\_\_\_\_ To: \_\_\_\_\_

Age & Date of Birth: \_\_\_\_\_

Level of Education: \_\_\_\_\_

Level of Disability, If Any: \_\_\_\_\_

Marriage Date, If Applicable: \_\_\_\_\_

Present Home Address: \_\_\_\_\_

How many adults (over 18) live with you? \_\_\_\_\_

How much do you receive from each of them each month? \_\_\_\_\_

I have paid my attorney a retainer of \$ \_\_\_\_\_; and his/her hourly rate is \$ \_\_\_\_\_

I am the \_\_\_\_\_ Plaintiff/Petitioner \_\_\_\_\_ Defendant/Respondent in the above action. I swear under penalty of perjury, that the contents of this Financial Declaration are true to the best of my knowledge as of this date. I understand that by my signature I verify the material accuracy of the contents. I also understand that any willful misstatements may be contemptuous and could result in my punishment by the Court. I understand I have a duty to supplement this form upon discovering additional assets or debts or upon changed circumstances within 10 days of discovery.

I declare under penalty of perjury that the foregoing and following are true and correct.

Executed on \_\_\_\_\_ Signature \_\_\_\_\_

Case No. \_\_\_\_\_  
 Dept No. \_\_\_\_\_

**PERSONAL INCOME SCHEDULE**

**IF SELF-EMPLOYED OR BUSINESS OWNER PLEASE FILL IN THE BUSINESS INCOME/EXPENSE SCHEDULE**

<b>YOUR OWN INCOME</b>		<b>AMOUNT</b>
<b>EMPLOYMENT INCOME</b> (if paid weekly multiply by 52 and divide by 12; if paid every two weeks, multiply by 26 and divide by 12)		<b>NOTE: ATTACH COPIES OF YOUR THREE MOST RECENT PAY STUBS.</b>
1	<b>Average Gross Monthly Income from Employment</b> (all employment income including salary \$ _____ + bonuses \$ _____ + overtime \$ _____ + commissions \$ _____ + tips \$ _____ + other \$ _____) =	
2	<b>Average Monthly Paycheck Deduction-Income Taxes</b>	
3	<b>Average Monthly Paycheck Deduction-Social Security</b>	
4	<b>Average Monthly Paycheck Deduction-Medicare</b>	
5	<b>Average Monthly Paycheck Deduction-Health Insurance</b>	
6	<b>Average Monthly Paycheck Deduction-Retirement Plan or 401(k)</b>	
7	<b>Average Monthly Paycheck Deduction-Savings Account</b>	
8	<b>Average Monthly Paycheck Deduction(s)-Other</b>	
9	<b>Total Paycheck Deductions per Month</b> (Add lines 2-8 above)	
10	<b>Average Net Monthly Income from Employment</b> (Subtract line 9 from line 1)	
<b>OTHER INCOME</b>		
11	<b>Monthly Spousal Support/Alimony Awarded by a Court</b>	
12	<b>Monthly Child Support:</b> court ordered \$ _____ + other/voluntary child support \$ _____ =	
13	<b>Investment Income</b> (Dividends, interest and capital gains)	
14	<b>Rental Income</b> (Enter the Amount of Depreciation Claimed in Computing Rental Income Here: \$ _____)	
15	<b>Retirement Income Including Defined-Benefit Distributions, 401(k) Distributions, military retirement</b>	
16	<b>Social Security Retirement</b>	
17	<b>Social Security Disability/military disability</b>	
18	<b>Supplemental Security Income (SSI)</b>	
19	<b>Unemployment Benefits</b>	
20	<b>Workers Compensation Payments</b>	
21	<b>Other Sources of Income</b> (Describe: such as direct contributions from roommates or indirect payment of expenses by roommates)	
22	<b>Total Other Income Per Month</b> (Add lines 11-21)	
23	<b>TOTAL INCOME PER MONTH</b> (Add lines 10 and 22)	

Case No. \_\_\_\_\_  
 Dept. No. \_\_\_\_\_

**PERSONAL EXPENSE SCHEDULE (NOTE: ALL EXPENSES LISTED BELOW SHOULD BE ON AN AVERAGE MONTHLY BASIS: annual payments divided by 12; semiannual payments divided by 6, and quarterly payments divided by 3)**

**TOTAL AMOUNT**

1	<b>Mortgage or Rent:</b> 1st Mtg. \$ _____ + 2nd Mtg. \$ _____ + line of credit \$ _____ + taxes \$ _____ + insurance \$ _____ =	
2	<b>Utilities:</b> Gas/Oil \$ _____ + electricity \$ _____ + TV/cable \$ _____ + water \$ _____ + garbage \$ _____ =	
3	<b>Telephone:</b> landline \$ _____ + cellular \$ _____ + Internet \$ _____ + fax \$ _____ + other \$ _____ =	
4	<b>Food, Groceries &amp; Incidentals</b> (not including entertainment or dining out)	
5	<b>Transportation:</b> monthly payment/lease \$ _____ + gas and oil \$ _____ + repairs and maintenance, tires \$ _____ + insurance \$ _____ + license/registration; \$ _____ + parking \$ _____ + public transportation \$ _____ + other \$ _____ =	
6	<b>House Maintenance:</b> housekeeping \$ _____ + garden/lawn care \$ _____ + snow removal \$ _____ + repairs & maintenance \$ _____ + other \$ _____ =	
7	<b>Entertainment:</b> dining out \$ _____ + movies, shows \$ _____ + music/videos \$ _____ + other \$ _____ =	
8	<b>Dues, Memberships, Fees:</b> Professional \$ _____ + memberships (health club country club) \$ _____ + homeowners \$ _____ + fraternal \$ _____ + business \$ _____ + other \$ _____ =	
9	<b>Health/exercise:</b> clothing/shoes \$ _____ + fees/passes (health clubs etc.) \$ _____ + other \$ _____ =	
10	<b>Clothing:</b> self \$ _____ + children \$ _____ + cleaning \$ _____ =	
11	<b>Vacations</b>	
12	<b>Pets:</b> Food \$ _____ + boarding \$ _____ + healthcare \$ _____ + grooming \$ _____ + other \$ _____ =	
13	<b>Healthcare:</b> Insurance \$ _____ + unreimbursed; medical \$ _____ + dental \$ _____ + orthodontic \$ _____ + medications \$ _____ + counseling \$ _____ + physical therapy \$ _____ + chiropractic \$ _____ + other \$ _____ =	
14	<b>Appearance:</b> hair \$ _____ + nails \$ _____ + facials/massage \$ _____ + cosmetics \$ _____ + other \$ _____ =	
15	<b>Insurance:</b> life \$ _____ + disability \$ _____ + other \$ _____ =	
16	<b>Books, Newspapers &amp; Magazines</b>	
17	<b>Church/Charitable</b>	
18	<b>Accounting &amp; Tax Preparation</b>	
19	<b>Support of Others:</b> Ordered Child Support \$ _____ + voluntary child support \$ _____ + court ordered spousal support \$ _____ + eldercare \$ _____ =	
20	<b>Miscellaneous:</b> Gifts \$ _____ + storage \$ _____ + flowers \$ _____ + savings \$ _____ + Lawyers fees \$ _____ + Other \$ _____ =	
21	<b>Education:</b> Tuition, Books & Fees \$ _____ + extracurricular \$ _____ + sports \$ _____ + music \$ _____ + other \$ _____ =	
22	<b>Childcare:</b> day care \$ _____ + preschool \$ _____ + other \$ _____ =	
23	<b>Minimum Charge Card Payments and other consumer/installment debt:</b> credit card #1 \$ _____ + credit card #2 \$ _____ + credit card #3 \$ _____ + credit card #4 \$ _____ + other debt \$ _____ =	
24	<b>TOTAL MONTHLY EXPENSES (Add lines 1-23 above)</b>	

Case No. \_\_\_\_\_

Dept. No. \_\_\_\_\_

**INCOME/EXPENSE SUMMARY SCHEDULE**

Total Monthly Income from Personal Income Schedule Line  
23

Add: Total Average Net Monthly Income from Self-  
Employment or Business Schedule Line 30

Less: Total Monthly Expenses from Personal Expense  
Schedule line 24

Net Monthly Income or (Loss)

**ASSET AND DEBT SCHEDULE**

		PROPERTY VALUE (List all assets and debts @ current values)			
NOTE: PLEASE USE ADDITIONAL ASSET AND DEBT SCHEDULES, AND CARRY TOTALS TO THIS SCHEDULE IF YOU NEED TO LIST ADDITIONAL ASSETS AND DEBTS BEYOND THE LINES PROVIDED ON THIS SCHEDULE.					
Note: In general, Separate Property is defined as that acquired before marriage, or after marriage by gift or inheritance			COMMUNITY	SEPARATE	
		TOTAL		HUSBAND	WIFE
<b>ASSETS:</b>					
<b>CASH:</b> Include the last four numbers of the account, and the name and location including the branch of the institution, including CDs.					
1					
2					
3					
4	Subtotal				
<b>INVESTMENTS:</b> Include mutual funds, stocks, bonds, brokerage accounts, and other investment accounts. Provide the last four numbers of the account, and the name and location including the branch of the institution.					
5					
6					
7					
8	Subtotal				
<b>BUSINESS INTERESTS:</b> If you own all or part include. Indicate percentage of ownership here.					
9					
10					
11	Subtotal				
<b>RECEIVABLES, &amp; DEPOSITS</b>					
12					
13	Subtotal				
<b>REAL PROPERTY:</b> Provide common address and type of property e.g. condominium, townhouse, single-family residence, commercial or retail.					
14					
15					
16					
17					
18	Subtotal				
<b>AUTOS &amp; RECREATIONAL VEHICLES:</b> Provide make, model, mileage, and vehicle identification number.					
19					
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21					
22					
23					
24	Subtotal				
<b>PERSONAL PROPERTY:</b> Provide information on furniture, electronics, household goods, tools, computers, artwork, precious metals and jewelry having a value of \$500 or greater.					
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35	Subtotal				

**ASSET AND DEBT SCHEDULE**

		PROPERTY VALUE (List all assets and debts @ current values)			
NOTE: PLEASE USE ADDITIONAL ASSET AND DEBT SCHEDULES, AND CARRY TOTALS TO THIS SCHEDULE IF YOU NEED TO LIST ADDITIONAL ASSETS AND DEBTS BEYOND THE LINES PROVIDED ON THIS SCHEDULE.					
Note: In general, Separate Property is defined as that acquired before marriage, or after marriage by gift or inheritance			COMMUNITY	SEPARATE	
		TOTAL		HUSBAND	WIFE
CASH VALUE OF LIFE INSURANCE. Provide information on any loans against the cash surrender value of a life insurance policy.					
36					
37					
38	Subtotal				
RETIREMENT ACCOUNTS. Provide the name of the account, account number, an administrator. Provide any information on loans against retirement assets.					
39					
40					
41					
42					
43	Subtotal				
44	<b>TOTAL ASSETS (add lines 4,8,11,13,18,24,35,38, and 43)</b>				
<b>DEBT</b>					
LONG TERM DEBT. Provide information on mortgages, notes & deeds of trust, home equity loans and lines of credit, and automobile, recreational vehicle loans and leases.					
45					
46					
47					
48					
49					
50	Subtotal				
OTHER DEBT. Charge Accounts, Credit Cards, medical debts, and other short-term debts. Provide the name of the lender, and the last four numbers of the account.					
51					
52					
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57					
58					
59	Subtotal				
60	<b>TOTAL DEBT (add lines 50 and 59)</b>				
61	<b>NET WORTH (TOTAL ASSETS, line 44 MINUS TOTAL DEBT, line 60)</b>				

Case No. \_\_\_\_\_

Dept. No. \_\_\_\_\_

<b>BUSINESS INCOME/EXPENSE SCHEDULE</b> (Skip this schedule if you are not self-employed or do not own a business.)		<b>AMOUNT PER MONTH</b>
1	Average Monthly Gross Receipts from Self-Employment, Business or Businesses	
2	Cost of Sales or Cost of Goods Sold (if applicable)	
3	Gross Profit (Subtract Line 2 from Line 1)	
4	Advertising	
5	Car and truck	
6	Commissions and fees	
7	Deductible meals	
8	Depletion	
9	Depreciation and section 179	
10	Employee benefit programs	
11	entertainment	
12	Insurance (other than health)	
13	Interest	
14	Legal and professional	
15	Mortgage on building or office space (paid to banks, etc.)	
16	Office expense	
17	Other	
18	Pension and profit-sharing plans	
19	Rent	
20	Repairs and maintenance	
21	Supplies	
22	Taxes and licenses	
23	Travel	
24	Meals	
25	Utilities	
26	Wages	
27	Total Business Expenses Per Month Including Cost of Sales (Add Lines 4-26)	
28	Average Gross Monthly Income from Self-Employment or Business (Subtract Line 27 from line 3)	
29	Average Estimated Tax Payments on a Monthly Basis (Estimated Tax Payments are made on a quarterly basis. As a result, the required quarterly payment would be divided by three to calculate the average monthly estimated tax payment).	
30	<b>Average Net Monthly Income from Self-Employment or Business</b> (Subtract Line 29 from Line 28)	

1 Code: \$1442  
2 Name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 Telephone No. \_\_\_\_\_  
5 Appearing 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

10 \_\_\_\_\_ Plaintiff, Case No. \_\_\_\_\_  
11 vs. Dept. No. \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_ Defendant. /  
14 \_\_\_\_\_

15 **COMPLAINT FOR SEPARATE MAINTENANCE**  
16 **(Also Known as a Legal Separation)**  
17 **Custody at Issue**

18 Plaintiff, \_\_\_\_\_, in proper person, and for a cause of  
19 action, alleges as follows:  
(Your Name)

20 I.

21 Plaintiff is a resident of the State of Nevada, County of \_\_\_\_\_ and  
22 (County where you live)  
23 for a period of more than six weeks immediately preceding the commencement of this action, has  
24 resided in, been physically present in, and is a resident of the State of Nevada, and intends to  
25 continue to make the State of Nevada his or her home for an indefinite period of time.

26 Defendant is a resident of the State of \_\_\_\_\_,  
27 (State where Defendant lives)  
28 the County of \_\_\_\_\_.  
(County where Defendant lives)



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II.

The parties were married on \_\_\_\_\_ in \_\_\_\_\_,  
(Date of marriage) (City or County of marriage)

State of \_\_\_\_\_ and ever since that day have been, and now are, husband and wife.  
(State of marriage)

III.

Wife \_\_\_\_\_ pregnant at this time.  
(is or is not)

*If wife is pregnant at this time, answer the following questions.  
If wife is not pregnant, print "N/A" in the spaces.*

Husband \_\_\_\_\_ the father of the unborn child. The unborn child is due to be born  
(is or is not)  
on \_\_\_\_\_.  
(Date of expected birth)

IV.

*In the following paragraph, list all children born of this union,  
whether born prior to marriage or during the marriage.  
Include any children who were adopted during the time of the marriage.*

There are \_\_\_\_\_ minor children born to or adopted through this union.  
(Number of minor children)

<u>NAME</u>	<u>AGE</u>	<u>DATE OF BIRTH</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

V.

**Children's Residence**  
*In the following paragraph, print each child's name and indicate in what State each child presently resides and how long the child has resided in that State.*

The children presently reside in the following State(s):

<u>Name</u>	<u>State of Residence</u>	<u>How Long Child Has Lived in That State</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**If the children have not been physically present in the State of Nevada for the past six months, STOP HERE. There may be a jurisdictional issue regarding the authority of the court to enter orders concerning custody and visitation of the children and you should seek legal assistance on this matter before going any further.**

VI.

**Legal Custody of the Children**  
**WARNING: Your choice of custody terms will have a direct effect on your legal rights to your children. Be sure you are familiar with the legal definitions of the different kinds of custody before you choose how custody will be stated in these documents.**

*The policy of the State of Nevada is to grant parents joint legal custody. Sole legal custody is granted only in extreme or unusual circumstances.*

*Initial only ONE of the following statements and print "N/A" in the other space.*

**WARNING: If you select SOLE CUSTODY, you must describe facts that demonstrate the other parent is not fit to have joint legal custody and you may be required to appear in court to justify your choice of sole legal custody**

\_\_\_\_\_  
Initials      Mother and Father are fit and proper persons to share joint legal custody of the minor child(ren) whose names are: \_\_\_\_\_  
\_\_\_\_\_

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**OR**

\_\_\_\_\_ is a fit and proper person to have sole legal custody of the  
Initials (Mother or Father)

minor child(ren) whose names are: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

and the other parent is not fit to have joint legal custody because: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VII.**

***Physical Custody of the Child(ren)***  
***There are THREE different choices in the following paragraph:***  
***(a) Joint Physical Custody (b) Primary Physical Custody (c) Sole Physical Custody.***  
***Choose only ONE and initial the ONE choice.***  
***In the spaces not initialed, print "N/A"***

**(a) Joint Physical Custody**

\_\_\_\_\_ Mother and Father are fit and proper persons to be awarded joint physical  
Initials custody of the minor child(ren) whose names are \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

with visitation and exchange as set out in Paragraph VIII.

**(b) Primary Physical Custody**

\_\_\_\_\_ is a fit and proper person to have the  
Initials (Father or Mother)

primary physical custody of the minor child(ren) whose names are \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

with visitation by the non-custodial parent as set forth in paragraph VIII.

**(c) Sole Physical Custody**

1  
2 \_\_\_\_\_ is a fit and proper person to have the  
3 Initials \_\_\_\_\_ (Mother or Father)  
4 sole physical custody of the minor child(ren) whose names are \_\_\_\_\_  
5 \_\_\_\_\_  
6 \_\_\_\_\_  
7 with visitation by the non-custodial parent as set forth in paragraph VIII.

8 VIII.

9 **WEEKLY AND SUMMER EXCHANGE AND VISITATION**  
10 *Visitation must be set out in specific detail, including a full weekly or monthly schedule with*  
11 *the days the exchanges will take place, the times of the exchanges, and who will provide*  
12 *transportation. Also include specific details regarding holiday sharing and summer vacation*  
13 *periods. Without very specific visitation, a Decree will not be granted. Terms such as*  
14 *“reasonable visitation” and “visitation at reasonable times and places” will not be accepted.*

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**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 "N/A" 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, etc.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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IX.

**CHILD SUPPORT**  
*The child support MUST be based on the formula as set out in the Nevada Revised Statutes. You may not just state an arbitrary amount and you may not state "no child support to be paid."*

\_\_\_\_\_ shall pay child support in the amount of \$ \_\_\_\_\_  
(Mother of Father)

**per month, per child**, for a total monthly child support obligation of \$ \_\_\_\_\_  
(Total monthly payment)

per month. The child support shall be paid on or before the \_\_\_\_\_ day of each month.

This amount is based upon the following information:

Husband's gross monthly income is \$ \_\_\_\_\_  
(Amount earned per month before deductions)

Wife's gross monthly income is \$ \_\_\_\_\_  
(Amount earned per month before deductions)

**DO NOT INITIAL ALL CHOICES.**  
*Initial ONLY ONE of the three choice.*  
*Print N/A on those choices you do not use.*

\_\_\_\_\_  
Initials \_\_\_\_\_ is the non-custodial parent and the amount agreed upon  
(Mother or Father)  
above is in compliance with NRS 125B.070 and is \_\_\_\_\_%  
(18%, 25%, 29%, 31%)  
of \_\_\_\_\_ gross monthly income or the statutory minimum.  
(Mother's or Father's)

**OR**

\_\_\_\_\_  
Initials \_\_\_\_\_ Because Parents are joint physical custodians, the amount of child support agreed upon  
upon above meets the statutory requirement.

**OR**

\_\_\_\_\_  
Initials \_\_\_\_\_ The support obligation amount agreed upon above by the parties is not the amount  
required in the statutes. Under the statutes, the child support obligation for  
\_\_\_\_\_ would be \$ \_\_\_\_\_ per month per child. However,  
(Mother or Father)  
that amount should be different because: **See explanation on next page.**

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*Please see NRS 125B.080 for the ONLY reasons you can deviate from the statutory formula and list your reasons here.*

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The child support obligation for each child shall continue until that child reaches the age of eighteen years or, if the child is still attending high school at the age of eighteen years, until the child reaches the age of nineteen years or graduates from high school, or is otherwise emancipated, whichever occurs first.

A wage assignment for the child support \_\_\_\_\_ be immediately put in place.  
(will or will not)

*You must initial ONLY ONE of the following statements regarding child support. On all other lines, print "N/A"*

\_\_\_\_\_ There is already a Child Support action through the District Attorney's Office and payment of the child support shall continue to be handled through that office.

\_\_\_\_\_ The children are receiving Welfare benefits and the Welfare Department has, or will have, a child support case through the District Attorney's Office and the District Attorney's Office shall continue to handle the child support payments.

\_\_\_\_\_ No formal child support obligation has ever previously been established and this will be the first Court Order for child support and the parent paying child support will pay the support directly to the receiving parent.

\_\_\_\_\_ Although this is the first Court Order for child support, the payments will be through the District Attorney's Office and the parent who will be collecting child support shall open the case with the District Attorney's Office.



X.

**Health Care**  
***Provisions must be made for health care for the child(ren).***  
***If neither parent has health insurance on the child(ren), that must be stated.***  
***If the children are on Medicaid, that must be stated.***  
***Fill in all spaces. DO NOT LEAVE ANY SPACES BLANK***

The child(ren) presently \_\_\_\_\_ covered by a health insurance policy.  
(are or are not)

The child(ren) presently \_\_\_\_\_ on Medicaid.  
(are or are not)

\_\_\_\_\_ shall maintain health insurance on the child(ren) through  
(Mother or Father or Both Parents)

his or her employment.

The parties shall each share, equally, any health expenses incurred on behalf of the child(ren) that are not covered by insurance, and each party shall be responsible for one half of the deductible and one half of the insurance premiums.

XI.

**Division of Assets**  
***Initial ONE of the three statements below.***  
***Print "N/A" in the spaces you do not use.***  
***Be sure to list all retirement accounts, bank accounts and vehicles.***  
***Include the VIN numbers when listing vehicles.***

\_\_\_\_\_ All of the community assets and property have been previously divided and each is to keep the property each one has in his or her possession at this time.

\_\_\_\_\_ There is no community property to be divided.

\_\_\_\_\_ The community property should be divided as follows:  
(Include retirement and pension benefits)

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**WIFE SHALL RECEIVE THE FOLLOWING ASSETS**


**HUSBAND SHALL RECEIVE THE FOLLOWING ASSETS**


(If more room is needed, attach additional pages. write on only one side of the paper and make sure the pages are clearly identified as a continuation of the division of assets. Each additional page must be initialed.)



**HUSBAND SHALL RECEIVE THE FOLLOWING DEBTS**

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\_\_\_\_\_

(If more room is needed, attach additional pages. Write on only one side of the paper and make sure the pages are clearly identified as a continuation of the division of assets. Each additional page must be initialed.)

There may be additional community debts of the parties, the exact amounts and descriptions of which are unknown to Plaintiff at this time. Plaintiff asks permission of the Court to amend this Complaint to insert that information when it becomes known to Plaintiff, or at the time of trial.

XIII.

**Spousal Support (Alimony)**  
***Initial ONE of the following statements. If you initial one of the statements that makes a provision for spousal support, be sure to fill in all the spaces in that statement. DO NOT LEAVE ANY SPACES BLANK. Print "N/A" in all spaces that don't apply to you.***

\_\_\_\_\_ Alimony is not appropriate in this case.  
\_\_\_\_\_ Wife shall receive spousal support in the amount of \$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (Amount to be received)  
per \_\_\_\_\_, due and payable on \_\_\_\_\_  
\_\_\_\_\_ (Week or Month) \_\_\_\_\_ (Monday, Tuesday, Wed. etc., if weekly;  
or the 1<sup>st</sup>, 15<sup>th</sup>, 30<sup>th</sup>, etc., if monthly)

1 of each \_\_\_\_\_ for a period of \_\_\_\_\_  
(Week or Month) (Number of weeks, months or years)

2 The spousal support shall begin on \_\_\_\_\_  
3 (Date spousal support to begin)

4 and end on \_\_\_\_\_  
5 (Date last spousal support payment will be made)

6 \_\_\_\_\_ Husband shall receive spousal support in the amount of \$ \_\_\_\_\_  
7 (Amount to be received)

8 per \_\_\_\_\_, due and payable on \_\_\_\_\_  
9 (Week or Month) (Monday, Tuesday, Wed. etc., if weekly;  
or the 1<sup>st</sup>, 15<sup>th</sup>, 30<sup>th</sup>, etc., if monthly)

10 of each \_\_\_\_\_ for a period of \_\_\_\_\_  
11 (Week or Month) (Number of weeks, months or years)

12 The spousal support shall begin on \_\_\_\_\_  
13 (Date spousal support to begin)

14 and end on \_\_\_\_\_  
15 (Date last spousal support payment will be made)

16 XIV.

17 The parties are incompatible in marriage and there is no hope for reconciliation, and/or the  
18 parties have lived separate and apart for more than one year without cohabitation.

19  
20 XVI.

21 The Plaintiff cannot afford to retain counsel to protect his or her rights and the rights of the  
22 child(ren) and should be awarded attorney's fees and costs.

23  
24 WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- 25 1. That the Court enter a Decree of Separate Maintenance also known as a Decree of Legal  
26 Separation thereby judicially bringing to a conclusion the community aspects of the  
27 marriage and the legal responsibilities of one party to and for the other for all purposes  
28 heretofore and now existing between the Plaintiff and Defendant, except as set forth in

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this Complaint.

- 2. That the assets and debts be divided and distributed pursuant to statute and case law as set out in this Complaint.
- 3. That custody, visitation, support and maintenance of the minor child(ren) be ordered as requested in this Complaint.
- 4. That spousal support provisions be handled as state in this Complaint.
- 5. That Plaintiff be granted reasonable attorney's fees and costs.
- 6. For other and further relief as the Court may deem just and proper in this action.

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 is true and correct.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Your Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State, Zip)

\_\_\_\_\_  
(Telephone Number)

Code: 1521

Your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Appearing in Proper Person

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

\_\_\_\_\_, Case No. \_\_\_\_\_  
Plaintiff / Petitioner / Joint Petitioner

Dept. No. \_\_\_\_\_

vs.

\_\_\_\_\_  
Defendant / Respondent / Joint Petitioner

\_\_\_\_\_ /

DECLARATION OF RESIDENT WITNESS

I, \_\_\_\_\_, do hereby declare under penalty of perjury  
(Name of Resident Witness)

that the assertions of this Declaration are true.

1. I am over the age of eighteen and competent to testify of my own knowledge to the following.

2. I have lived in the State of Nevada for \_\_\_\_\_ years and presently live at

\_\_\_\_\_, City of \_\_\_\_\_, State of Nevada.  
(Street address of Resident Witness)

I intend to live in the State of Nevada for the foreseeable future.

3. To my personal knowledge, \_\_\_\_\_, lives at  
(Name of person whose residency is being established)

\_\_\_\_\_, State of Nevada and has  
(Street address of person whose residency is being established)

1 lived at that address since \_\_\_\_\_ and has been physically living within the State of  
2 (Date)

3 Nevada on a daily basis for at least six (6) weeks prior to the filing of this Complaint -or- Petition  
4 -or- Joint Petition on \_\_\_\_\_.  
5 (Date Complaint/Petition/Joint Petition was filed)

6 4. To my personal knowledge, \_\_\_\_\_ has  
7 (Name of person whose residency is being established)  
8 physically lived in the State of Nevada since \_\_\_\_\_  
9 (State the date you know the person has lived in Nevada)

10 5. I see the Petitioner on the average of \_\_\_\_\_ times a week. The Petitioner is  
11 (State how often you actually see the person in a week.)

12 \_\_\_\_\_  
13 (Fill in how you know the Petitioner, such as friend, relative, co-worker, etc.)

14 6. I know of my own personal knowledge that \_\_\_\_\_  
15 (Name of person whose residency is being established)  
16 is a bona fide resident of the State of Nevada.

17 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

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

21 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

22 Signature: \_\_\_\_\_

23 Printed Name: \_\_\_\_\_

24 Address: \_\_\_\_\_

25 Telephone: \_\_\_\_\_

26  
27 \* The penalty for making a false statement in a declaration that is made under penalty of perjury is a minimum of  
28 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.



1 CODE 4085

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5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
6 IN AND FOR THE COUNTY OF WASHOE

7 \_\_\_\_\_,  
8 Plaintiff(s),

9 vs.

Case No. \_\_\_\_\_

10 \_\_\_\_\_,  
11 Defendant(s).

Dept. No. \_\_\_\_\_

12 **SUMMONS**

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

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

The object of this action is: \_\_\_\_\_

19 1. If you intend to defend this lawsuit, you must do the following within 20 days after service of  
20 this summons, exclusive of the day of service:

- 21 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;
- 22 b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.

23 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.

24 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

25 Issued on behalf of Plaintiff(s):

HOWARD W. CONYERS  
CLERK OF THE COURT

26 Name: \_\_\_\_\_

By: \_\_\_\_\_

27 Address: \_\_\_\_\_

Deputy Clerk  
Second Judicial District Court  
75 Court Street  
Reno, Nevada 89501

28 Phone Number: \_\_\_\_\_

**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, the Complaint, and the

following documents: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

upon \_\_\_\_\_, at the following  
(Name of Defendant or Respondent who was served)

location: \_\_\_\_\_  
\_\_\_\_\_

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)

1 CODE 4085

2  
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5 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
6 IN AND FOR THE COUNTY OF WASHOE

7 \_\_\_\_\_,  
8 Plaintiff(s),

9 vs.

Case No. \_\_\_\_\_

10 \_\_\_\_\_,  
11 Defendant(s).

Dept. No. \_\_\_\_\_

12 **SUMMONS**

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

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

The object of this action is: \_\_\_\_\_

19 1. If you intend to defend this lawsuit, you must do the following within 20 days after service of  
20 this summons, exclusive of the day of service:

- 21 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;
- 22 b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.

23 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.

24 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

25 Issued on behalf of Plaintiff(s):

HOWARD W. CONYERS  
CLERK OF THE COURT

26 Name: \_\_\_\_\_

By: \_\_\_\_\_

27 Address: \_\_\_\_\_

Deputy Clerk  
Second Judicial District Court  
75 Court Street  
Reno, Nevada 89501

28 Phone Number: \_\_\_\_\_

**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, the Complaint, and the

following documents: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

upon \_\_\_\_\_, at the following  
(Name of Defendant or Respondent who was served)

location: \_\_\_\_\_

\_\_\_\_\_

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)