Helpful Tips

What should I know before I file these documents?

The Self-Help Center provides forms and instructions as a courtesy only. Clark County, the Eighth Judicial District Court, the Clark County Family Law Self-Help Center, and their employees **will not be liable** for errors contained within or for direct, indirect, special, or consequential damages in connection with providing this material. Many family law matters involve complex and valuable legal rights. The Self-Help Center's forms and instructions are basic, general forms and **DO NOT** fit all situations.

Why it is important to speak with an attorney?

It is always important to speak with an attorney before attempting to use self-help. It is even more important if your case involves special or complicated issues. Most family law issues affect very important legal rights, which may not be protected without the help of an attorney.

What if I do not have an attorney?

When you do not have an attorney and are representing yourself, you are responsible for understanding the law and for filing the correct legal documents. There are many exceptions in the law. If your case involves special circumstances these exceptions may apply to you. The Self-Help Center's forms do not include information about these exceptions. You can read the State of Nevada's rules and laws online, on the Nevada Legislature's website at http://www.leg.state.nv.us/ or in person at the Self-Help Center.

What else should I know?

By signing a document and filing it with the court, you agree to the following:

- You have carefully read the document;
- You understand the document;
- You agree with everything in the document;
- You are aware of all of the consequences that may occur because of filing; and

You promise that everything in the document is true and correct to the best of your knowledge.

Helpful Tips for the Complaint for Divorce:

- The filing fee for the Complaint for Divorce is **$289**.
- If you have minor children and they **have not** lived in Nevada for **at least 6 months**, the court **cannot** make orders for custody and visitation.
- You **can** use this packet if:
  - You or your spouse have lived in Nevada for the past 6 weeks; and
  - You and your spouse are incompatible or have lived separate and apart for 1 year.
- If you need temporary relief (i.e. child support) before your case is final, you can file a motion to ask the court to put a temporary order in place.
- If you cannot find the Defendant to personally serve him or her, then you **must** get permission from the court **before** you can **serve by publication**.
- If you have minor children, you must attend a COPE parenting seminar. You can attend the seminar any time before you submit your final Decree paperwork to the judge. You may have to attend mediation through the court's Family Mediation Center to try to work through custody and visitation issues you and the other parent do not agree on.
- You are not legally divorced until the judge signs your Decree and it is filed with the clerk.

For more information about how to finish your case, please consult the Self-Help Center or an attorney.

Self-Help Center hotline: (702) 455-1500 **website:** www.clarkcountycourts.us/shc

How to File a Complaint for Divorce

①: Can I file for divorce in Nevada?

Have you or your spouse lived in Nevada for the past 6 weeks?

☐ Yes

☐ No

Are you and your spouse incompatible or have you lived separate and apart for at least one year?

☐ No ☐ Yes

STOP Usually, you cannot file for divorce in Nevada.

GO Go to Step 2

C. Has the child lived in Nevada for the past 6 months?

☐ Yes or Do not have minor children

☐ No **(Proceed with caution to ②. The court cannot make custody or visitation orders.)**

CAUTION

②: Do I have all of the forms I need?

- ☐ Affidavit of Service
- ☐ Child Support Worksheets A & B
- ☐ Complaint
- ☐ Family Court Cover Sheet
- ☐ Financial Disclosure Form
- ☐ UCCJEA Declaration (if needed)
- ☐ Joint Preliminary Injunction "JPI" (optional)
- ☐ Summons

③: Fill out the following forms.

Do not leave any lines blank on the forms. If something does not apply write "N/A". All Self-Help Center forms are in a fill-in-the-blank format. Use only black ink.

- ☐ Child Support Worksheet A or B
- ☐ Complaint
- ☐ Family Court Cover Sheet
- ☐ Financial Disclosure Form
- ☐ UCCJEA Declaration (if using)
- ☐ JPI (if using)
- ☐ Summons

④: Notarize.

☐ The Complaint must be signed in front of a notary.

⑤: **File** the forms you filled out in ③.

⑥: **Make Copies** of the filed forms.

⑦: Have the Defendant served.

☐ A person who is not an interested party AND who is over the age of 18 years old MUST serve the Defendant by personally giving the Defendant file copies of the:

- Complaint
- Financial Disclosure Form
- JPI (if using)
- Summons

☐ Next, the third party who gave these documents to the Defendant must fill out the Affidavit of Service and sign it in front of a notary. File the Affidavit of Service and make a copy of the filed form for your records.

⑧: Now what do I do?

☐ Wait 20 days to see if the Defendant responds by filing an answer and/or counterclaim.

☐ If the Defendant files an answer, the court schedules a case management conference within 90 days. If the Defendant files a counterclaim, you have 20 days to respond with a reply.

☐ If the Defendant does not file an answer within 20 days, you may ask the clerk to issue a default against the Defendant. Once the default is issued, you can submit the Decree for Divorce.

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