

INSTRUCTIONS FOR JOINT PETITION FOR DIVORCE – NO CHILDREN

***** IMPORTANT DISCLOSURE *****

THIS PACKET IS IN NO WAY INTENDED TO SUBSTITUTE FOR THE ADVICE OF A PRIVATE ATTORNEY

Private Counsel Is Always Recommended For Legal Matters

The law allows any person to represent themselves in a legal action. However, filing an action with the court and representing yourself in the courtroom can be a complicated legal procedure and this packet does not attempt to 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 for the Nevada District Courts, and the local rules governing the jurisdiction in which you are filing your documents. (ie. First Judicial District Court Rules)

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 FIRST JUDICIAL DISTRICT COURT, AND THEIR EMPLOYEES SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHING OF THIS MATERIAL.

I. EXPLANATION OF JOINT PETITION FOR DIVORCE

A. A case for divorce can be started in two ways: (1) by filing a Complaint for Divorce or (2) by filing a Joint Petition for Divorce.

In a joint petition, both parties must agree on everything about the divorce and be willing to sign documents. There is no hearing in a joint petition for divorce proceeding.

B. You can use a Joint Petition for Divorce if:

- At least one party has lived in the State of Nevada, for at least six weeks before you file the Joint Petition and that party plans to live in the State of Nevada, for the foreseeable future after the Petition is filed.
- You and your spouse are "incompatible" in marriage (You can no longer live together as husband and wife.)
- You and the other party do not have children together.
- Both parties agree to everything that will be in the divorce papers, including spousal support (alimony) and division of property and debts.
- Both parties are willing to sign the divorce papers.

C. This package should contain the following documents:

- Instructions for Joint Petition Divorce – No Children
- List of definitions and explanations of terms
- Civil (Family-Related) Cover Sheet

- Joint Petition for Summary Decree of Divorce
- Affidavit of Resident Witness
- Request for Submission
- Decree of Divorce
- Certificate of Mailing
- Affirmation

II. STEP 1: PREPARE YOUR PAPERWORK

NOTE: WHEN FILLING OUT ANY FORM, YOU MUST USE BLUE INK. PRINT CLEARLY. THE CLERK’S OFFICE WILL NOT FILE YOUR DOCUMENT IF THE HANDWRITING IS HARD TO READ.

NOTE: The documents in this package are written as if you are a Nevada resident. If you are not a Nevada resident but your spouse is a Nevada resident, you can still use these forms. You will insert your spouse’s name where the documents ask for information about the Nevada resident.

A. THE CIVIL (FAMILY-RELATED) COVER SHEET:

1. The Civil (Family-Related) Cover Sheet is a document used by the Clerk’s Office to create a file for your case.
2. Complete the front side of the sheet.
 - a. Leave the “Case No.” blank. The Clerk’s Office will give you a case number and department number when you file the petition.
 - b. Print name and addresses.
 - c. Check the box next to the type of case you will be filing.
 - d. Date and sign your name.

B. THE CAPTION:

1. The “caption” is the portion of your document which assists the Court in identifying your particular case. It is the part of the page that says “In the First Judicial District” and “In the Matter of the Marriage of _____.” Generally, this caption will remain the same throughout the entire case and will be on every document filed in this action.
2. In this package, the caption is on the: (a) Joint Petition, (b) Affidavit of Resident Witness, (c) Request for Submission, (d) Decree of Divorce, (e) Certificate of Mailing, (f) Affirmation.

C. THE JOINT PETITION:

1. Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
2. Insert the wife’s and husband’s names on the lines above those words in the caption.
3. Leave the lines to the right of the caption blank. The Clerk’s Office will give you a case number and department number when you file the Joint Petition. Once you get the case number from the clerk, you will need to put it on any documents that you give to the Court.
4. The Joint Petition uses a fill-in-the-blank format and will tell you what information you need to put into the blanks (date of marriage, etc.) **Please be sure to initial any applicable blanks.**

5. The Joint Petition must be “verified.” In other words, you and your spouse will need to sign the Joint Petition in front of a Notary Public. The Joint Petition will also have to be “acknowledged” by the Notary. The Notary will know what to do. **Do not make any copies until the document is notarized.** Once notarized staple the Joint Petition packet together.

D. THE AFFIDAVIT OF RESIDENT WITNESS:

NOTE: PART OF THIS DOCUMENT WILL NEED TO BE COMPLETED BY SOMEONE ELSE.

1. A resident witness is someone other than you or the other party who can testify that he/she has seen either you or your spouse (whoever is listed as the Nevada resident in the Joint Petition) in the State of Nevada, several times per week for at least six weeks before the Joint Petition is filed. This person must also have lived in the State of Nevada at least six weeks before the Joint Petition is filed.
2. Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
3. Insert the wife’s and husband’s names on the lines above those words in the caption.
4. Leave the lines to the right of the caption blank. The Clerk’s Office will give you a case number and department number when you file the Joint Petition. Once you get the case number from the clerk, you will need to put it on any documents that you give to the Court.
5. The Affidavit of Resident Witness uses a fill-in-the-blank format and will tell you what information you need to put into the blanks.
6. The Affidavit of Resident Witness must be signed in front of a Notary Public and **must not pre-date the filing of the Joint Petition.** Do not make any copies until the document is notarized. Once notarized staple the Affidavit of Resident Witness packet together.

E. THE REQUEST FOR SUBMISSION:

1. Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
2. Insert the wife’s and husband’s names on the lines above those words in the caption.
3. Leave the lines to the right of the caption blank. The Clerk’s Office will give you a case number and department number when you file the Joint Petition. Once you get the case number from the clerk, you will need to put it on any documents that you give to the Court.
4. The Request for Submission uses a fill-in-the-blank format and will tell you what information you need to put into the blanks.

F. THE DECREE OF DIVORCE:

1. The Decree of Divorce is the document the judge signs that grants the divorce. **You are not divorced until the Decree of Divorce has been signed by the judge and filed at the Clerk’s Office.**
2. Complete the information requested on the lines in the upper left-hand corner of the first page. Please include area codes.
3. Insert the wife’s and husband’s names on the lines above those words in the caption.

4. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department number when you file the Joint Petition. Once you get the case number form the Clerk, you will need to put it on any documents that you give to the Court.
5. The Decree of Divorce uses a fill-in-the-blank format and will tell you what information you need to put into the blanks. **Please be sure to initial the applicable lines.** Staple the Decree of Divorce packet together.

G. THE CERTIFICATE OF MAILING:

NOTE: YOU SHOULD PREPARE THIS DOCUMENT AFTER THE JUDGE HAS SIGNED YOUR DECREE.

1. The Certificate of Mailing is a document to show the Court that the other party received a copy of the document you filed.
2. Insert your name, address, and phone number on the first page, upper left-hand corner.
3. Insert the wife's and husband's names on the lines above those words in the caption.
4. Insert the case number and department number on the line after the words "Case No." and "Dept. No." on your documents. You can find the case number and department number by looking at the other documents that have been filed in your case.
5. The Certificate of Mailing uses a fill-in-the-blank format and will tell you what information you need to put into the blanks.
 - a. Whomever mails the documents will need to fill in the date that he/she mailed the documents to the other party.

H. THE AFFIRMATION:

1. Beginning January 1, 2007, most documents should not contain parties' Social Security Numbers. If certain documents are required to have this information, the Clerk's Office and/or the Court must take steps to ensure that the information is kept in a confidential manner. The Affirmation lets the Clerk's Office and the Court know whether the documents you file contain Social Security Numbers.
2. Insert your name, address, and phone number on the first page, upper left-hand corner. The form uses a "fill-in-the-blank" format. Write the information requested on each line in the caption.
3. Leave the lines to the right of the caption blank. The Clerk's Office will give you a case number and department number when you file the Joint Petition. Once you get the case number form the clerk, you will need to put it on any documents that you give to the Court.
4. Sign and date the form.

III **STEP 2: FILE THE CIVIL (FAMILY RELATED) COVERSHEET, JOINT PETITION FOR DIVORCE, AFFIDAVIT OF RESIDENT WITNESS, REQUEST FOR SUBMISSION, AND THE AFFIRMATION.**

- A. Make copies of the following documents:

Two copies of the Decree of Divorce and the Joint Petition

- B. Take all of the completed documents and money to pay the filing fee with you to the Clerk's Office (located on the third floor of the courthouse.) For the list of filing fees you can call the Clerk's Office at 887-2082 or visit our website at www.carson-city.nv.us.

- C. Go to the filing counter at the Clerk's Office. The clerk will file the original Civil (Family Related) Coversheet, Joint Petition, Affidavit of Resident Witness, Request for Submission and the Affirmation. He/she will stamp your copies and return them to you. These are called "file-stamped" copies. The Clerk will also stamp "received" on the original and two (2) copies of the Decree of Divorce. The Clerk will also assign your case to a judge (also known as a "department") and give your case a "case number."

IV. STEP 3: THE COURT'S REVIEW OF THE PAPERWORK

- A. The judge's staff will review your paperwork. If it is approved, the judge will sign the Decree. If you need to make some corrections, the staff will put a note on your papers to tell you how to correct your papers. It usually takes between one to two weeks from the time that you give your papers to the department until the staff has reviewed them.
- B. If the judge signed your Decree of Divorce, the Clerk's Office will automatically file the Decree. Once the file stamp from the Clerk's Office is on your Decree, you are divorced. If your paperwork needs correction, you will need to follow the instructions from the judge's office, complete and file the new document.

V. STEP 4: SERVE THE DECREE ON THE OPPOSING PARTY

- A. As a general rule, you must give the other party a copy of any document that you file with the Court. If that party is represented by an attorney, you must give the documents to the attorney instead of the other party. The way of giving the documents to the other party (or the attorney) is called "service of process" or "service." For this packet, you must serve the Decree of Divorce on the other party.
 - 1. Any document that is "served" must be mailed or delivered by someone who is not related to you by blood or marriage and who is over 18 years old. This person is called a "third party".
- B. There are several ways of serving the other party. However, this packet contains a "Certificate of Mailing." This is the most common method of serving a Decree of Divorce.
 - 1. If the other party does not have an attorney, the third party should mail the documents to the other side's last known address (the address you put in the Certificate of Mailing.)
 - 2. If the other party has an attorney, the third party should mail the documents to the attorney at the attorney's business.

VI. STEP 5: FILE THE CERTIFICATE OF MAILING

- A. After the third party has mailed the Decree of Divorce to the other side (or that side's attorney) he/she should complete their portion of the Certificate of Mailing.
- B. Go to the filing counter at the Clerk's Office. The Clerk will file the original document.

DEFINITIONS AND EXPLANATIONS OF TERMS

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, or may be permanent such as for a lifetime or until remarriage, whichever occurs first. If the spouse that is receiving support remarries, unless otherwise agreed upon, the spousal support stops. 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.***

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.***

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.***

Petitioner: A party that starts or "brings" an action against another party. Also known as the Plaintiff, depending upon what kind of an action is filed. If the action is a Joint Petition, such as a Joint Petition for Divorce or a Joint Petition to Establish Custody and Visitation, both parties are called "petitioners," rather than Plaintiff and Defendant.

Residency Requirement: One of the "Petitioners" must be a resident of the State of Nevada and that person is known as the "resident petitioner". 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 Joint Petition. If both people are residents of the State of Nevada, only one is actually designated as the "resident petitioner" for purposes of the filling out and filing of the Affidavit of Resident Witness Form.

Resident Petitioner: The Petitioner, or party, on whose behalf the Affidavit of Resident Witness is going to be filed. If both Petitioners are residents, only one will be the "Resident Petitioner."

Resident Witness: A person that will swear in the Affidavit of Resident Witness that one of the Petitioners 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 Joint Petition. The Resident Witness may be a friend, a family member or a co-employee.

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, ***if*** the proceeds were kept entirely separate from the community. 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.***

INFORMATION FOR FILING

AFFIDAVIT OF RESIDENT WITNESS

IMPORTANT

THE AFFIDAVIT OF RESIDENT WITNESS DOCUMENT MUST BE SIGNED, DATED, AND NOTARIZED BY A PUBLIC NOTARY

YOU CAN FILE THIS DOCUMENT:

- THE **SAME DAY YOU NOTARIZE AND FILE** YOUR JOINT PETITION OR COMPLAINT WITH THE CLERK'S OFFICE (NOTARY AND FILE DATE HAS TO HAPPEN ON THE SAME DAY)

OR

- YOU ALREADY **FILED** YOUR JOINT PETITION OR COMPLAINT WITH THE CLERK'S OFFICE AND ARE SUBMITTING THIS DOCUMENT ON A LATER DATE

HAVING THE AFFIDAVIT OF RESIDENT WITNESS NOTARIZED **PRIOR TO PHYSICALLY FILING YOUR JOINT PETITION OR COMPLAINT WITH THE CLERK'S OFFICE** WILL RESULT IN THE DELAY OF YOUR DIVORCE BEING GRANTED AND YOU WILL BE REQUIRED TO COMPLETE AND SUBMIT A NEW AFFIDAVIT OF RESIDENT WITNESS

CIVIL (FAMILY/JUVENILE-RELATED) COVER SHEET

Carson 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):

DOB:

Attorney (name/address/phone):

Will an Interpreter be required for court hearings?

Yes No

Please check with the Court Clerk for further information about interpreters

Defendant/Respondent/Co-Petitioner (name/address/phone):

DOB:

Attorney (name/address/phone):

Will an Interpreter be required for court hearings?

Yes No

Please check with the Court Clerk for further information about interpreters

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

Family-Juvenile Related Cases

Domestic Relations

- Marriage Dissolution Case**
 - Annulment
 - Divorce – With children
 - Divorce – Without children
 - Foreign Decree
 - Joint Petition – With children
 - Joint Petition – Without children
 - Separate Maintenance
- Paternity**
- Custody (Non-Divorce)**
- Support/ (Non-Divorce)**
 - Intrastate (Title IV-D)
 - Other Support (Non-Title IV-D)
- Visitation (Non-Divorce)**
- Termination of Parental Rights**
 - Other TPR Petition
- Adoptions**
 - Adult
 - Minor
- Miscellaneous Domestic Relations**
 - Name Change
 - Permission to Marry
 - Other Family

Other Family Related Case Filing Types

- Request for Temporary Protective Order**
 - Request for Extended Temporary Protective Order
- Other Domestic Relation Case Filings**
 - Name Change
 - Permission to Marry
 - Other Domestic Relation Filings
- Mental Health**

Guardianship Case Filing Types

- Guardianship of an Adult**
- Guardianship of a Minor**
- Guardianship Trust**

Estimated Estate Value: _____

Juvenile-Related Case Filing Types

- Miscellaneous Juvenile**
 - Emancipation

Children involved in this case:

Name:

DOB:

Name:

DOB:

Name:

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. (Civil Cover Sheet ~ Effective January 2012)

1 Wife's name: _____

Mailing Address: _____

2 City, State, Zip: _____

Telephone: _____

3 Husband's name: _____

Mailing Address: _____

4 City, State, Zip: _____

5 Telephone: _____

In Proper Person

6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

10 In the Matter of the Marriage of _____) Case No.: _____

11 _____)

(Wife's Name)) Dept. No.: _____

12 _____)

13 And _____)

_____)

14 (Husband's Name))

Joint Petitioners)

15 _____)

16 **JOINT PETITION FOR SUMMARY DECREE OF DIVORCE**

17 Petitioners, (Wife's name) _____ in proper person and
18 (Husband's name) _____ in proper person, hereby petition this Court,
19 pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to grant them a divorce. Petitioners
20 respectfully show, and under oath, state to the Court that every condition of NRS 125.181 has been met and further
21 state as follows:

22 **I.**

23 The Petitioners married on [Month, Day, Year] _____ in the County of [County
24 in which you were married] _____ State of [State in which you were married]
_____ and ever since have been, and still are, Husband and Wife.

II.

The Petitioner _____
[Name of the resident petitioner as indicated on Affidavit of Resident Witness]

is now, and for more than six weeks before the filing of this action has been, an actual resident of the State of Nevada and, during all this period of time has been actually, physically, present in and living in, the State of Nevada, and intends to continue to make the State of Nevada his or her home for an indefinite period of time.

The current addresses of the Petitioners are:

Wife's name: _____

Mailing address (Street or P.O., City, State, Zip): _____

Residence address (Street, City, State, Zip): _____

Husband's name: _____

Mailing address (Street or P.O., City, State, Zip): _____

Residence address (Street, City, State, Zip): _____

III.

The grounds for the divorce are:

That Petitioners have become, and continue to be, incompatible in marriage and no reconciliation is possible, or;

The parties have lived separate and apart for more than one year without cohabitation.

IV.

That there are no minor children born to, or adopted through, this union, and Wife is not pregnant.

V.

Division of Assets

Both parties must initial ONLY ONE of the next three (3) statements below. Print "N/A" for not applicable in the spaces you do not use. Be sure to address all retirement accounts, bank accounts and vehicles. Include VIN numbers when listing vehicles.

1. _____ All of the community assets and property have been previously divided
(Wife's initials) (Husband's initials)

and each is to keep the property they have in their possession at this time.

2. _____ There is no community property to be divided.
(Wife's initials) (Husband's initials)

3. _____ The community property should be divided as follows:
(Wife's initials) (Husband's initials)

(Include retirement accounts, bank accounts and vehicles with VIN numbers.)

WIFE SHALL RECEIVE THE FOLLOWING:

	<u>Name of Institution</u> <u>List Retirement Accounts, Bank</u> <u>Accounts and/or Make of Vehicles</u>	<u>Account Type (Retirement,</u> <u>Checking, Savings, etc.) OR</u> <u>Vehicle Model</u>	<u>Balance</u>
1.	⊥	⊥	⊥
2.	⊥	⊥	⊥
3.	⊥	⊥	⊥
4.	⊥	⊥	⊥
5.	⊥	⊥	⊥
6.	⊥	⊥	⊥
7.	⊥	⊥	⊥
8.	⊥	⊥	⊥
9.	⊥	⊥	⊥
10.	⊥	⊥	⊥

(If more room is needed for the wife's community property list it must be prepared on a separate sheet and clearly identified as the wife's community property list. Write only on one side of the page of the additional sheet and the sheet must be initialed by both parties.)

HUSBAND SHALL RECEIVE THE FOLLOWING:

	<u>Name of Institution</u> <u>List Retirement Accounts, Bank</u> <u>Accounts and/or Make of Vehicles</u>	<u>Account Type (Retirement,</u> <u>Checking, Savings, etc.) OR</u> <u>Vehicle Model</u>	<u>Balance</u>
1.	⊥	⊥	⊥
2.	⊥	⊥	⊥
3.	⊥	⊥	⊥
4.	⊥	⊥	⊥
5.	⊥	⊥	⊥
6.	⊥	⊥	⊥
7.	⊥	⊥	⊥
8.	⊥	⊥	⊥
9.	⊥	⊥	⊥
10.	⊥	⊥	⊥

(If more room is needed for the husband's community property list it must be prepared on a separate sheet and clearly identified as the husband's community property list. Write only on one side of the page of the additional sheet and the sheet must be initialed by both parties.)

VI.

Division of Debts

Both parties must initial ONLY ONE of the statements below. Print "N/A" for not applicable in the spaces you do not use. Be sure to list all credit cards with the last four numbers of each account, if known.

1. _____ All of the community assets and property have been previously divided
(Wife's initials) (Husband's initials)

and each is to keep the debts assigned to them and hold the other party harmless from those debts.

2. _____ There is no community debts to be divided.
(Wife's initials) (Husband's initials)

3. _____ The community debts should be divided as follows:
(Wife's initials) (Husband's initials)

(Be sure to list specific debts with the balance of the account, if available.)

WIFE SHALL RECEIVE THE FOLLOWING DEBTS AS HER SOLE AND SEPARATE DEBTS:

	<u>Name of Institution</u>	<u>Balance</u>
1.	⊥	⊥
2.	⊥	⊥
3.	⊥	⊥
4.	⊥	⊥
5.	⊥	⊥
6.	⊥	⊥
7.	⊥	⊥
8.	⊥	⊥
9.	⊥	⊥
10.	⊥	⊥

(If more room is needed to list the wife's debts it must be prepared on a separate sheet and clearly identified as the wife's debt list. Write only on one side of the page of the additional sheet and the sheet must be initialed by both parties.)

HUSBAND SHALL RECEIVE THE FOLLOWING DEBTS AS HIS SOLE AND SEPARATE DEBTS:

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25

	<u>Name of Institution</u>	<u>Balance</u>
1.	⊥	⊥
2.	⊥	⊥
3.	⊥	⊥
4.	⊥	⊥
5.	⊥	⊥
6.	⊥	⊥
7.	⊥	⊥
8.	⊥	⊥
9.	⊥	⊥
10.	⊥	⊥

(If more room is needed to list the husband's debts it must be prepared on a separate sheet and clearly identified as the husband's debt list. Write only on one side of the page of the additional sheet and the sheet must be initialed by both parties.)

(The following statement must be initialed by both parties.)

(Wife's initials) _____
(Husband's initials)

Petitioners hereby certify that they have disclosed all community assets and debts and that there are no other community assets or debts for this Court to divide.

VII.

Spousal Support (Alimony)

Both parties must initial only ONE of the following statements. If you initial one of the statements which makes a provision for spousal support, be sure to fill in all the spaces in that statement. DO NOT LEAVE ANY SPACES BLANK IN THIS SECTION. PRINT "N/A" IN ALL SPACES THAT ARE NOT APPLICABLE TO YOU.

(Wife's initials) _____
(Husband's initials)

Each of the Petitioners hereby give up any and all right to spousal support (Alimony) or any other monetary claim each may have against the other for support or maintenance.

OR

(Wife's initials) _____
(Husband's initials)

Wife shall receive spousal support in the amount of \$ _____

per { week / month }, due and payable on the __ of each { week / month } for a period of [number of] _____ { weeks / months / years }. The spousal support shall begin on [mm/dd/yy] _____ and end on on [mm/dd/yy] _____.

OR

_____ Husband shall receive spousal support in the amount of \$ _____
(Wife's initials) (Husband's initials)
per { week / month }, due and payable on the __ of each { week / month } for a period of [number
of] _____ { weeks / months / years }. The spousal support shall begin on [mm/dd/yy] _____ and
end on [mm/dd/yy] _____.

VIII.

Former Name
*Initial ONLY ONE of the following statements and print "N/A" for not applicable in the spaces
not filled in.*

_____ Wife does not wish to return to her former name.
(Wife's initials) (Husband's initials)

OR

_____ Wife wishes to return to her former name of [former last
(Wife's initials) (Husband's initials)
name] _____

OR

_____ Wife never changed her name and, therefore, does not request
(Wife's initials) (Husband's initials)
restoration of her former name.

IX.

Petitioners hereby request that this Court enter a Decree of Divorce incorporating into that Decree the provisions made herein.

X.

It is understood by the Petitioners that entry of Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage.

Petitioners each expressly give up their respective rights to receive written Notice of Entry of any Decree and Judgment of Divorce and Petitioners give up their right to request a formal Findings of Fact and Conclusions of Law, or to appeal any Judgment or Order of this Court made and entered in these proceedings or the right to move for a new trial.

XI.

It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

WHEREFORE, Petitioners pray as follows:

1. That the parties be granted a decree of divorce and that each of the petitioners be restored to the status of single, unmarried persons.
2. That the terms agreed upon in this Joint Petition be included in the Decree.

Date: _____
(Date signed by Wife)

Date: _____
(Date signed by Husband)

(Wife's signature)

(Husband's signature)

(Wife's address)

(Husband's address)

WIFE'S VERIFICATION

1 STATE OF _____)
2)ss:
3 County of _____)

4 _____ [Wife's Name] being first duly sworn under
5 penalties of perjury, deposes and says:

6 I am the Petitioner herein, and I have read the foregoing Joint Petition For Summary Decree of Divorce and
7 know the contents thereof; that the same is true to the best of my own knowledge, except as to those matters therein
8 stated upon information and belief, and as to those matters, I believe them to be true.

9 _____
10 (Wife's Signature)

11 SUBSCRIBED and SWORN to before me

12 This _____ day of _____, 20____.

13 _____
14 NOTARY PUBLIC

15 STATE OF _____)
16)ss:
17 County of _____)

18 On this _____ day of _____, 20____, personally appeared before me, a Notary
19 Public, _____, [Wife's Name] known or proved to me to be the person who
20 executed the foregoing Joint Petition For Summary Decree of Divorce, and who acknowledged to me that she did so
21 freely and voluntarily and for the uses and purposes herein stated.

22 _____
23 NOTARY PUBLIC
24
25

1 Wife's name: _____
2 Mailing Address: _____
3 City, State, Zip: _____
4 Telephone: _____

5 Husband's name: _____
6 Mailing Address: _____
7 City, State, Zip: _____
8 Telephone: _____
9 In Proper Person

10
11 **In The First Judicial District Court of the State of Nevada**
12 **In and for Carson City**
13

14 In the Matter of the Marriage of _____) Case No.: _____
15 _____)
16 (Wife's Name) _____) Dept. No.: _____
17 _____)
18 And _____)
19 _____)
20 (Husband's Name) _____)
21 Joint Petitioners _____)
22 _____)

23 **AFFIDAVIT OF RESIDENT WITNESS**

24 STATE OF _____)
25 _____)ss:
26 County of _____)

27 I, _____ [Resident Witnesses' name], do
28 hereby swear under penalty of perjury that the assertions of this affidavit are true.

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

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

31 _____ [Street address of person making the Affidavit],

32 City of _____ State of Nevada and I intend to live in the

33 State of Nevada for the foreseeable future.

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- 3. To my personal knowledge, _____ [Name of person whose residency is being established] lives at _____
[Address of the person whose residency is being established], State of Nevada and has been physically living within the State of Nevada on a daily basis for a least six (6) weeks prior to the filing of this Joint Petition on _____ [Date Joint Petition was filed.]
- 4. To my personal knowledge, _____ [Name of person whose residency is being established] has physically lived in the State of Nevada since _____
[State the date you know the person has lived in Nevada.]
- 5. I see the Petitioner on the average of _____ times a week [State how often you actually see the person in a week.] The Petitioner is _____ [Fill in how you know the person, such as friend, relative, co-worker, etc.]
- 6. I know of my own personal knowledge that _____ [Name of resident Petitioner] in a bona fide resident of the State of Nevada.

DATED _____

(Signature of person making this Affidavit)

SUBSCRIBED and SWORN to before me

This _____ day of _____, 20_____.

NOTARY PUBLIC

1 Wife's name: _____
Mailing Address: _____
City, State, Zip: _____
2 Telephone: _____

3 Husband's name: _____
Mailing Address: _____
4 City, State, Zip: _____
5 Telephone: _____
In Proper Person

6
7 **In The First Judicial District Court of the State of Nevada**
8 **In and for Carson City**
9

10 In the Matter of the Marriage of _____) Case No.: _____
11 _____)
(Wife's Name)) Dept. No.: _____
12 _____)
And _____)
13 _____)
(Husband's Name))
14 Joint Petitioners _____)
15 _____)

16 **REQUEST FOR SUBMISSION**

17 COMES NOW, _____, in proper person, and hereby
(Wife's or husband's name)
18 requests that the **Joint Petition for Summary Decree of Divorce** previously filed in the above-entitled matter on
19 _____ day of _____, 20 _____, be submitted to the Court for
20 consideration.

21 DATED This _____ day of _____, 20_____.

22 Your Name: _____

23 Address: _____

24 Telephone: _____
25

1 Wife's name: _____

Mailing Address: _____

2 City, State, Zip: _____

Telephone: _____

3 Husband's name: _____

Mailing Address: _____

4 City, State, Zip: _____

5 Telephone: _____

In Proper Person

6 **In The First Judicial District Court of the State of Nevada**
7 **In and for Carson City**
8

9 In the Matter of the Marriage of _____) Case No.: _____

10 _____) Dept. No.: _____

(Wife's Name) _____)

11 And _____)

12 _____)

(Husband's Name) _____)

13 Joint Petitioners _____)

14 _____)

15 **DECREE OF DIVORCE**

16 The above entitled cause, having been submitted to this Court for decision pursuant to Chapter 125 of the
17 Nevada Revised Statutes, and based upon the Joint Petition by the Petitioners, _____

18 [Wife's name] and _____ [Husband's name], and all of the papers and pleadings

19 on file, the Court finds as follows:

- 20 1. That all of the allegations contained in the documents on file are true;
- 21 2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;
- 22 3. That this Court has complete jurisdiction to enter this Decree and orders regarding the distribution of assets
and debts.
- 23 4. That this Court has complete jurisdiction to enter this Decree and the orders regarding the distribution of
24 assets and debts.

1 5. That resident Petitioner _____ [Husband's name or Wife's name]
2 has been, and is now, an actual bona fide resident of the State of Nevada and has actually been domiciled
3 in the State of Nevada for more than six (6) weeks immediately prior to the commencement of this action,
4 and intends to continue to make the State of Nevada { his / her } home for an indefinite period of
5 time.

6 6. The Petitioners married on _____ [Date of Marriage, including month, day and year]
7 in County of _____ [County in which you were married,] State of
8 _____ [State in which you were married,] and ever since that date
9 have been, and still are, Husband and Wife.

10 *(Initial only ONE space in statement 7)*

11 7. _____ The Petitioners have become, and continue to be, incompatible in marriage and no reconciliation is
12 possible, or;

13 _____ The parties have lived separate and apart for more than one year without cohabitating as Husband
14 and Wife and Petitioners are entitled to a Decree of Divorce.

15 8. That there are no minor children of the marriage, the parties have no adopted minor children and wife is not
16 pregnant at this time.

17 9. That the Petitioners have entered into an equitable agreement settling all issues regarding the division and
18 distribution of assets and debts, said agreement being an equitable one, and Petitioners have requested that
19 their agreement in their Joint Petition, be ratified, confirmed, and incorporated into their Decree as though
20 fully set forth.

21 10. That the Petitioners have entered into an agreement settling the issue of spousal support and request that
22 their agreement as set forth in their Joint Petition, be ratified, confirmed and incorporated into their Decree
23 as though fully set forth.

24 *(Initial only ONE space in statement 11 and print "N/A" for not applicable in the other spaces)*

25 11. _____ Wife does not wish to return to her former name.

_____ Wife does wish to return to her former name of:

_____ Wife never changed her name and, therefore, does not request restoration of her former name.

12 That the parties waive their rights to a written Notice of Entry of Decree of Divorce, to appeal, to Findings
1 of Fact and Conclusions of Law, and to move for a new trial.

2 THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

- 3 1. That the bonds of matrimony now existing between the Petitioners are dissolved and an absolute Decree of
4 Divorce is granted to the parties, and each of the parties is restored to the status of an unmarried person.
- 5 2. That the agreement, as it is stated in the Petitioners' Joint Petition, regarding the division and distribution of
6 assets and debts, is hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
- 7 3. That the agreement, as it is stated in the Petitioners' Joint Petition, regarding the issue of spousal support is
8 hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
- 9 4. _____ Wife is hereby restored to her former name of.

10 _____
11 _____ Wife never changed her name and, therefore, does not request restoration of her former name.
12 _____ Wife shall retain her present name.

- 13 5. **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall submit the
14 information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court
15 and the Welfare Division of the Department of Human Resources within ten days from the date this Decree
16 is filed. Such information shall be maintained by the Clerk in a confidential manner and not part of the
17 public record. The parties shall update the information filed with the Court and the Welfare Division of the
18 Department of Human Resources within ten days should any of that information become inaccurate.

18 **THIS IS A FINAL DECREE.**

19 Dated: _____

20 _____
DISTRICT JUDGE

21 Respectfully Submitted:

22 (Print wife's name) _____

(Print husband's name) _____

23 (Wife's signature) _____

(Husband's signature) _____

24 (Wife's address) _____

(Husband's address) _____

25 (Wife's telephone) _____

(Husband's telephone) _____

Petitioner in Proper Person

Petitioner in Proper Person

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Your Name: _____
Mailing Address: _____
City, State, Zip: _____
Telephone: _____
In Proper Person _____

**In The First Judicial District Court of the State of Nevada
In and for Carson City**

In the Matter of the Marriage of _____) Case No.: _____
)
_____) Dept. No.: _____
(Wife's Name))
)
And)
)
_____)
(Husband's Name))
Joint Petitioners)
_____)

CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the (name of document) _____
was made on (date) _____ pursuant to NRCP 5(b) by depositing a copy of same in the United
States Mail in Carson City, Nevada postage prepaid, addressed as follows:

Other party's name: _____
Other party's address: _____
Address: _____
Address: _____

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DATED This _____ day of _____, 20_____.

Signature of person who mailed document: _____

Print name of person who mailed document: _____

If signed in Nevada: I declare under penalty of perjury that the foregoing is true and correct.

Signed on: _____ (Date) _____ (Signature)

If signed outside Nevada: I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Signed on: _____ (Date) _____ (Signature)

1 Your name or firm _____
Mailing Address: _____
2 City, State, Zip: _____
Telephone: _____
3 In Proper Person

4 **In The First Judicial District Court of the State of Nevada**
5 **In and for Carson City**

7 In the Matter of the Marriage of _____) Case No.: _____
8 _____)
(Wife's Name)) Dept. No.: _____
9 And)
10 _____)
(Husband's Name))
11 Joint Petitioners)
12 _____)

13 **AFFIRMATION**
14 **Pursuant to NRS 239B.030**
15 **(Initial Appearance)**

16 The undersigned does hereby affirm that upon the filing of additional documents in the above matter, an Affirmation
will be provided ONLY if the document contains a social security number.

17 (Your signature) _____ (Date) _____
18

19 The purpose of this initial affirmation is to ensure that each person who initiates a case, or upon first appearing in a
20 case, acknowledges their understanding that no further affirmations are necessary unless a pleading which is files
contains a social security number.