

**INSTRUCTIONS FOR JOINT PETITION FOR DIVORCE
HAVE CHILDREN TOGETHER**

*** * * 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.

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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.

- 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.)
- Both parties agree to everything that will be in the divorce papers, including spousal support (alimony), division of property and debts, custody, visitation and child support.
- Both parties are willing to sign the divorce papers.

- C. This package should contain the following documents:

- Instructions for Joint Petition Divorce – Have Children
- List of definitions and explanation of terms
- List of common “custody” terms
- Civil (Family Related) Cover Sheet
- Confidential Family Court Information Sheet

- Joint Petition for Summary of 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 you 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 your name and address.
 - c. Check one 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, (e) Decree of Divorce, (e) Certificate of Mailing, (f) the Court Ordered Information Sheet and (g) 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 from 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 COURT ORDER INFORMATION SHEET:

1. Nevada law states that the State of Nevada's Welfare Department and the Court must be notified whenever there is an order regarding child support. You do this by presenting the Court Order Information Sheet to the Clerk's Office.

Note: Each party should complete a Court Order Information Sheet using their own information.

2. Insert the wife's name on the line above the word "Plaintiff" in the caption. Insert the husband's name on the line above the word "Defendant." (It does not matter that you are actually Joint Petitioners; the Clerk's Office will be able to put the document in the right file as long as you put the correct case number on the document.)
3. If you or the other party has already filed paperwork, fill in the "Case No." and "Dept. No." lines to the right of the caption. You can find this information by looking at other documents that have been filed in the case.
4. Insert the requested information into the grids. If something does not apply, write "N/A."
5. Sign and date the form.

I. 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 from 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) COVER SHEET, 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.org/ccdc.
- C. Go to the filing counter at the Clerk's Office. The clerk will file the original Civil (Family Related) Cover Sheet, 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 Court Order Information Sheet, and 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.

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, 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.***

Child Custody: There are two kinds of custody, "legal" custody and "physical" custody. For a more complete explanation of custodial terms used in divorce, separation and custody cases, see the information sheet entitled Common Custody Terms. Custody is a complicated issue and you are urged to seek the advice of private counsel on how to establish custody and visitation.

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. 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 and any child support agreed upon must be based on the requirements of those statutes. Child support cannot just be waived by the parents. 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: 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 visitation will be temporary or permanent, and, if temporary, when unsupervised visitation will commence, and under what conditions. ***It must be remembered that the written agreement for visitation is the controlling agreement and any verbal agreements are usually not enforceable through the courts.***

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.***

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.

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 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, 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 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***

COMMON "CUSTODY" TERMS USED IN DIVORCE AND PATERNITY ACTIONS

Custody terms that are used in legal documents have some very important legal consequences and can have a tremendous impact on your future actions in the court.

There are two kinds of custody that must be addressed in divorce and paternity documents. "**Physical**" custody and "**Legal**" 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 terms are commonly used to describe "custody" arrangements. It is important to realize that these are not the only terms used and if there are terms that you don't understand or you are not sure of their meaning, for your own protection, have the terms clearly defined in any legal documents you sign or any orders that issue from the court.

These definitions 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 can 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 unusual cases and circumstances.

The state encourages custody arrangements that allow the child to have significant time with both parents and expects both parents to share the responsibility of making the important decisions involving their child's life.

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](#))

125B.055 OBLIGATION OF SUPPORT

NRS 125B.055 Order for support issued or modified on or after October 1, 1998: Provision of information by court and parties to action; placement of social security numbers in records; regulations.

1. A court that, on or after October 1, 1998, issues or modifies an order in this State for the support of a child shall:

(a) Obtain and provide to the Division of Welfare and Supportive Services of the Department of Health and Human Services such information regarding the order as the Division of Welfare and Supportive Services determines is necessary to carry out the provisions of 42 U.S.C. § 654a.

(b) Ensure that the social security numbers of the child and the parents of the child are placed in the records relating to the matter and, except as otherwise required to carry out a specific statute, maintained in a confidential manner.

2. Within 10 days after a court of this State issues an order for the support of a child, each party to the cause of action shall file with the court that issued the order and the Division of Welfare and Supportive Services:

(a) His social security number;

(b) His residential and mailing addresses;

(c) His telephone number;

(d) His driver's license number; and

(e) The name, address and telephone number of his employer.

↪ Each party shall update the information filed with the court and the Division of Welfare and Supportive Services pursuant to this subsection within 10 days after that information becomes inaccurate.

3. The Division of Welfare and Supportive Services shall adopt regulations specifying the particular information required to be provided pursuant to subsection 1 to carry out the provisions of 42 U.S.C. § 654a.

(Added to NRS by 1997, 2294; A [1999, 2680](#))

NOTICE: Pursuant to the above statute, **each party must update the information filed with the court within 10 days**

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	Other Family Related Case Filing Types
☐ 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	☐ 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)*

**NEVADA STATE DIVISION OF WELFARE AND SUPPORTIVE SERVICES
CHILD SUPPORT ENFORCEMENT**

IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR CARSON CITY

CONFIDENTIAL FAMILY COURT INFORMATION SHEET

Plaintiff/Petitioner
vs.

Defendant/Respondent

Case No. _____

Dept. No. _____

Mother/Wife Information

☐ Custodial Parent ☐ Non-Custodial Parent

Name: _____

Social Security Number: _____

Date of Birth: _____

Residential Address: _____

City, State, Zip: _____

Mailing Address: _____

Telephone No.: _____

Driver's License No.: _____

Ethnicity: ☐ White (Non Hispanic) ☐ Hispanic
☐ African-American ☐ Asian or Pacific Islander
☐ Native American/Alaskan Native ☐ Other

Are you employed? ☐ YES ☐ NO

Name of Employer: _____

Business Address: _____

City, State, Zip: _____

Telephone No.: _____

Father/Husband Information

☐ Custodial Parent ☐ Non-Custodial Parent

Name: _____

Social Security Number: _____

Date of Birth: _____

Residential Address: _____

City, State, Zip: _____

Mailing Address: _____

Telephone No.: _____

Driver's License No.: _____

Ethnicity: ☐ White (Non Hispanic) ☐ Hispanic
☐ African-American ☐ Asian or Pacific Islander
☐ Native American/Alaskan Native ☐ Other

Are you employed? ☐ YES ☐ NO

Name of Employer: _____

Business Address: _____

City, State, Zip: _____

Telephone No.: _____

CHILDREN OF THE PARTIES

			Gender
Name: _____	SSN: _____	DOB: _____	☐ M ☐ F
Name: _____	SSN: _____	DOB: _____	☐ M ☐ F
Name: _____	SSN: _____	DOB: _____	☐ M ☐ F
Name: _____	SSN: _____	DOB: _____	☐ M ☐ F
Name: _____	SSN: _____	DOB: _____	☐ M ☐ F

If there are more than five (5) children, list their information on a separate sheet of paper and attach.

Does this case involve Family Violence: ☐ YES ☐ NO

_____ Signature	_____ Date	_____ Signature	_____ Date
--------------------	---------------	--------------------	---------------

The information captured on this form will be forwarded to the Federal Case Registry as required by federal law. If you do not want your identifying information shared with other states because of domestic violence, please check YES to the question on domestic violence.

Nevada's Division of Welfare and Supportive Services (DWSS), Child Support Enforcement Program (CSEP) is required by Chapter 42 of the United States Codes, federal regulations and state laws to obtain the Social Security Numbers (SSNs) of participants in cases involving child support orders. The CSEP will use these SSNs only for the purposes outlined in the federal law, federal regulations, state laws and state regulations that govern the CSEP. Social Security Numbers will be maintained in a confidential manner.

Within ten (10) days after a Nevada court issues a child support order, each party listed in the order must file the following information with the court that issued the order and the Division of Welfare and Supportive Services:

1. Social Security Number;
2. Residential and mailing address;
3. Telephone number;
4. Driver's License number, and
5. Name, address and telephone number of employer.

Each party shall update the information filed with the court and the Division of Welfare and Supportive Services (DWSS) within ten (10) days after the information becomes inaccurate. Information directed to DWSS should be mailed to:

Nevada State Division of Welfare and Supportive Services
Child Support Enforcement Program
1470 College Parkway
Carson City, Nevada 89706-7924

This requirement can be found in Nevada Revised Statutes 125B.055 and 125.230.

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

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

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

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

20 **I.**

21
22 The Petitioners married on [Month, Day, Year] _____ in the County of [County
in which you were married] _____ State of [State in which you were married]
23 _____ and ever since have been, and still are, Husband and Wife.
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25

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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.

Wife [is or is not] _____ pregnant at this time.

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

Husband [is or is not] _____ the father of the unborn child. The unborn child is due to be born on [date of expected birth] _____ .

V.

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

That there are [Number of minor children] _____ minor children born to, or adopted, through this union.

NAME

AGE

DATE OF BIRTH

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

VI.

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 state of residence of the children is as follows:

NAME

STATE OF
RESIDENCE

LENGTH OF TIME
CHILD HAS LIVED
IN THAT STATE

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

VII.

Legal Custody of the Children
Both Parents must initial the following provision.

Joint Legal Custody

(Wife's initials) (Husband's initials) Petitioners are fit and proper persons to be awarded joint legal custody of the
minor child(ren). List names of children below.

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

VIII.

Physical Custody of the Children
There are TWO different choices in the following paragraph: (a) joint physical custody; or (b) primary physical custody; Choose only ONE. Both parties are to initial the ONE choice you agree upon. In the space for the other one, print "N/A" for not applicable.

(a)
Joint Physical Custody

(Wife's initials) (Husband's initials) Petitioners are fit and proper persons to be awarded joint physical custody of
the minor child(ren). List names of children below.

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

(b)
Primary Physical Custody

(Wife's initials) _____ (Husband's initials) _____ Petitioner is a fit and proper person to have the primary physical custody of the minor child(ren), (listed below) with visitation by the non-custodial parent as set forth in the following visitation schedule.

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

IX.

WEEKLY/MONTHLY AND SUMMER VISITATION

Visitation must be set out in specific detail, including a full weekly or monthly schedule with the days the exchanges will take place, the times of the exchanges, and who will provide transportation. Also include specific details regarding summer vacation periods. Without very specific visitation, a Decree will not be granted. Terms such as "reasonable visitation" and "visitation at reasonable times and places" will not be accepted.

The parents may, from time to time, adjust the transportation provision or the weekends of scheduled visitation by agreement.

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" for not applicable 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" for not applicable on the lines provided for the individual holidays.

Thanksgiving Day will be alternated with { ☐ Mother / ☐ Father } having the child in the year _____ and each { ☐ odd / ☐ even } year thereafter.

Christmas Day will be alternated with { ☐ Mother / ☐ Father } having the child in the year _____ and each { ☐ odd / ☐ even } year thereafter.

New Year's Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter. Easter will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Passover will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Hanukkah will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Martin Luther King's Birthday will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

President's Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Memorial Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Fourth of July will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Labor Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Nevada Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Halloween will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Veteran's Day will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Child's birthday will be alternated with {☐ Mother / ☐ Father} having the child in the year ____ and each {☐ odd / ☐ even} year thereafter.

Mother shall have the child on Mother's Day and Father shall have the child on Father's Day. Holidays not specifically time defined shall begin at ____ a.m. and end at ____ p.m. on the same day. The parent who has the holiday will pick the child up and return the child to the other parent at the end of the scheduled time.

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

{ ☐ Mother / ☐ Father } shall have a block of time with the child(ren) for vacation purposes. That length of time for vacation period shall be. ☐ one week / ☐ two weeks / ☐ three weeks / ☐ one month.

{ ☐ Mother / ☐ Father } shall notify the other parent, in writing, at least _____ (days or weeks) in advance of the choice of time.

(Wife's initials) (Husband's initials) Each parent { ☐ shall / ☐ shall not } notify the other if they take the child out of the State of Nevada for more than 24 hours, for any reason. Notification shall be made prior to leaving the State and shall include the date leaving the State, the destination, the date returning to the State, the type of transportation, and, if possible, a telephone number for contact while the child is out of the State.

Each parent shall immediately notify the other if any emergency occurs with the child such that medical treatment is sought.

(Wife's initials) (Husband's initials) Each parent { ☐ shall / ☐ shall not } keep the other informed of the child care giver for the child, including name, address, and telephone number.

(Wife's initials) (Husband's initials) Each parent { ☐ shall / ☐ shall not } have the right of first refusal to care for the child when the other parent is not available to care for the child for a period of _____ hours. In other words, if the child is in Mother's custody and Mother is not available to care for the child for _____ hours or more, Father shall be notified and given the right of first refusal to care for the child, before any third party is called in to care for the child. Mother has the same right of first refusal when the child is with Father and Father is not available to care for the child for _____ hours, or more.

(Wife's initials) (Husband's initials) Both parents are to have equal access to all the child's medical records, School records, and any other records generated for the benefit of, or on behalf of, the child.

X.

CHILD SUPPORT

☐ Father / ☐ Mother shall pay child support in the amount of \$ _____ per month, per child, for a total monthly child support obligation of \$ _____, per month. The child support shall be paid on or before the _____ day of each month.

We came to this agreement 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]: \$ _____

Initial one of the following. Do not initial all lines. Print N/A on those lines you do not us.

(Wife's initials) _____
(Husband's initials) { ☐ Mother / ☐ Father } is the non-custodial parent and, the amount agreed upon listed above, is in compliance with NRS 125B.070 and is { ☐ 18% / ☐ 25% / ☐ 29% / ☐ 31% } of { ☐ Mother / ☐ Father } gross monthly income.

OR

(Wife's initials) _____
(Husband's initials) Because Petitioners are joint physical custodians, the amount of child support listed above, meets the statutory requirement.

OR

(Wife's initials) _____
(Husband's initials) The support obligation amount that has been agreed upon by the parties is not the amount required in the statutes. Under the statutes, the child support obligation for { ☐ Mother / ☐ Father } would be \$ _____ per month, per child. However, Petitioners have agreed to change that amount and have listed the reasons on a separate sheet of paper.

(Please see NRS 125B.080, included in this packet, for the only reasons you can deviate from the statutory formula, and attach your list of reasons.)

The amount of child support agreed upon meets the children's financial needs.

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 { ☐ will / ☐ will not } be immediately put in place.

1 ***Both parties must initial ONE of the following statements regarding child support.***

2 _____ There is already a Child Support action through the District Attorney's
3 (Wife's initials) (Husband's initials)
4 Office and payment of the child support shall continue to be handled through that office.

5 **OR**

6 _____ The children are receiving Welfare benefits and the Welfare
7 (Wife's initials) (Husband's initials)
8 Department has, or will have, a child support case through the District Attorney's Office and the District Attorney's
9 Office shall continue to handle the child payments.

10 **OR**

11 _____ No formal child support obligation has ever previously been established
12 (Wife's initials) (Husband's initials)
13 and this will be the first Court Order for child support and the parent paying child support will pay the support
14 directly to the receiving parent.

15 **OR**

16 _____ Although this is the first Court Order for child support, the payments will
17 (Wife's initials) (Husband's initials)
18 be handled through the District Attorney's Office and the parent who will be collecting child support shall open the
19 case with the District Attorney's Office.

20 **XI.**

21 **Health Care**

22 ***Provisions must be made for health care for the child(ren). If neither parent has health***
23 ***insurance on the child(ren), that must be stated. If the children are on Medicaid, that must be***
24 ***stated. Fill in all spaces, do not leave any spaces blank.***

25 The child(ren) presently { ☐ is / ☐ are / ☐ is not / ☐ are not } covered by a health insurance policy.

The child(ren) presently { ☐ is / ☐ are / ☐ is not / ☐ are not } on Medicaid.

{ ☐ Husband / ☐ Wife / ☐ Both Parents } shall maintain health insurance on the child(ren) through their
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 premium.

XII.

Division of Assets

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

(Wife's initials) _____
(Husband's initials) All of the community assets and property have been previously divided and each is to keep the property they have in their possession at this time.

OR

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

OR

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

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.)

XIII.

Division of Debts

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

(Wife's initials) _____
(Husband's initials) All of the community debts have been previously divided and each is to keep those debts assigned to them and hold the other party harmless from those debts.

OR

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

OR

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

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

Be sure to list specific debts with balance due on the account, if available.

Name of Institution

Balance

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:

Be sure to list specific debts with the balance due on the account, if available.

Name of Institution

Balance

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)

and debts and that there are no other community assets or debts for this Court to divide.

XIV.

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

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

Husband 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 [mm/dd/yy] _____.

XV.

Former Name

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

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

Wife does not wish to return to her former name.

OR

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

Wife wishes to return to her former name of [former last Name] _____

1 **OR**

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

5 **XVI.**

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

8 **XVII.**

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

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

14 **XVIII.**

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

18 WHEREFORE, Petitioners pray as follows:

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

22 Date: _____
(Date signed by Wife)

22 Date: _____
(Date signed by Husband)

23 _____
(Wife's signature)

23 _____
(Husband's signature)

24 _____
(Wife's address)

24 _____
(Husband's address)

WIFE'S VERIFICATION

STATE OF _____)
County of _____)ss:

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

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

(Wife's Signature)

SUBSCRIBED and SWORN to before me

This _____ day of _____, 20_____.

NOTARY PUBLIC

STATE OF _____)
County of _____)ss:

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

NOTARY PUBLIC

HUSBAND'S VERIFICATION

STATE OF _____)
County of _____)ss:

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

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

(Husband's Signature)

SUBSCRIBED and SWORN to before me

This _____ day of _____, 20_____.

NOTARY PUBLIC

STATE OF _____)
County of _____)ss:

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

NOTARY PUBLIC

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

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

21 **AFFIDAVIT OF RESIDENT WITNESS**

22 STATE OF _____)
23 _____)ss:
24 County of _____)

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

1. I am over the age of eighteen and competent to testify on my own knowledge to the following.
2. I have lived in the State of Nevada for _____ years and presently live at
_____ [Street address of person making the Affidavit],

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

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

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

15 **REQUEST FOR SUBMISSION**

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

19 DATED This _____ day of _____, 20_____.
20

21 Your Name: _____

22 Address: _____

23 _____
24 Telephone: _____
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 _____

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**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. _____
_____)
(Wife's Name)) Dept. No. _____
_____)
And _____)
_____)
(Husband's Name))
Joint Petitioners _____)
_____)

DECREE OF DIVORCE

The above entitled cause, having been submitted to this Court for decision pursuant to Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition by the Petitioners, [Wife's name]

_____ and [Husband's name], _____

and all of the papers and pleadings on file, the Court finds as follows:

1. That all of the allegations contained in the documents on file are true;
2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;
3. That this Court has the necessary UCCJA, UCCJEA and PKPA initial and continuing jurisdiction to enter orders regarding child custody and visitation on the following children of the union or adopted by the parties, and hereby exercises and jurisdiction:

Name

Date of Birth

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |

4. That this Court does not have the necessary UCCJA, UCCJEA and PKPA jurisdiction to enter orders regarding custody and visitation of the following children of the union or adopted by the parties, and said issues must be decided in the children's present "home state":

Name

Date of Birth

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |

5. That this Court has complete jurisdiction to enter this Decree and the orders regarding the distribution of assets and debts.

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

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

(Initial only ONE space in statement 8)

8. _____ 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 cohabitating as Husband and Wife and Petitioners are entitled to a Decree of Divorce.

9. Wife ☐ is / ☐ is not pregnant at this time.

(If the following spaces are not applicable in your circumstances, print "N/A" for not applicable in each space.)

Husband ☐ is / ☐ is not the alleged to be father of the unborn child. The unborn child is due to be born on _____.

10. That the Petitioners have entered into an agreement settling all issues regarding the care, custody, visitation, health insurance, and child support of the child(ren) over which this Court has jurisdiction, said agreement being in the best interests of the child(ren), and Petitioners have requested that their agreement as set forth in their Joint Petition, be ratified, confirmed, and incorporated into their Decree as though fully set forth.

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

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

(Initial only ONE space in statement 13 and print "N/A" for not applicable in the other spaces)

13. _____ Wife does not wish to return to her former name.

_____ Wife wishes to return to her former name of.

[Wife's former name]

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

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

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

1. That the bonds of matrimony now existing between the Petitioners are dissolved and an absolute Decree of Divorce is granted to the parties, and each of the parties is restored to the status of an unmarried person.
2. That the agreement, as it is stated in the Petitioners' Joint Petition, regarding the care, custody, visitation, health insurance, and child support of the child(ren) over which this Court has jurisdiction, is hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
3. That the agreement, as it is stated in the Petitioners' Joint Petition, regarding the division and distribution of assets and debts, is hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
4. That the agreement, as it is stated in the Petitioners' Joint Petition, regarding the issue of spousal support is hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.
5. _____ Wife is hereby restored to her former name of.

[Wife's former name]

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

_____ Wife shall retain her present name.

(IMPORTANT: The following paragraph (paragraph 6) is applicable to all decrees issued in the State of Nevada, but each County handles compliance with the requirements differently. Be sure to follow the specific instructions for the County in which you are obtaining your decree.)

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

IT IS FURTHER ORDERED AND PARTIES ARE PUT ON NOTICE that they are subject to the requirements of the following Nevada Revised Statutes:

NRS 125.510(6) regarding abduction, concealment or detention of a child:

PENALTY FOR VIOLATION OF ORDER:

THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130 NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193.130.

NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice of the following provisions in NRS 125.510(8):

If a parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.

(b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

NRS 125C.200 regarding relocation with minor children:

1 If custody has been established and the custodial parent or a parent having joint custody intends to
2 move his residence to a place outside of this state and to take the child with him, he must, as soon
3 as possible and before the planned move, attempt to obtain the written consent of the other parent
4 to move the child from the state. If the noncustodial parent or other parent having joint physical
5 custody refuses to give that consent, the parent planning the move shall, before he leaves the state
6 with the child, petition the court for permission to move the child. The failure of a parent to
7 comply with the provisions of this section may be considered as a factor if a change of custody is
8 requested by the noncustodial parent or other parent having joint custody.

9 **NRS 125.450 regarding the collection of child support payments through mandatory wage
withholding or assignment of income.**

10 **NRS 31A regarding the enforcement of a child support obligation and the collection of delinquent
child support.**

11 **NRS 125B.145 regarding the review of child support at any time due to changed circumstances and
12 at least every three years following the entry of the child support order.**

13 **THIS IS A FINAL DECREE.**

14 Dated: _____

15 _____
16 DISTRICT JUDGE

17 Respectfully Submitted:

18 (Print wife's name) _____

(Print husband's name) _____

19 (Wife's signature) _____

(Husband's signature) _____

20 (Wife's address) _____

(Husband's address) _____

21 (Wife's telephone) _____

(Husband's telephone) _____

22 Petitioner in Proper Person

Petitioner in Proper Person

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

DATED This _____ day of _____, 20_____.

Signature of person who mailed document: _____

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: _____
2 Mailing Address: _____
3 City, State, Zip: _____
4 Telephone: _____
5 In Proper Person

6 **In The First Judicial District Court of the State of Nevada**
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10 (Wife's Name)) Dept. No. _____
11)
12 And)
13)
14)
15 (Husband's Name))
16 Joint Petitioners)
17)
18)

19 **AFFIRMATION**
20 **Pursuant to NRS 239B.030**
21 **(Initial Appearance)**

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

24 Your signature: _____ Date: _____

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