STANDARDIZED

JOINT PETITION

WITH CHILDREN

Note: When you have completed this packet and are ready to open your case, you must bring the original and three (3) copies of the JOINT PETITION FOR SUMMARY DECREE OF DIVORCE. Otherwise, the Clerk's Office must charge you $1.00 per page for copies for all court documents.

4/5/2006

IMPORTANT

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, and the local rules governing the jurisdiction in which you are filing your documents.

When you sign these documents and present them for filing with the court, it is assumed by the court that you have carefully read the documents, that you understand all the terms in the documents, that you agree with all the provisions in the documents, and that you are aware of all the consequences those provisions may produce.

Before filling in any portion of the following documents, read all the materials included in this packet regarding custody, visitation, child support and definitions of terms.

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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 asset 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 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 a 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 he 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.

Code:_____
Wife's name:_____
Address:_____
_____
Telephone:_____

Husband's name:_____
Address:_____
_____
Telephone:_____
In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR _____

In the Matter of the Marriage Of	)	Case No. _____
	)	Dept. No. _____
_____ (Wife's name)	)	
and	)	
_____ (Husband's name)	)	
Joint Petitioners	)	
_____	)	

JOINT PETITION FOR SUMMARY DECREE OF DIVORCE

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

I.

The Petitioners married on _____ in the
(Date of Marriage, including month, day and year)

County of _____, State of _____,

County in which you were married) State in which you were married)

and ever since have been, and still are, Husband and Wife.

II.

The Petitioner _____, is now, and for more
(Name of the resident petitioner)

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_____ home for an
(His or Her)
indefinite period of time.

The current addresses of the Petitioners are:

_____
(Wife's name)

_____
(Wife's mailing address)

_____
(Wife's residence address)

_____
(Husband's name)

_____
(Husband's mailing address)

_____
(Husband's residence address)

III.

That Petitioners have become, and continue to be, incompatible in marriage and no reconciliation is possible, and/or the parties have lived separate and apart for more than one year without cohabitation.

IV.

Wife _____ pregnant at this time.
(is or is not)

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

Husband _____the father of the unborn child. The unborn child is due to be born
(is or is not)

on (date of expected birth)_____.

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 _____ minor children born to, or adopted, through this union.
(Number of minor children)

NAME	AGE	DATE OF BIRTH

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

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

VII.

Legal Custody Of The Children
Both parents must initial the following provision.

Joint Legal Custody

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

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 "not applicable."

(a)
Joint Physical Custody

_____ _____ Petitioners are fit and proper persons to be awarded
joint
Wife's initials Husband's initials

physical custody of the minor child(ren) _____
(Names of children)

(b)
Primary Physical Custody

_____ _____ Petitioner _____is a fit and proper

Wife's initials Husband's initials (Name of custodial parent)

person to have the primary physical custody of the minor child(ren),_____

(Names of children)

_____with visitation by the non-custodial parent as set forth in the following visitation schedule.

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 holiday sharing and 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 "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 "not applicable" on the lines provided for the individual holidays.)

The major holidays will be handled in the following manner:

(Name each specific holiday, such as Thanksgiving, Christmas, Easter, Passover, Hanukkah)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

New Year's Day will be alternated with_____ having the child
(Father or Mother)
in the year _____ and each _____ year thereafter.
(odd or even)

Martin Luther King's Birthday will be alternated with_____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

resident's Day will be alternated with_____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

Memorial Day will be alternated with_____ having the child in
Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

Fourth of July will be alternated with_____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.

(odd or even)

Labor Day will be alternated with _____ having the child in

(Father or Mother)

the year _____ and each _____ year thereafter.
(odd or even)

Nevada Day will be alternated with _____ having the child in

(Father or Mother)

the year _____ and each _____ year thereafter.
(odd or even)

Halloween will be alternated with _____ having the child in

(Father or Mother)

the year _____ and each _____ year thereafter.
(odd or even)

Veteran's Day will be alternated with _____ having the child in

(Father or Mother)

the year _____ and each _____ year thereafter.
(odd or even)

Child's birthday will be alternated with _____ having the child in

(Father or Mother)

the year _____ and each _____ year thereafter.
odd or even)

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 that 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:

_____

_____

_____

_____

_____

_____

_____

_____.

_____shall have a block time of time with the child(ren) for vacation
(Father or Mother or both parents)

purposes. That length of time for vacation period shall be_____
(one week, two weeks, three weeks, one month)

_____ shall notify the other parent, in writing, at least _____
(Father or Mother)

_____ (days or weeks) in advance of the choice of time.

_____ _____ Each parent _____notify the other if they take the
Wife's initials Husband's initials (shall or shall not)

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.

_____ _____Each parent _____ keep the other informed of the
Wife's initials Husband's initials (shall or shall not)

child care giver for the child, including name, address, and telephone number.

_____ _____Each parent _____ have the right of first refusal
Wife's initials Husband's initials (shall or shall not)

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.

_____ _____Both parents are to have equal access to all the child's medical
Wife's initials Husband's initials

records, school records, and any other records generated for the benefit of, or on behalf of, the child.

X.

CHILD SUPPORT

_____ shall pay child support in the amount of $_____
(Father or Mother)
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 either line 18, 24 or line 27. Do not initial all lines.Print N/A on those lines you do not use)

_____ _____ _____ is the non-custodial parent and, the amount
Husband Wife (Mother or Father)

agreed upon on lines 10 - 12 above, is in compliance with NRS 125B.070

and is _____% of _____ gross monthly income.
(18%, 25%, 29%, 31%) (Mother's or Father's)

OR

_____ _____ Because Petitioners are joint physical custodians, the amount of child
Husband Wife

support on lines 10 - 12, meets the statutory requirement.

OR

_____ _____The support obligation amount that has been agreed upon by the parties
Husband Wife

is not the amount required in the statutes. Under the statutes, the child support obligation for _____ would be $_____
(Mother or Father)

per month, per child. However, Petitioners have agreed to change that amount because: (Please see NRS 125B.080 for the only reasons you can deviate from the statutory formula, and list your reasons here)

_____
_____
_____
_____
_____
_____
_____
_____

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 _____be immediately put in place.
(will or will not)

Both parties must initial <u>ONE</u> of the following statements regarding child support.

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

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

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

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

XI.

Health Care

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

The child(ren) presently _____covered by a health insurance policy. The child(ren)
(is (are) or is (are) not)

presently _____ on Medicaid.
(is/are or is/are not)

_____ shall maintain health insurance on the child(ren) through their
(Husband or Wife or both parents)

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 <u>ONLY ONE</u> of the statements below. Print "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 and
Husband Wife each is to keep the property they have in their possession at this time.

2. _____ _____ There is no community property to be divided.
Husband Wife

3. _____ _____ The community property should be divided as follows:
Husband Wife (Include retirement accounts, bank accounts and vehicles with VIN numbers)

WIFE SHALL RECEIVE THE FOLLOWING:

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

HUSBAND SHALL RECEIVE THE FOLLOWING:

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

(If more room is needed, attach additional sheets but make sure the sheets are clearly identified as a continuation of the division of assets. Write only on one side of the page of additional sheets and each additional sheet must be initialed by both parties.)

XIII.

Division of Debts

Both parties must initial ONLY ONE of the statements below. Print "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 debts have been previously divided and each is to keep
Husband Wife those debts assigned to them and hold the other party harmless from those debts.

2. _____ _____ There are no community debts to be divided.
Husband Wife

3. _____ _____ The community debts should be divided as follows:(Be sure to list specific
Husband Wife debts with the last four numbers of the account, if available.)

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

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

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

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

(If more room is needed, attach additional sheets but make sure the sheets are clearly identified as a continuation of the division of debts. Write only on one side of the page on additional sheets and each additional sheet must be initialed by both parties.)

(The following statement must be initialed by both parties)

_____ _____ Petitioners hereby certify that they have disclosed all community assets
Husband Wife
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 "NOT APPLICABLE" IN ALL SPACES THAT ARE NOT APPLICABLE TO YOU.

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

_____ _____ Wife shall receive spousal support in the amount of $_____ per
Husband Wife (Amount Wife to receive)
_____, due and payable on the _____of each
(Week or month) (Date amount due)
_____ for a period of _____
(Week or month) (Number of weeks, months or years)
The spousal support shall begin on _____
Date spousal support to begin)
and end on _____.
(Date last spousal support payment will be made)

_____ _____ Husband shall receive spousal support in the amount of $_____
Husband Wife (Amount Husband to receive)
per _____, due and payable on the _____of each
(Week or month) (Date amount due)
_____ for a period of _____
(Week or month) (Number of weeks, months or years)
The spousal support shall begin on _____

(Date spousal support to begin)

and end on _____.
(Date last spousal support payment will be made)

XV.

Former Name

Initial ONLY ONE of the following statements and print "not applicable' in the spaces not filled in.

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

_____ _____ Wife wishes to return to her former name of _____
Husband Wife
_____.

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

XVI.

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

XVII.

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.

XVIII.

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:_____
(Date signed by Wife)	(Date signed by Husband)
_____	_____
(Wife's signature)	(Husband's signature)
_____	_____
(Wife's address)	(Husband's address)
_____	_____

WIFE'S VERIFICATION

STATE OF_____)
)ss:
County of _____)

_____, being first duly sworn under
(Wife's name)

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 _____, _____.

_____
NOTARY PUBLIC

STATE OF _____)
)ss:
County of _____)

On this _____day of _____, _____, personally appeared before me, a Notary Public, _____, known or
(Wife's name)
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 _____)
)ss:
County of _____)

_____, being first duly sworn under
Husband's name)

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 _____, _____.

_____
NOTARY PUBLIC

STATE OF _____)
)ss:
County of _____)

On this _____day of _____, _____, personally appeared

before me, a Notary Public, _____, known or proved to me
(Husband's name)
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

Code:_____
Wife's name:_____
Address:_____
_____
Telephone:_____

Husband's name:_____
Address:_____
_____
Telephone:_____
In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR _____

In the Matter of the Marriage Of	)	Case No. _____
	)	Dept. No. _____
_____	)	
(Wife's name)	)	
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,

_____ and _____,
(Wife's name) (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 said jurisdiction:

NAME	DATE OF BIRTH
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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
_____	_____
_____	_____
_____	_____

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 _____ has been, and is now,
(Husband's name or Wife's name)
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 _____ home for an indefinite period of time.
(His or Her)

7. The Petitioners married on _____ in
(Date of Marriage, including month, day and year)

County of _____, State of _____,
(County in which you were married) (State in which you were married)

and ever since that date have been, and still are, Husband and Wife.

8. That Petitioners have become, and continue to be, incompatible in marriage and no reconciliation is possible, and/or the parties have lived separate and apart for more than one year without cohabiting as Husband and Wife and Petitioners are entitled to a Decree of Divorce.

9. Wife _____ pregnant at this time.
(is or is not)

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

Husband _____the alleged to be the father of the unborn child. The unborn
(is or is not)

child is due to be born on _____.
(Date of expected birth)

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, a copy of which is attached hereto as Exhibit A, 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, a copy of which is attached hereto as Exhibit A, 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, a copy of which is

attached hereto as Exhibit A, be ratified, confirmed and incorporated into their Decree as though fully set forth.

(Initial only ONE space in statement 13 and print "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 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.

(Initial only ONE space in statement 5. Print "not applicable" in the other spaces.)

5. _____ Wife is hereby restored to her former name of:

_____.

_____ 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:

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

custody is requested by the noncustodial parent or other parent having joint custody.

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

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

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

THIS IS A FINAL DECREE.

Dated: _____

_____
DISTRICT JUDGE

Respectfully Submitted:

(Print name)_____ (Print name)_____
(Signature)_____ (Signature)_____
(Address) _____ (Address)_____
_____ _____
(Telephone) _____ (Telephone)_____
Petitioner in Proper Person Petitioner in Proper Person

Exhibit A: Joint Petition for Summary Decree of Divorce

Code:_____

Your name:_____

Address:_____

_____

Telephone:_____

In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF _____

_____, Plaintiff	)	CASE NO.:_____
_____, Defendant.	)	DEPT. NO.: _____

AFFIDVIT OF RESIDENT WITNESS

STATE OF NEVADA)
)ss:
County of _____)

I, _____, do hereby swear under penalty
(Resident Witnesses' name)

of perjury that the assertions of this affidavit are true.

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

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

_____, City of _____, State of Nevada
(Street address of person making the Affidavit)
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_____, State of Nevada and has
(The address of the person whose residency is being established)

been physically living within the State of Nevada on a daily basis for at least six (6) weeks prior to the filing of the (check one) Q Complaint/ Q Answer and Counterclaim on _____.
(Date)

4. To my personal knowledge, _____has physically lived
(Name of person whose residency is being established)

in the State of Nevada since_____.
(Date you know the person has lived in Nevada)

5. I see him/her on the average of _____times a week. He/she
(State how often you actually see the person in a week)

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 person whose residency is being established)

is 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 _____,_____

_____
NOTARY PUBLIC

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