

STANDARDIZED  
JOINT PETITION  
WITHOUT 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.

# without children

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 including the definitions of terms.*

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SOME DEFINITIONS and EXPLANATIONS OF TERMS USED IN FAMILY CASES

*The following definitions and explanations are only to be used as general guidance. In no way are they intended to cover all the legal significance and importance of the terms. You are advised to seek a full explanation of the terms, definitions, and explanations, from a private attorney licensed to practice law in the State of Nevada.*

Alimony or Spousal Support: Alimony, or Spousal Support is the amount paid to one spouse by the other for a period of time after the marriage is over, usually to assist the spouse in being able to maintain a lifestyle to which that spouse is accustomed, until that spouse can get back on firm financial footing. Spousal support may be for a limited amount of time, such as months or years, or may be permanent such as for a lifetime or until remarriage, whichever occurs first. If the spouse that is receiving support remarries, unless otherwise agreed upon, the spousal support stops. There is no formula for spousal support and either party may receive spousal support. The factors governing spousal support are complicated and if you have any questions regarding spousal support, *they should be discussed with a private attorney.*

Assets: Generally, *anything* acquired or purchased during the time of the marriage is considered a community asset and, therefore, community property, and it usually does not matter if one name is on the property or both names are on the property. Nevada is a "community property" State and the law in Nevada is that community assets are equally divided at the time of a divorce. *There are some exceptions, and those should be discussed with a private attorney.* The term "community assets" includes: the income of both parties during the marriage and anything purchased with either income, any interest acquired in real property, any retirement funds earned during the marriage, vehicles purchased during the marriage (even if in only one name), furniture purchased during the marriage, etc. In many cases, it does not matter in whose name these things are purchased. Sole and separate property is not *usually* considered "community property" *unless* it was given as a gift to the community or the community has acquired an interest in it in another way. If one party "wastes" community assets or give community assets away without the other party's knowledge or consent, that party may have to reimburse the community for the "wasting" of assets. If there is a question of wasted assets, *those should be discussed with a private attorney.*

Community Property: Any assets acquired or purchased during the marriage are usually considered "community property", no matter whose name they are in. That is the starting point for the division of property of the marriage. Nevada is a community property State and it is the law that the division of community property start with an equal division. *However*, there are important deviations and exceptions to equal community property distribution. See "Assets" above. *A private attorney should be consulted regarding division and distribution of community property.*

- Debts: Generally, any bills or debts acquired during the marriage are considered community debts and are equally divided at the time of the divorce. *There are exceptions.* Debts that are incurred for such things as gambling or for purchasing things that are not for the benefit of the community, may be considered sole and separate debts. *Such debts should be discussed with a private attorney.*
- Petitioner: A party that starts or “brings” an action against another party. Also known as the Plaintiff, depending upon what kind of an action is filed. If the action is a Joint Petition, such as a Joint Petition for Divorce or a Joint Petition to Establish Custody and Visitation, both parties are called “petitioners”, rather than Plaintiff and Defendant.
- Residency Requirement: One of the “Petitioners” must be a resident of the State of Nevada and that person is known as the “resident petitioner”. In order to establish residency in the State of Nevada, that person must have physically lived and physically been here in the State for at least six (6) weeks immediately prior to filing the Joint Petition. If both people are residents of the State of Nevada, only one is actually designated as the “resident petitioner” for purposes of the filling out and filing of the Affidavit of Resident Witness Form. 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.*

1 Code: \_\_\_\_\_  
Wife's name: \_\_\_\_\_  
2 Address: \_\_\_\_\_  
3 Telephone: \_\_\_\_\_  
4 Husband's name: \_\_\_\_\_  
5 Address: \_\_\_\_\_  
6 Telephone: \_\_\_\_\_

6 In Proper Person

7 IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8 IN AND FOR \_\_\_\_\_

9 In the Matter of the Marriage )  
10 Of )  
11 )  
12 \_\_\_\_\_ )  
(Wife's name) )  
13 and )  
14 \_\_\_\_\_ )  
(Husband's name) )  
15 Joint Petitioners )  
16 \_\_\_\_\_ )

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

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

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

23 I.

24 The Petitioners married on \_\_\_\_\_ in the  
(Date of Marriage, including month, day and year)  
25 County of \_\_\_\_\_, State of \_\_\_\_\_  
(County in which you were married) (State in which you were married)  
26 and ever since have been, and still are, Husband and Wife.  
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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 indefinite period of time  
(His or Her)

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.

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

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

Husband \_\_\_\_\_ Wife \_\_\_\_\_ Husband shall receive spousal support in the amount of \$ \_\_\_\_\_  
(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)

VIII.

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

Husband \_\_\_\_\_ Wife \_\_\_\_\_ 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.

IX.

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

X.

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



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WIFE'S VERIFICATION

STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ )ss:

\_\_\_\_\_, 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 \_\_\_\_\_ )  
County of \_\_\_\_\_ )ss:

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally  
appeared  
before me, a Notary Public, \_\_\_\_\_, known or proved to me  
(Wife's name)

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

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STATE OF \_\_\_\_\_ )  
County of \_\_\_\_\_ )ss:

\_\_\_\_\_, 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 \_\_\_\_\_ )  
County of \_\_\_\_\_ )ss:

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

1 Code: \_\_\_\_\_  
Your name: \_\_\_\_\_  
2 Address: \_\_\_\_\_  
3 Telephone: \_\_\_\_\_  
In Proper Person

6 IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7 IN AND FOR \_\_\_\_\_

8 In the Matter of the Marriage )  
9 Of )  
10 \_\_\_\_\_ )  
11 (Wife's name) )  
12 and )  
13 \_\_\_\_\_ )  
14 (Husband's name) )  
Joint Petitioners )

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

16 AFFIDAVIT OF RESIDENT WITNESS

17 STATE OF NEVADA )  
18 County of \_\_\_\_\_ ) ss:

19 I, \_\_\_\_\_, do hereby swear under penalty  
20 (Resident Witnesses' name)  
21 of perjury that the assertions of this affidavit are true.

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

24 2. I have lived in the State of Nevada for \_\_\_\_\_ years and presently live at  
25 \_\_\_\_\_, City of \_\_\_\_\_, State of Nevada.  
26 (Street address of person making the Affidavit)

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

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

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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 this Joint Petition on \_\_\_\_\_.  
(Date Joint Petition was filed)

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

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

1 Code: \_\_\_\_\_  
2 Wife's name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 Telephone: \_\_\_\_\_  
5 Husband's name: \_\_\_\_\_  
6 Address: \_\_\_\_\_  
7 Telephone: \_\_\_\_\_  
8 In Proper Person

9 IN THE \_\_\_\_\_ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
10  
11 IN AND FOR \_\_\_\_\_

12 In the Matter of the Marriage )  
13 Of )  
14 \_\_\_\_\_ )  
15 (Wife's name) )  
16 and )  
17 \_\_\_\_\_ )  
18 (Husband's name) )  
19 Joint Petitioners )

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

20 **DECREE OF DIVORCE**

21 The above entitled cause, having been submitted to this Court for decision pursuant to Chapter  
22 125 of the Nevada Revised Statutes, and based upon the Joint Petition by the Petitioners,  
23 \_\_\_\_\_ and \_\_\_\_\_  
24 (Wife's name) (Husband's name)

25 and all of the papers and pleadings on file, the Court finds as follows:  
26 1. That all of the allegations contained in the documents on file are true;  
27 2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;  
28 3. That this Court has complete jurisdiction to enter this Decree and the orders regarding  
the distribution of assets and debts.



1 to appeal, to Findings of Fact and Conclusions of Law, and to move for a new trial.

2 **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

3 1. That the bonds of matrimony now existing between the Petitioners are dissolved and  
4 an absolute Decree of Divorce is granted to the parties, and each of the parties is restored to the status  
5 of an unmarried person.

6 2. That the terms, as they are stated in the Petitioners' Joint Petition, regarding the assets  
7 and debts, is hereby ratified, confirmed, and incorporated into this Decree as though fully set forth.

8 3. That the terms, as they are stated in the Petitioners' Joint Petition, regarding the issue  
9 of spousal support are hereby ratified, confirmed, and incorporated into this Decree as though fully set  
10 forth.

11 *(Initial only ONE space in statement 4. Print "not applicable" in the other spaces.)*

12  
13 4. \_\_\_\_\_ Wife is hereby restored to her former name of:

14 \_\_\_\_\_

15 \_\_\_\_\_ Wife never changed her name and, therefore, does not request  
16 restoration of her former name.

17 \_\_\_\_\_ Wife shall retain her present name.  
18

19 *(IMPORTANT: The following paragraph, (paragraph 5) is applicable to all decrees issued in*  
20 *the State of Nevada, but each County handles compliance with the requirements differently. Be*  
21 *sure to follow the specific instructions for the County in which you are obtaining your decree.)*  
22

23 5. **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that each party shall  
24 submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate form  
25 to the Court and the Welfare Division of the Department of Human Resources within ten days from  
26 the date this Decree is filed. Such information shall be maintained by the Clerk in a confidential manner  
27 and not part of the public record. The parties shall update the information filed with the Court and the  
28

1 Welfare Division of the Department of Human Resources within ten days should any of that  
2 information become inaccurate.

3 **THIS IS A FINAL DECREE.**

4 Dated: \_\_\_\_\_

7 \_\_\_\_\_  
8 DISTRICT JUDGE

9 Respectfully Submitted:

10 (Print name) \_\_\_\_\_  
11 (Signature) \_\_\_\_\_  
12 (Address) \_\_\_\_\_  
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Petitioner in Proper Person

(Print name) \_\_\_\_\_  
(Signature) \_\_\_\_\_  
(Address) \_\_\_\_\_  
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(Telephone) \_\_\_\_\_  
Petitioner in Proper Person

Exhibit A: Joint Petition for Summary Decree of Divorce