

ANSWER

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.

THIS INFORMATION IS PROVIDED AS A COURTESY ONLY. THE COURT, SELF-HELP CENTER, NON-PROFIT ORGANIZATION, OR LAW LIBRARY THAT MAY PROVIDE THIS INFORMATION SHALL NOT BE LIABLE FOR ERRORS CONTAINED HEREIN OR FOR DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES IN CONNECTION WITH THE FURNISHINGS OF THIS MATERIAL.

GENERAL INFORMATION ABOUT FILING AN ANSWER

The forms must be typewritten or legibly handwritten in black ink.

There will be a filing fee to file this document with the Court. The fee may change from time to time, and it is recommended that you contact the Court Clerk's office to check on the current fee prior to presenting the documents for filing.

If you are indigent and cannot afford the filing fee, you may request the fee be waived by filing an **affidavit in Support of Motion to Proceed In Forma Pauperis**. The Court will examine your financial status and determine whether a full or partial waiver can be granted, or if the request will be denied.

There are facilities for copying your documents at the Court Clerk's office at the charge of **\$.50 per page**. Therefore, it is recommended that you make any copies of the documents you may want, or need, prior to going to the Court Clerk's office. You will need **two** copies of each document to be filed unless told otherwise. If exhibits are attached to the original document, a copy of the exhibits must be attached to each copy.

Location of the Court Clerk's Office

The Court Clerk's Office for White Pine County is located on the first floor of the courthouse at 801 Clark Street, Suite 4, Ely, NV 89301 or call (775) 293-6509.

If you are mailing the documents to the Court Clerk's office for filing, OR if you have submitted an Order of Decree for the Judge to sign, **it is strongly suggested that you provide a self-addressed, stamped envelope when you file your documents. A copy of the file-stamped documents will then be mailed to you.**

FILLING OUT THE DOCUMENTS

1. **For All Documents:** Fill in the spaces on lines 9 through 13, **exactly** as they appear in your other documents. This is the "heading" of the document and it is always the same. If you are the Plaintiff in the original document, you will remain the Plaintiff; if you are listed as the Defendant in the original document, you will remain the Defendant. The Case No. and Dept. No. are always the same.
2. **IMPORTANT NOTE:** This form provides you with the basic form to protect your interests in the legal matter, so long as it is filed within the time frame of twenty (20) days after you have been served with the Complaint and Summons, or a Petition and Summons, or an Answer and Counterclaim. If you do not file within that time period, the other party may take a "default" against you and be awarded all they ask for in their pleadings.

3. **This form does not make provisions for you to file a counterclaim with your answer. To file a counterclaim, use the Answer and Counterclaim supplemental packet.**
4. **Be aware** that additional motions that may have been filed with the Complaint or Petition and served on you with that document are not answered through this form. If you have been served with additional motions, you must answer those motions on other forms. If you do not formally answer those motions, the other party may submit those motions and may be granted all they request. If you have questions regarding motions that have been served on you, immediately seek counsel with a private attorney.
5. **The Answer:** Carefully review the Complaint or Counterclaim. Make a note on the side as you review of all paragraphs with which are agree. Also note all paragraphs with which you **disagree**. Make sure the **whole paragraph is correct when you decide to agree with it**. If you agree only with one part of the paragraph and disagree with another, you must **disagree with the whole paragraph**.
6. Enter the numbers of the paragraphs with which you agree under Section I. Enter the number of the paragraphs with which you disagree under Section II. Enter the number of the paragraphs, if any, which require no answer or that you do not understand under Section III.
7. Complete the Counterclaim (if applicable) as to the allegations you wish to bring against the other party.
8. **This document must be signed in the presence of a Notary Public.**
9. **The Certificate of Service:** The opposing party must be personally served with a copy of the documents. Service may be made by mail or be personal service. After the documents have been completed, place an "X" on the appropriate line indicating the method of service. The Certificate is to be filled out and signed by the person who actually mails or personally serves a copy of the documents on the other party or their attorney.
10. Once the documents are completed, make two copies of each. Serve **one copy** as noted in the Certificate of Services. If there are multiple parties, make enough copies for yourself and each party. Take the original **and one copy** to the Court Clerk to be filed. The copy will be returned to you and your file.'
11. **REMINDER: If other motions have been served on you, you must answer those motions with other responsive documents.**

If you need guidance in filling out the forms or in the procedure of the case, seek the advice of a private attorney.

NOTE: YOU MAY NOT USE THESE FORMS IF YOU ARE PRESENTLY REPRESENTED BY AN ATTORNEY IN THIS MATTER.

If you are requesting that the Court waive the filing fee, the filing procedure is different than above. Complete the

1 Case No.

2 Dept. No.

3 The undersigned hereby affirms that
4 this document does not contain the
5 social security number of any person.

5

6

7 IN THE 7TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
8 IN AND FOR THE COUNTY OF WHITE PINE

9

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Plaintiff,

11

v.

ANSWER

12

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Defendant.

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Defendant, _____, answers the
(Your name)

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_____ for _____ filed herein on
(Complaint, Petition) (State what the Complaint/Petition is for)

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_____ as follows:
(Date Complaint/Petition filed)

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21

I.

On the lines below, list the paragraphs in the Complaint of Petition with which you agree. Make sure ALL the information in each paragraph is correct and you agree with ALL the information.

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Defendant agrees with the allegations in paragraphs: _____

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II.

On the lines below, list the paragraphs in the Complaint or Petition with which you disagree.

Defendant disagrees with the allegations in paragraphs: _____

III.

On the line below, if there are paragraph in the Complaint or Petition which you do not understand or you do not know whether the contents are true or false, list those paragraphs.

Defendant has no knowledge of the allegations(s) in paragraph(s) _____

And therefore denies said allegation(s).

Date: _____

(Print Name)

(Signature)

(Address)

(Telephone number)

SUBSCRIBED and SWORN to before me

This _____ day of _____, _____.

NOTARY PUBLIC

1 VERIFICATION AND ACKNOWLEDGEMENT

2 STATE OF NEVADA)
3) ss:
4 COUNTY OF _____)

5 _____, being first duly sworn, under penalties of perjury,
6 (Your name)
7 deposes and says:

8 I am the Defendant/Respondent in the above-entitled action; that I have read the
9 foregoing document and am competent to testify of its contents of my own knowledge and the
10 contents are true of my own knowledge except for those matters stated therein on information
11 and belief, and, as to those matters, I believe them to be true.

12 _____
13 (Signature)

14 SUBSCRIBED and SWORN to before me

15 This ____ day of _____, _____.

16 _____
17 NOTARY PUBLIC

18
19 STATE OF NEVADA)
20) ss:
21 COUNTY OF _____)

22 On this ____ day of _____, _____, personally appeared before me, the
23 undersigned, a Notary Public in and for the County of _____, State of
24 Nevada, _____, personally known to me or proved to
25 me, to be the person whose name is subscribed to the attached instrument who acknowledged
26 that (he/she) _____ executed the attached instrument.

27 _____
28 NOTARY PUBLIC

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that they are 18 years of age or older, and on this date
3 served a true and correct copy of the document/s entitled: _____
4

5 (Clearly list all documents you served)

6 In the following way: *(check the appropriate blank, and fill in the appropriate information)*

7 **IF THE DOCUMENTS WERE SERVED BY MAIL:**

8 _____ by placing a copy enclosed in a sealed envelope upon which first class
9 postage was fully prepaid

10 _____ by placing a copy enclosed in a sealed envelope and mailing it certified,
11 return receipt requested

12 The envelope was addressed to:

13 (Name) _____ at

14 (Address) _____
15 _____

16 And that there is regular communication by mail between the place of mailing and the place
17 addressed.

18 **IF THE DOCUMENTS WERE PERSONALLY SERVED:**

19 _____ by personally serving:

20 (Name) _____ at

21 (Address) _____
22 _____
23 _____

24
25 DATED: This _____ day of _____, _____.

26
27 _____
28 (Signature of person who performed service)