

**JOINT PETITION
TO ESTABLISH CUSTODY
AND VISITATION**

D-9

The District Court Filing Office is
located on the first floor at:
801 Clark Street, Suite 4
Ely Nevada 89301
www.whitepinecounty.net

*** Both petitioners must initial, otherwise the petition will not be granted.**

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**JOINT PETITION TO ESTABLISH
CUSTODY AND VISITATION**

PACKET D-9

Use this packet only if the following statements are true:

- The minor child(ren) have lived in Nevada for the last six months or the child(ren) previously lived in Nevada for six or more months and have been gone from Nevada for less than six months.
- Both parents agree about custody, visitation, and child support.
- Paternity has been established.

INSTRUCTIONS FOR COMPLETING FORMS

Carefully read all instructions before starting to fill out any of the forms.

Use **black or blue ink only**. Neatly print or type the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Civil Cover Sheet
2. Family Court Information Sheet
3. Joint Petition to Establish Custody and Visitation
 - a. Appendix A: Child Custody Schedule
 - b. Appendix B: Child Support Worksheets
4. Request for Submission
5. Order Establishing Custody, Visitation and Child Support
6. Definitions of Terms Used in this Packet

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.
N.R.S. §199.145.

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INSTRUCTIONS: STEP 1

Complete the Civil (Family-Related) Cover Sheet as Shown:

1) Print one parent's name, address, telephone number, and date of birth.

2) Print the other parent's name, address, telephone number, and date of birth.

3) If an interpreter is needed, check the box labeled "Yes", and write the language needed. If no interpreter is needed, check the box "No".

4) Check the box labeled "Custody (Non-Divorce)"

5) Print the name and date of birth of the minor child(ren) involved in this case.

6) Date and sign the form.

CIVIL (FAMILY/JUVENILE-RELATED) COVER SHEET

WASHOE 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): _____ _____ _____ D.O.B. _____ Attorney (name/address/phone): _____ _____ _____	Defendant/Respondent/Co-petitioner (name/address/phone): _____ _____ _____ D.O.B. _____ Attorney (name/address/phone): _____ _____ _____
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Will an interpreter be required for court hearings? Yes No
 If yes, what language will need to be interpreted? _____
Contact court clerk for further information about interpreters.

II. Nature of Controversy (Please check applicable toll category and applicable subcategory, if appropriate)

Family-Juvenile Related Cases

Domestic Relations Case Filing Types	Other Family Related Case Filing Types
<input type="checkbox"/> Marriage Dissolution Case <input type="checkbox"/> Annulment (AN) <input type="checkbox"/> Divorce - With Children (DC) <input type="checkbox"/> Divorce - Without Children (DO) <input type="checkbox"/> Foreign Decree (FD) <input type="checkbox"/> Joint Petition - With Children (JC) <input type="checkbox"/> Joint Petition - Without Children (JN) <input type="checkbox"/> Separate Maintenance (LS) <input type="checkbox"/> Paternity - (PY) <input type="checkbox"/> Custody (Non-Divorce) (CU) <input type="checkbox"/> Support (Non-Divorce) <input type="checkbox"/> Intra-state (Title IV-D) (ID) <input type="checkbox"/> Other Support (Non-Title IV-D) (OO) <input type="checkbox"/> Visitation (Non-Divorce) (VS) <input type="checkbox"/> Termination of Parental Rights (TPR) <input type="checkbox"/> State-Initiated TPR Petition (District Attorney filing only) (TS) <input type="checkbox"/> Other TPR Petition (Private Request) (TV) <input type="checkbox"/> Adoptions <input type="checkbox"/> Adult (AA) <input type="checkbox"/> Minor (AM)	<input type="checkbox"/> Request for Temporary Protective Order (TP) <input type="checkbox"/> Request for Extended Temporary Protective Order <input type="checkbox"/> Other Domestic Relation Case Filings <input type="checkbox"/> Name Change-Minor (NM) <input type="checkbox"/> Permission to Marry (MM) <input type="checkbox"/> Other Domestic Relation Filings (OF) <input type="checkbox"/> Mental Health (IC)

Guardianship Case Filing Types

<input type="checkbox"/> Guardianship of an Adult (GA) <input type="checkbox"/> Guardianship of a Minor (GB) <input type="checkbox"/> Guardianship Trust (OG)	Estimated Estate Value: _____
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Juvenile-Related Case Filing Types

<input type="checkbox"/> Miscellaneous Juvenile Petition <input type="checkbox"/> Emancipation Petition (EM)

Children involved in this case:

Name: _____	DOB: _____
Name: _____	DOB: _____
Name: _____	DOB: _____

Date: _____ Signature of initiating party or representative: _____

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.

Nevada AOC - Patrick Sautter 2016
 Form No. NRS 3.225 (Rev. 11/13/2017, 2014) Form FA 201
Rev. 11

CIVIL (FAMILY/JUVENILE-RELATED) COVER SHEET

WHITE PINE 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): _____ _____	Defendant/Respondent/Co-petitioner (name/address/phone): _____ _____
D.O.B. _____	D.O.B. _____
Attorney (name/address/phone): _____ _____	Attorney (name/address/phone): _____ _____
Will an Interpreter be required for court hearings? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what language will need to be interpreted? _____	Will an Interpreter be required for court hearings? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, what language will need to be interpreted? _____

Contact court clerk for further information about interpreters

II. Nature of Controversy *(Please check applicable bold category and applicable subcategory, if appropriate)*

Family-Juvenile Related Cases

Domestic Relations Case Filing Types	Other Family Related Case Filing Types
<input type="checkbox"/> Marriage Dissolution Case <input type="checkbox"/> Annulment (AN) <input type="checkbox"/> Divorce - With Children (DC) <input type="checkbox"/> Divorce - Without Children (DO) <input type="checkbox"/> Foreign Decree (FD) <input type="checkbox"/> Joint Petition - With Children (JC) <input type="checkbox"/> Joint Petition - Without Children (JN) <input type="checkbox"/> Separate Maintenance (LS) <input type="checkbox"/> Paternity - (PY) <input type="checkbox"/> Custody (Non-Divorce) (CU) <input type="checkbox"/> Support (Non-Divorce) <input type="checkbox"/> Intrastate (Title IV-D) (UF) <input type="checkbox"/> Other Support (Non-Title IV-D) (UO) <input type="checkbox"/> Visitation (Non-Divorce) (VS) <input type="checkbox"/> Termination of Parental Rights (TPR) <input type="checkbox"/> State-Initiated TPR Petition (District Attorney filing only) (TS) <input type="checkbox"/> Other TPR Petition (Private Request) (TV) <input type="checkbox"/> Adoptions <input type="checkbox"/> Adult (AA) <input type="checkbox"/> Minor (AM)	<input type="checkbox"/> Request for Temporary Protective Order (TP) <input type="checkbox"/> Request for Extended Temporary Protective Order <input type="checkbox"/> Other Domestic Relation Case Filings <input type="checkbox"/> Name Change-Minor (NM) <input type="checkbox"/> Permission to Marry (MM) <input type="checkbox"/> Other Domestic Relation Filings (OF) <input type="checkbox"/> Mental Health (IC)
	Guardianship Case Filing Types
	<input type="checkbox"/> Guardianship of an Adult (GA) <input type="checkbox"/> Guardianship of a Minor (GB) <input type="checkbox"/> Guardianship Trust (OG) Estimated Estate Value: _____
	Juvenile-Related Case Filing Types
	<input type="checkbox"/> Miscellaneous Juvenile Petition <input type="checkbox"/> Emancipation Petition (EM)

Children involved in this case:

Name: _____
 Name: _____
 Name: _____

DOB: _____
 DOB: _____
 DOB: _____

Date

Signature of initiating party or representative

*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.*

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 2

Complete the Family Court Information Sheet as Shown:

1) Print your name.

2) Print the other parent's name.

3) Complete the requested information for both parents. Print "do not have" if one or both of you do not have a social security number.

4) Print the name, social security number, and date of birth for each child involved in this case.

5) Complete the remaining questions.

The Filing Office will give you a Case No. and Department No. when you file the petition with the court.

1		IN THE FAMILY COURT	
2		OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF WASHINGTON	
3		IN AND FOR THE COUNTY OF WASHOE	DA
4		CONFIDENTIAL FAMILY COURT INFORMATION SHEET	
5	Plaintiff/Petitioner,	Case No. _____	
6	vs.	Dept. No. _____	
7			
8	Name: _____	Name: _____	
9	Social Security #: _____	Social Security #: _____	
10	Date of Birth: _____	Date of Birth: _____	
11	IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:		
12	Residential Address: _____	Residential Address: _____	
13	Mailing Address: _____	Mailing Address: _____	
14	City, State, Zip: _____	City, State, Zip: _____	
15	Telephone #: _____	Telephone #: _____	
16	Are you employed? YES <input type="checkbox"/> NO <input type="checkbox"/>	Are you employed? YES <input type="checkbox"/> NO <input type="checkbox"/>	
17	Name of Employer: _____	Name of Employer: _____	
18	Business Address: _____	Business Address: _____	
19	City, State, Zip: _____	City, State, Zip: _____	
20	Telephone #: _____	Telephone #: _____	
21	Driver's License #: _____	Driver's License #: _____	
22	Date of Birth: _____	Date of Birth: _____	
23	Ethnicity: <input type="checkbox"/> White (Not Hispanic)	Ethnicity: <input type="checkbox"/> White (Not Hispanic)	
24	<input type="checkbox"/> African-American <input type="checkbox"/> Hispanic	<input type="checkbox"/> African-American <input type="checkbox"/> Hispanic	
25	<input type="checkbox"/> Asian or Pacific Islander	<input type="checkbox"/> Asian or Pacific Islander	
26	<input type="checkbox"/> Native American/Alaskan Native <input type="checkbox"/> Other	<input type="checkbox"/> Native American/Alaskan Native <input type="checkbox"/> Other	
27	CHILDREN INVOLVED IN THIS CASE		
28	Name: _____ SSN: _____ DOB: _____		
	Name: _____ SSN: _____ DOB: _____		
	Name: _____ SSN: _____ DOB: _____		
	Name: _____ SSN: _____ DOB: _____		
	If there are more than five children, list their names on a separate sheet of paper and attach.		
	Does this case involve family violence: <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Are you requesting Child Support Enforcement Services from the District Attorney's Office (IV-D) Services? <input type="checkbox"/> Yes <input type="checkbox"/> No		
	Court Personnel Only: <input type="checkbox"/> Custodial Parent <input type="checkbox"/> Non-Custodial Parent		
This document contains the social security number of a person as required by NRS 125.130, NRS 125.230, and NRS 125B.055.			

1 IN THE FAMILY DIVISION
2 OF THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
3 NEVADA IN AND FOR THE COUNTY OF WHITE PINE

4 **CONFIDENTIAL**
5 **FAMILY COURT INFORMATION SHEET**

6 _____,
7 Plaintiff/Petitioner,

8 vs.

9 _____,
10 Defendant/Respondent.

Case No. _____

Dept. No. _____

11 Name: _____
12 Social Security #: _____
13 Date of Birth: _____

Name: _____
Social Security #: _____
Date of Birth: _____

14 **IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:**

15 Residential Address: _____
16 _____

Residential Address: _____

17 Mailing Address: _____
18 _____
19 City, State, Zip: _____

Mailing Address: _____

City, State, Zip: _____

20 Telephone #: _____
21 Are you employed? YES [] NO []
22 Name of Employer: _____

Telephone #: _____
Are you employed? YES [] NO []
Name of Employer: _____

23 Business Address: _____
24 _____
25 City, State, Zip: _____
26 Telephone #: _____
27 Driver's License #: _____
28 Date of Birth: _____

Business Address: _____

City, State, Zip: _____
Telephone #: _____
Driver's License #: _____
Date of Birth: _____

Ethnicity: [] White (Not Hispanic)
[] African-American [] Hispanic
[] Asian or Pacific Islander
[] Native American/Alaskan Native [] Other

Ethnicity: [] White (Not Hispanic)
[] African-American [] Hispanic
[] Asian or Pacific Islander
[] Native American/Alaskan Native [] Other

29 **CHILDREN INVOLVED IN THIS CASE**

30 Name: _____ SSN: _____ DOB: _____
31 Name: _____ SSN: _____ DOB: _____
32 Name: _____ SSN: _____ DOB: _____
33 Name: _____ SSN: _____ DOB: _____
34 Name: _____ SSN: _____ DOB: _____

35 If there are more than five children, list their names on a separate sheet of paper and attach.

36 Does this case involve family violence: [] Yes [] No

37 Are you requesting Child Support Enforcement Services
38 from the District Attorney's Office (IV-D) Services? [] Yes [] No

Court Personnel Only: [] Custodial Parent [] Non-Custodial Parent

**This document contains the social security number of a person as required by NRS 125.130,
NRS 125.230, and NRS 125B.055.**

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INSTRUCTIONS: STEP 3

Complete the Joint Petition to Establish Custody and Visitation as Shown:

1) Print one parent's name, address, telephone number, and email.

2) Print the other parent's name, address, telephone number, and email.

3) Print your name.

4) Print the other parent's name.

5) Complete pages 1 - 14, following the instructions on each page.

1 Code: S3645
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 Name: _____
8 Address: _____
9 Telephone: _____
10 Email: _____
11 Self-Represented Litigant

12 IN THE
13 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
14 IN AND FOR THE COUNTY OF CLATSOP

15 Parent's Name _____ Case No. _____
16 and Dept. No. _____
17 Other Parent's Name _____
18 Joint Petitioners _____

19

20 JOINT PETITION TO ESTABLISH CUSTODY AND VISITATION

21

22 I, (name), have resided in and have been physically present in the State of Nevada for
23 the last six months.

24 -OR-

25 The State of Nevada was the home state of the child(ren) within the last six months and the
26 child(ren) is/are absent from this State, but a parent continues to live in this State.

27 //
28 //

REV 10/2017 JCB 1 D9 JOINT PETITION CUSTODY AND VISITATION

The Filing Office will give you a Case No. and Department No. when you file the petition with the court.

1 Code: \$3645

2 Name: _____

3 Address: _____

4 Telephone: _____

5 Email: _____

6 Self-Represented Litigant

7 Name: _____

8 Address: _____

9 Telephone: _____

10 Email: _____

11 Self-Represented Litigant

12 IN THE FAMILY DIVISION

13 OF THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF

14 NEVADA IN AND FOR THE COUNTY OF WHITE PINE

15 _____,
16 Parent's Name,

Case No. _____

17 and

18 Dept. No. _____

19 _____,
20 Other Parent's Name,

21 Joint Petitioners.

22 JOINT PETITION TO ESTABLISH CUSTODY AND VISITATION

23 A. The child(ren) have resided in and have been physically present in the State of Nevada for
24 the last six months.

25 -OR-

26 The State of Nevada was the home state of the child(ren) within the last six months and the
27 child(ren) is/are absent from this State, but a parent continues to live in this State.

28 //

//

Minor Child(ren)

On the lines below: Provide the information requested regarding each minor child born to, or adopted by parents. You **MUST LIST** where the child currently lives, where the child has lived for the **PAST 5 YEARS**, and the name(s) and current address(es) of the person(s) with whom the child lived at each address.

B.

Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by both parents.

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1. Please identify any other court case in which either parent has participated as a party, witness, or in any other way concerning the custody of or visitation with the child(ren) listed above. If there are no other court cases, please check this box .

Name(s) of child(ren) involved: _____

Court: _____

Case number: _____ Date of custody determination: _____

2. Please identify any court case that could affect this case, including any case relating to domestic violence, protective orders, termination of parental rights, adoptions, guardianships, dependency, and paternity actions. If there are no other court cases, please check this box .

Name(s) of child(ren) involved: _____

Court: _____ Type of case: _____

Case number: _____ Date of last order: _____

3. Please identify the name(s) and address(es) of any person(s) not a party to this court case who claim(s) a right to legal custody, physical custody or visitation with the child(ren).

If this is not applicable, please check this box .

Name(s) of child(ren) involved: _____

Name(s) and address(es) of person(s) claiming custody or visitation rights: _____

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by both parents.

Parent's Information

Complete the information about both parent's in sections C and D below.

It does not matter which parent goes first.

C. _____ lives at the following address

(Name of parent)

WITH -OR- **WITHOUT** the child(ren): _____

D. _____ lives at the following address

(Name of other parent)

WITH -OR- **WITHOUT** the child(ren): _____

Paternity

Place an "**X**" in the box of all that apply.

E. The paternity of the child(ren) has/have been established by:

A VOLUNTARY ACKNOWLEDGEMENT OF PATERNITY signed by both parents at the time of birth.

-OR-

PATERNITY WAS ESTABLISHED THROUGH A COURT PROCEEDING:

Name of court: _____

Address of court: _____

Date proceeding was held: _____

Case Number of court proceeding: _____

We agree on the statement selected above.

(Parent's initials)

Legal Custody of the Minor Child(ren)

Both parents must initial their agreement.

Place an **"X"** in a box to select **ONLY ONE** of the options below.

F. Who should have legal custody of the minor child(ren)?

BOTH PETITIONERS: JOINT LEGAL CUSTODY

-OR-

_____ : **SOLE LEGAL CUSTODY**
(Name of parent)

We agree to the legal custody selected above. _____
(Parent's initials)

Physical Custody of the Minor Child(ren)

Both parents must initial their agreement.

Place an **"X"** in a box to select **ONLY ONE** of the options below.

G. Who should have physical custody of the minor child(ren)?

BOTH PETITIONERS: JOINT PHYSICAL CUSTODY

-OR-

_____ : **PRIMARY PHYSICAL CUSTODY**
(Name of parent)

We agree to physical custody selected above. _____
(Parent's initials)

//

Custody / Visitation and Exchange Schedule

Place an **"X"** in a box to select **ONLY ONE** of the custody schedules provided below. A more detailed description of each custody schedule is provided in Appendix A. If you select **Option 4**, or would like to modify **Options 1-3**, write in your proposed custody / visitation schedule below.

H. **Option 1** Week On / Week Off: (Joint Custody) The minor child(ren) will spend one week with one parent and then the following week they will spend with the other parent.

This schedule will alternate weekly throughout the year.

The exchange will take place on _____ at _____ **A.M.** -OR- **P.M.**
(Day of the week) (Time)

The parties will exchange the child(ren) at _____
(Location)

_____ will have the child(ren) first.
(Name of parent)

Option 2 Repeating two / two / three: (Joint Custody) The minor child(ren) will spend two days with one parent, then two days with the other parent, three days with one parent, two days with the other parent, two days with one parent, three days with the other parent, alternating throughout the year.

The first exchange will take place on the first Friday following this Court's Order.

The exchanges will take place at _____ **A.M.** -OR- **P.M.**
(Time)

The parties will exchange the child(ren) at _____
(Location)

_____ will have the child(ren) first.
(Name of parent)

NOTE: This schedule is often used when the parents have a young child or children.

Holiday Visitation Schedule

Please fill out the below holiday visitation schedule. Undesignated religious or school holidays shall follow the parents' regular timeshare schedule, unless detailed below. For example, Christmas typically falls during the 1st half of Winter Break. If nothing is identified in "Other," the parent who has the 1st half of the break, has the child(ren) for Christmas.

I.

Check box if holiday applies	Holiday	Exchange Times	Even Numbered Years	Odd Numbered Years
<input type="checkbox"/>	1 st Half Spring Break	Begins upon release of school and ends at 9 a.m. halfway through the break.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	2 nd Half Spring Break	Begins at 9 a.m. halfway through the break and ends when school resumes.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Mother's Day	Begins 7 p.m. evening before Mother's Day; ends 9 a.m. the morning after.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Father's Day	Begins 7 p.m. evening before Father's Day; ends 9 a.m. the morning after.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	4 th of July	Begins 7 p.m. on July 3rd; ends 9 a.m. on July 5th.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Halloween	Begins 7 p.m. on October 30th; ends 9 a.m. on November 1st.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Fall Break	Begins upon release of school and ends when school resumes.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Thanksgiving Break	Begins upon release of school and ends when school resumes.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	1 st Half Winter Break	Begins upon release of school and ends at 9 a.m. halfway through the break.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	2 nd Half Winter Break	Begins at 9 a.m. halfway through the break and ends when school resumes.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Holidays not listed that are a 3-day weekend.	Begins upon release of school and ends when school resumes. Example: Memorial Day Weekend.	_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Other:		_____ Parent's Name	_____ Parent's Name
<input type="checkbox"/>	Other:		_____ Parent's Name	_____ Parent's Name

If more room is needed, attach additional sheets.
Each additional sheet must be initialed by both parents.

We agree to the holiday schedule selected above. _____
(Parent's initials)

Summer Visitation Schedule

Place an **"X"** in a box to select **ONLY ONE** of the summer visitation schedules provided below. If you select **Option 3**, or would like to modify **Options 1 or 2**, write in your proposed visitation schedule below. If one or both parents want an additional undesignated block of time, describe it in Option 3.

J. **Option 1: Visitation Remains the Same.**

Option 2: Alternating Two Week Timeshares: The minor child(ren) will spend two weeks with _____ and then the following two weeks they will spend with the other parent. This will alternate for the remainder of the summer break.

(Name of parent)

Option 3: Schedule Described Below: We request the following summer visitation schedule: _____

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by both parents.

Transportation for ALL Exchanges

Both parents must initial their agreement.

Complete the statement below.

K. Transportation will be provided by the parent **PICKING UP** –OR– **DROPPING OFF**

the child(ren) –OR– **OTHER:** _____

(Explain how transportation shall be provided)

We agree to the summer and vacation visitation/transportation schedules selected above.

(Parent's initials)

Child Support Calculation

Fill in the information requested below. The child support **MUST** be based on the formula as set out in the Nevada Revised Statutes. You may not just state an arbitrary amount and you may not state "no child support to be paid." **Included in Appendix B, you will find child support calculation worksheets to assist you with calculating child support.**

L. Petitioner 1's gross monthly income is: \$ _____
(Amount earned per month before deductions)

Petitioner 2's gross monthly income is: \$ _____
(Amount earned per month before deductions)

Deviations

If you are requesting an amount of child support that is lower or higher than the statutory amount, your reason(s) for requesting a different amount must be based upon one or more of the following factors. Place an "**X**" in all that apply. Include the dollar amount of deviation for each category.

<input type="checkbox"/> The cost of health insurance \$ _____	<input type="checkbox"/> The cost of child care \$ _____	<input type="checkbox"/> The relative income of both parents \$ _____
<input type="checkbox"/> Special educational needs of the child \$ _____	<input type="checkbox"/> The amount of time the child spends with each parent \$ _____	<input type="checkbox"/> Any other necessary expenses for the benefit of the child \$ _____
<input type="checkbox"/> The age of the child \$ _____	<input type="checkbox"/> Legal responsibility of the parent for the support of others \$ _____	<input type="checkbox"/> The value of services contributed by either parent \$ _____
<input type="checkbox"/> Any expenses reasonably related to the mother's pregnancy and confinement \$ _____	<input type="checkbox"/> The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained \$ _____	<input type="checkbox"/> Any public assistance paid to support the child \$ _____

Explain: _____

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by both parents.

1 The amount of child support for _____
2 (Name of parent)

3 after any deviation(s) is \$ _____ per month. This amount of child
4 (Amount of child support)

5 support is in compliance with NRS 125B.070.

6
7 We agree to the child support amount listed above. _____
8 (Parent's initials)

9
10 **Child Support Payment**

11 Both parents must initial their agreement.

12 Place an "**X**" in a box to select **ONLY ONE** of the two statements below.

13 M. 1. The parent paying child support will pay the support directly to the other parent.

14 -OR-

15 2. A wage assignment is or should be put in place and payment should be enforced
16 through the District Attorney's Office.

17 We agree to the child support payment plan above. _____
18 (Parent's initials)

19 **Health Care for Child(ren)**

20 Both parents must initial their agreement.

21 Complete the statements below.

22 Place an "**X**" in a box in front of the selected answer.

23 N. 1. The child(ren) are covered by a health insurance policy (this includes Medicaid, Tricare,
24 private health insurance, etc.). **YES** -OR- **NO**

25
26 2. Who will provide health insurance for the minor child(ren)?

27 _____ -OR- **BOTH PARENTS**
28 (Name of parent)

1 3. We will equally share all costs of insurance for the minor child(ren), including, premiums,
2 deductibles, and any uncovered medical, dental, or vision expenses. If either parent incurs a
3 medical expense on behalf of the child(ren), they will provide the other parent with proof of
4 payment and a copy of the bill within 30 days of receiving it, and the other parent will have
5 30 days to reimburse their half of the amount paid or to set up payment arrangements through
6 the health care provider.

7
8 We agree to the above health care options for the child(ren).

9 _____
10 (Parent's initials)

11 **Tax Deduction**

12 Both parents must initial their agreement.

13 Place an **"X"** in a box to select **ONLY ONE** of the three statements.

14
15 **O.** 1. Every year, _____
16 (Name of parent)

17 should claim the child(ren) as dependents for tax purposes.

18 **-OR-**

19 2. The tax deduction should alternate, with _____
20 (Name of parent)

21 claiming the child(ren) in **EVEN NUMBERED** **-OR-** **ODD NUMBERED** years,

22 and the other parent claiming the child(ren) in the other years.

23 **-OR-**

24 3. The tax deduction should be shared by each of us claiming one or more child each year

25 _____ will claim: _____
26 (Name of parent) (Name of child(ren) this parent is claiming)

27 _____ will claim: _____
28 (Name of other parent) (Name of child(ren) this parent is claiming)

We agree to the tax deductions selected above.

_____ (Parent's initials)

School Enrollment

Both parents must initial their agreement.

Place an **"X"** in a box to select **ONLY ONE** of the two statements.

P. The child(ren) should attend:

1. The school(s) zoned for _____ address.

(Name of parent)

-OR-

2. Other: _____

We agree to the school enrollment selected above.

(Parent's initials)

Additional Relief

Both parents must initial their agreement.

Do you have any other requests you would like the Court to consider?

Place an **"X"** in a box to select **ONLY ONE** of the two statements below.

Q. 1. No additional relief is requested.

-OR-

2. We request the additional relief listed below:

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by both parents.

We agree on the statement selected above. _____

(Parent's initials)

1 **R. We reserve the right to amend this Petition, and to request additional and/or modified relief.**

2 **S. We ask for judgment as follows:**

3 1. That we be granted our requests regarding custody, visitation and child support as set
4 forth above; and

5 2. For other and further relief as the Court may deem just and proper in this action.

6 This document does not contain the personal information of any person as defined by
7 NRS 603A.040.

8 We declare under penalty of perjury under the law of the State of Nevada that the foregoing
9 is true and correct.

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Date: _____

Petitioner 1's Signature: _____

Print Petitioner 1's Name: _____

Date: _____

Petitioner 2's Signature: _____

Print Petitioner 2's Name: _____

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 3a

Child Custody Schedules

Please review Appendix A: Custody Schedules.

These example schedules can assist you in filling out the petition.

APPENDIX A: Custody Schedules

These custody schedules are provided to you as examples. You may select a pre-set schedule as shown in Options 1 – 3, OR you may select to create your own visitation schedule in Option 4.

Option 1: Week On / Week Off (Joint Physical Custody)

You and the other parent will have equal time with the minor child(ren). The minor child(ren) will spend one week (seven days) with you and then the following week they will spend one week (seven days) with the other parent. This schedule will alternate weekly throughout the year.

Example provided below (with exchanges taking place on Friday afternoon):

 Your custodial days / weeks with the minor child.

 The other parent's custodial days / weeks with the minor child.

Option 1: Week On / Week Off Custody Schedule

					Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday		Wednesday	Thursday	Friday	Saturday
						

APPENDIX A: Custody Schedules

These custody schedules are provided to you as examples. You may select a pre-set schedule as shown in Options 1 – 3, OR you may select to create your own visitation schedule in Option 4.

Option 1: Week On / Week Off (Joint Physical Custody)

You and the other parent will have equal time with the minor child(ren). The minor child(ren) will spend one week (seven days) with you and then the following week they will spend one week (seven days) with the other parent. This schedule will alternate weekly throughout the year.

Example provided below (with exchanges taking place on Friday afternoon):



Your custodial days / weeks with the minor child.



The other parent's custodial days / weeks with the minor child.

Option 1: Week On / Week Off Custody Schedule						
					Friday	Saturday
						▨▨▨▨▨▨▨
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					▨▨▨▨▨▨▨	▬▬▬▬▬▬▬
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
▬▬▬▬▬▬▬						▨▨▨▨▨▨▨
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					▨▨▨▨▨▨▨	▬▬▬▬▬▬▬
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
▬▬▬▬▬▬▬						▨▨▨▨▨▨▨

Option 2: Repeating Two / Two / Three (Joint Physical Custody)

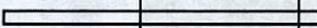
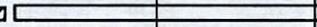
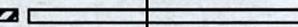
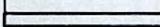
You and the other parent will have equal time with the minor child(ren). On week one, the minor child(ren) will spend two days with you, followed by two days with the other parent, ending the week with three days with you. On week two, the minor child(ren) will spend two days with the other parent, followed by two days with you, ending the week with three days with the other parent. This schedule will alternate throughout the year.

NOTE: This schedule is often used when the parents have small children.

Example with exchanges taking place in the a.m. (see below), in some cases at school drop off, on exchange days).

 Your custodial days with the minor child(ren).

 The other parent's custodial days with the minor child(ren).

Option 2: Repeating Two / Two / Three Custody Schedule (A.M. Drop Off)						
					Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						

OR – P.M. Drop Off

Option 2: Repeating Two / Two / Three Custody Schedule (P.M. Drop Off)						
					Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						

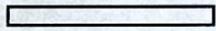
Option 3: Three Weekends a Month (Primary Physical Custody)

You OR the other parent will have more custodial time with the minor child(ren). Beginning on the first Friday of the month, the minor child(ren) will spend the first three full weekends, with the noncustodial parent. The remaining weekends will be spent with the parent with primary custody of the minor child(ren).

Example provided below (exchanges taking place on Friday, in some cases at school drop off, on exchange days, and Sunday afternoon).



Primary parent's custodial days with the minor child(ren).



Noncustodial parent's visitation days with the minor child(ren).

Option 3: Three Weekends a Month						
						Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Option 4: Create your own.

Option 4: Create your own.						
					Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 3b

Calculating Child Support

Use Appendix B to assist with calculating child support.

- Worksheet A helps you calculate the child support amount if you are requesting one parent have **primary physical custody**.
- Worksheet B helps you calculate the child support amount if you are requesting **joint physical custody**.

APPENDIX B: Child Support Worksheets

Worksheet A - Primary Physical Custody Child Support Calculation Worksheet
If you are asking for primary physical custody, fill out this worksheet. Primary physical custody exists when one parent has the child more than 60% (219 days) of the time calculated over a one year period.

① Determine the Gross Monthly Income (GMI) of the non-custodial parent (estimate if unknown).
Gross monthly income is the income received from all sources. If you do not know the parent's gross monthly income, you can calculate the number with the formula on the last page.

② Determine Child Support Obligation.

GMI \$ _____	X	<input type="checkbox"/> .18 (for 1 Child) <input type="checkbox"/> .25 (for 2 Children) <input type="checkbox"/> .29 (for 3 Children) <input type="checkbox"/> .31 (for 4 Children) Add .02 for each additional child	=	\$ _____ Monthly Child Support: OR \$100 per child \$ _____ (write the higher amount) Higher Amount \$ _____
-----------------	---	--	---	---

③ Apply the Presumptive Maximum (rarely applicable).
Usually, this is the maximum amount a parent may be required to pay per month per child (and can reduce – not increase – the amount that would be owed under step ②). This amount changes every year on July 1st and can be found by going to <http://ivycourts.gov> and searching the phrase "presumptive maximum." Make sure you are using the most current amount.

Presumptive Maximum Reduction to: \$ _____ Or <input type="checkbox"/> not applicable
--

④ Deviations. You may request an amount of child support that is lower or higher than the amount in ② or ③, but your reason(s) must be based upon one of the following factors. (check all that apply)

<input type="checkbox"/> The cost of health insurance	<input type="checkbox"/> Expenses reasonably related to the mother's pregnancy and confinement
<input type="checkbox"/> The cost of childcare	<input type="checkbox"/> Cost of transportation for visitation if the custodial parent moved out of the jurisdiction
<input type="checkbox"/> Special educational needs	<input type="checkbox"/> The amount of time the child spends with each parent
<input type="checkbox"/> Age of the child	<input type="checkbox"/> Any other necessary expenses for the benefit of the child
<input type="checkbox"/> Parent's legal responsibility to support others	<input type="checkbox"/> The relative income of both parents
<input type="checkbox"/> The value of services contributed by either parent	
<input type="checkbox"/> Public assistance paid to support the child	

Explain: _____

Total Child Support: \$ _____

© Family Law Self-Help Center Child Support Worksheet A

APPENDIX B: Child Support Worksheets

Worksheet A - Primary Physical Custody Child Support Calculation Worksheet

If you are asking for primary physical custody, fill out this worksheet and attach it to the document you are filing. Primary physical custody exists when one parent has the child more than 60% (219 days) of the time calculated over a one year period.

① Determine the Gross Monthly Income (GMI) of the non-custodial parent (estimate if unknown).

Gross monthly income is the income received from all sources. If you do not know the parent's gross monthly income, you can calculate the number with the formula on the last page.

② Determine Child Support Obligation.

GMI \$ _____

X **.18** (for 1 Child)
 X **.25** (for 2 Children)
 X **.29** (for 3 Children)
 X **.31** (for 4 Children)
 Add **.02** for each additional child

=

Monthly Child Support:	
\$ _____	OR \$100 per child \$ _____
(write the higher amount)	
Higher Amount: \$ _____	

③ Apply the Presumptive Maximum (rarely applicable).

Usually, this is the maximum amount a parent may be required to pay per month per child (and can *reduce* – not increase – the amount that would be owed under step ②). This amount changes every year on July 1st and can be found by going to <http://nvcourts.gov> and searching the phrase “presumptive maximum.” Make sure you are using the most current chart.

Presumptive Maximum Reduction to: \$ _____ Or <input type="checkbox"/> not applicable
--

④ Deviations. You may request an amount of child support that is lower or higher than the amount in ② or ③, but your reason(s) must be based upon one of the following factors. (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> The cost of health insurance
<input type="checkbox"/> The cost of childcare
<input type="checkbox"/> Special educational needs
<input type="checkbox"/> Age of the child
<input type="checkbox"/> Parent's legal responsibility to support others
<input type="checkbox"/> The value of services contributed by either parent
<input type="checkbox"/> Public assistance paid to support the child | <input type="checkbox"/> Expenses reasonably related to the mother's pregnancy and confinement
<input type="checkbox"/> Cost of transportation for visitation if the custodial parent moved out of the jurisdiction
<input type="checkbox"/> The amount of time the child spends with each parent
<input type="checkbox"/> Any other necessary expenses for the benefit of the child
<input type="checkbox"/> The relative income of both parents |
|---|---|

Explain: _____

Total Child Support:
\$ _____

Worksheet B - Joint Physical Custody Child Support Calculation Worksheet

If you are asking for joint physical custody, fill out this worksheet and attach it to the document you are filing. A joint physical custody arrangement exists when each parent has the child at least 40% (146 days) of the time calculated over a one year period.

Parent 1's Name:

Parent 2's Name:

① Determine Each Parent's Gross Monthly Income (GMI) (estimate other parent's income if unknown).

Gross monthly income is the income received from all sources. If you do not know a parent's gross monthly income, you can calculate the number with the formula on the last page.

② Determine Each Parent's Child Support Obligation.

Parent 1 GMI
\$

.18 (for 1 Child)
.25 (for 2 Children)

X .29 (for 3 Children) =
.31 (for 4 Children)
Add .02 for each additional child

Parent 2 GMI
\$

Parent 1's Monthly Child Support:
\$ OR \$100 per child \$
(write the higher amount and use in step 3)
Higher Amount: \$

Parent 2's Monthly Child Support:
\$ OR \$100 per child \$
(write the higher amount and use in step 3)
Higher Amount: \$

③ Subtract the lower earning parent's amount of child support in ② from the higher earning parent's amount.

Higher
\$

-

Lower
\$

=

Child Support Obligation
\$

paid by

Name of higher income parent:

④ Apply the Presumptive Maximum (rarely applicable).

Usually, this is the maximum amount a parent may be required to pay per month per child (and can *reduce* – not increase – the amount that would be owed under step ③). This amount changes every year on July 1st and can be found by going to <http://nvcourts.gov> and searching the phrase "presumptive maximum." Make sure you are using the most current chart.

Presumptive Maximum
Reduction to:
\$
Or not applicable

⑤ Deviations. You may request an amount of child support that is lower or higher than the amount in ③ or ④, but your reason(s) must be based upon one of the following factors. (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> The cost of health insurance | <input type="checkbox"/> Expenses reasonably related to the mother's pregnancy and confinement |
| <input type="checkbox"/> The cost of childcare | <input type="checkbox"/> Cost of transportation for visitation if the custodial parent moved out of the jurisdiction |
| <input type="checkbox"/> Special educational needs | <input type="checkbox"/> The amount of time the child spends with each parent |
| <input type="checkbox"/> Age of the child | <input type="checkbox"/> Any other necessary expenses for the benefit of the child |
| <input type="checkbox"/> Parent's legal responsibility to support others | <input type="checkbox"/> The relative income of both parents |
| <input type="checkbox"/> The value of services contributed by either parent | |
| <input type="checkbox"/> Public assistance paid to support the child | |

Explain: _____

Total Child Support:
\$

To Determine a Parent's Gross Monthly Income:

Gross monthly income is a parent's income from all sources before taxes. To find this number, calculate the following:

	Parent 1	Parent 2
*Monthly Wages from Employment (before taxes)	\$	\$
Monthly Tip Income	\$	\$
Monthly Self-Employment Income (after business expenses)	\$	\$
Monthly Unemployment Benefits	\$	\$
Social Security	\$	\$
Social Security Disability	\$	\$
Retirement / Pension	\$	\$
Other: _____	\$	\$
TOTAL INCOME	\$	\$

***To Determine a Parent's Employment Income:**

If you do not know a parent's gross monthly income from employment, you can calculate the number if you know the 1) hourly wage, 2) weekly income, or 3) annual income.

Gross Monthly Income Based on Annual Income:

Annual Income \$ _____ ÷ 12 = \$ _____

Gross Monthly Income Based on Weekly Income:

Weekly Income \$ _____ x 52 = Annual Income \$ _____
Annual Income \$ _____ ÷ 12 = \$ _____

Gross Monthly Income Based on Hourly Wage:

Hourly Wage \$ _____ x # of Hours Worked per week _____ = Weekly Income \$ _____
Weekly Income \$ _____ x 52 = Annual Income \$ _____
Annual Income \$ _____ ÷ 12 = \$ _____

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 4

Complete the Request For Submission as Shown:

1) Print the name, address and telephone number of one parent.

2) Print your name.

3) Print the other parent's name.

Make sure your names are in the same order you've put on other documents.

4) Print "Joint Petition to Establish Custody and Visitation".

5) Date you are filing the documents.

6) The parent whose name is at the top of the form must date and sign.

1 Code: 3860
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 IN THE FAMILY
8 OF THE SECOND JUDICIAL DISTRICT
9 IN AND FOR THE COUNTY OF WASHOE

10 Plaintiff/ Petitioner / Joint Petitioner Case No. _____
11 vs. Dept. No. _____
12 Defendant/ Respondent / Joint Petitioner.

13 **REQUEST FOR SUBMISSION**

14 I request that the _____ that was filed
15 (Print the name of the document(s) to be submitted to the Court)

16 on _____ be submitted to the Court for decision.
17 (Date the document was filed)

18 This document does not contain the personal information of any person as defined by
19 NRS 603A.040.

20 I declare, under penalty of perjury, under the law of the State of Nevada, the foregoing is true
21 and correct.

22 Date: _____ Your Signature _____
23 _____
24 _____ Print Your Name _____
25 _____
26 _____
27 _____
28

REV 12/2017 JCB 1 REQUEST FOR SUBMISSION

The Filing Office will give you a Case No. and Department No. when you file the petition with the court.

1 Code: 3860
Name: _____
2 Address: _____
Telephone: _____
3 Email: _____
4 Self-Represented Litigant

5
6 IN THE FAMILY DIVISION
7 OF THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
8 NEVADA IN AND FOR THE COUNTY OF WHITE PINE
9

10 _____,
11 Plaintiff / Petitioner / Joint Petitioner, Case No. _____
vs. Dept. No. _____
12 _____
13 Defendant/ Respondent / Joint Petitioner. /

14
15 REQUEST FOR SUBMISSION

16 I request that the _____ that was filed
17 (Print the name of the document(s) to be submitted to the Court)
18 on _____ be submitted to the Court for decision.
19 (Date the document was filed)

20 This document does not contain the personal information of any person as defined by
21 NRS 603A.040.

22 I declare under penalty of perjury under the law of the State of Nevada the foregoing is true and
23 correct.

24 Date: _____ Your Signature _____

25
26 Print Your Name _____
27
28

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 5

Prepare the Order Establishing Custody, Visitation and Child Support as Shown:

1) Print your name.

2) Print the other parent's name.

Make sure your names are in the same order you've put on other documents.

3) Complete pages 1-3, following the instructions on each page.

Do not sign or date where it says district judge. Only sign and date the last page after respectfully submitted.

1	Code: 2867	
2		
3		
4		
5		
6	IN THE	
7	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA	
8	IN AND FOR THE COUNTY OF WASHINGTON	
9	_____	Case No. _____
10	and Parent's Name	Dept. No. _____
11	_____	
12	Other Parent's Name	
13	Joint Petitioners.	
14		
15		
16	<u>ORDER ESTABLISHING CUSTODY, VISITATION AND CHILD SUPPORT</u>	
17	This Court having considered the Joint Petition to Establish Custody and Visitation and all of	
18	the papers and pleadings on file, finds as follows:	
19	1. That all of the allegations contained in the documents on file are true;	
20	2. That all of the requirements of NRS 125A.050 have been met;	
21	3. That this Court has the necessary UCCJA, UCCJEA and PKPA initial and continuing	
22	jurisdiction to enter orders regarding child custody and visitation on the following children	
23	of the union and hereby exercises said jurisdiction; and	
24	4. That the petitioners have entered into an agreement settling all issues regarding the care,	
25	custody, visitation, health insurance, and child support of the child(ren) over which this	
26	Court has jurisdiction, said agreement being in the best interest of the child(ren), and	
27	petitioners have requested that their agreement, as set forth in their joint petition be ratified,	
28	confirmed and incorporated into this order as though fully set forth herein.	
	REV 12/2017 JCB	1 D9 ORDER

The Filing Office will give you a Case No. and Department No. when you file the petition with the court.

SAMPLE

1 Code: 2867

2
3
4
5 IN THE FAMILY DIVISION
6 OF THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
7 NEVADA IN AND FOR THE COUNTY OF WHITE PINE
8

9 _____, Case No. _____
10 and Parent's Name Dept. No. _____
11 _____,
12 Other Parent's Name
13 Joint Petitioners.

14 _____ /

15
16 ORDER ESTABLISHING CUSTODY, VISITATION AND CHILD SUPPORT

17 This Court having considered the Joint Petition to Establish Custody and Visitation and all of
18 the papers and pleadings on filed, finds as follows:

- 19 1. That all of the allegations contained in the documents on file are true;
20 2. That all of the requirements of NRS 125A.050 have been met;
21 3. That this Court has the necessary UCCJEA and PKPA initial and continuing jurisdiction to
22 enter orders regarding child custody and visitation on the following children of the union
23 and hereby exercises said jurisdiction; and
24 4. That petitioners have entered into an agreement settling all issues regarding the care,
25 custody, visitation, health insurance, and child support of the child(ren) over which this
26 Court has jurisdiction, said agreement being in the best interest of the child(ren), and
27 petitioners have requested that their agreement, as set forth in their joint petition be ratified,
28 confirmed and incorporated into this order as though fully set forth herein.

1 **NRS 125C.006 regarding relocation with minor children**

2 1. If primary physical custody has been established pursuant to an
3 order, judgment or decree of a court and the custodial parent intends
4 to relocate his or her residence to a place outside of this State or to a
5 place within this State that is at such a distance that would
substantially impair the ability of the other parent to maintain a
6 meaningful relationship with the child, and the custodial parent
7 desires to take the child with him or her, the custodial parent shall,
before relocating:

(a) Attempt to obtain the written consent of the noncustodial
parent to relocate with the child; and

(b) If the noncustodial parent refuses to give that consent, petition
the court for permission to relocate with the child.

8 **NRS 125C.0065 regarding relocation with minor children**

9 1. If joint physical custody has been established pursuant to an
10 order, judgment or decree of a court and one parent intends to relocate
11 his or her residence to a place outside of this State or to a place within
12 this State that is at such a distance that would substantially impair the
13 ability of the other parent to maintain a meaningful relationship with
14 the child, and the relocating parent desires to take the child with him
or her, the relocating parent shall, before relocating:

(a) Attempt to obtain the written consent of the non-relocating
parent to relocate with the child; and

(b) If the non-relocating parent refuses to give that consent,
petition the court for primary physical custody for the purpose of
relocating.

15 **NRS 125.007 regarding the collection of child support payments through mandatory wage
withholding or assignment of income.**

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

17 **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.**

18
19 Date: _____

DISTRICT JUDGE

20
21 Respectfully Submitted:

22 Date: _____ Petitioner 1 Signature: _____

23
24 Petitioner 1 Print Name: _____

25
26 Date: _____ Petitioner 2 Signature: _____

27
28 Petitioner 2 Print Name: _____

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 6

Copying and Filing the Documents

- Take the original and two copies of the completed forms to the Filing Office to be filed.
 - The Filing Office is located on the first floor of the courthouse at **801 Clark Street, Suite 4, Ely, Nevada.**
 - A copy machine is available at the Law Library located on the first floor of the courthouse at 801 Clark Street, Suite 4, Ely, Nevada (to the left of the Filing Office). There is a per page charge to use the copy machine. Cash only.
 - The Filing Office will keep the original documents and return file-stamped copies to you. Please make sure to keep copies of all the documents you file for your personal records.
 - If you provide a self-addressed, stamped envelope to the filing clerk when you file your documents, a copy of the decree of divorce will be mailed to you after a judge signs it.
- OR-**

Filing Fee

There may be a filing fee charged when the documents are filed. Fee information is available at the Filing Office, Family Division Self Help Center, and online at: www.whitepinecounty.net.

You can call the Filing Office at (775) 293-6509 to confirm the amount of the fee.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the application found in the **Affidavit In Support of Motion to Proceed In Forma Pauperis**, which may be obtained at the following locations:

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SOME DEFINITIONS OF TERMS USED IN FAMILY CASES

The following definitions and explanations are only to be used as general guidance.

The definitions provided do not explain the entire legal meaning or importance of the terms. A private attorney, licensed to practice in the State of Nevada, or a representative of one of the local legal resource agencies can provide you with a full explanation of the terms.

Alimony: (also called Spousal Support) A payment made by one former spouse to the other while they are separated or after divorce. Payments are usually made weekly, monthly, or as a lump sum. Alimony may be required for a period of time or for the lifetime of the receiving former spouse. The amount and the duration are decided by the court after consideration of the following factors:

- (a) The financial condition of each spouse;
- (b) The nature and value of the property of each spouse;
- (c) The contribution of each spouse to property held jointly;
- (d) The length of the marriage;
- (e) The income, earning capacity, age, and health of each spouse;
- (f) The standard of living during marriage;
- (g) The career of the spouses prior to marriage;
- (h) Specialized education or training, or marketable skills attained during marriage;
- (i) Contributions as homemaker;
- (j) Property awarded in the divorce, other than child support and alimony; and
- (k) The physical and mental condition of each party as it relates to financial condition, health, and ability to work. NRS 125.150(9).

Answer: A written pleading that admits or denies the allegations made in a complaint or petition. Failure to file can lead to a default.

Arrearage: Past due child support or alimony.

Best Interest of a Child: In determining the best interest of a child, the court will consider the following:

- (a) The wishes of a child of suitable age and capacity to form an intelligent preference;
- (b) Any nomination by a parent or guardian;
- (c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the other parent;
- (d) The level of conflict between the parents;
- (e) The ability of the parents to cooperate to meet the needs of the child;
- (f) The mental and physical health of the parents;
- (g) The physical, developmental, and emotional needs of the child;
- (h) The relationship of the child with each parent;
- (i) The ability of the child to maintain a relationship with siblings;
- (j) Any history of parental abuse or neglect;
- (k) Any history of domestic violence; and

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(l) Any act of abduction. NRS 125C.480(4).

Case Management Conference (CMC): The first meeting between the parties and the court. About half of all divorce cases settle at the CMC. For those cases that don't settle, the court frequently enters temporary order regarding alimony, attorney fees, child custody, child support, possession of property, mediation, and any issue requiring attention.

Child Custody: See **Legal Custody and Physical Custody**.

Child Support: The amount of money paid monthly or weekly by a parent to the person who has physical custody of that parent's child(ren). Calculation of the amount of child support requires consideration of **Gross Monthly Income (g.m.i.)**, **Obligation of Support**, **Deviation Factors**, **Minimum Amount of Support**, and **Presumptive Maximum Amounts**.

Complaint: The original or initial pleading that begins a court action, alleges facts, and asks the court to make rulings.

Community Property and Debt: Subject to important exceptions, community property and debt is usually all property acquired, and all debt incurred, during marriage. NRS 123.220. Subject to important exceptions, community property and debt are usually divided equally upon divorce. NRS 125.150(1)(b).

Counterclaim: A claim, similar to a **Complaint**, filed by a defendant, usually with the **Answer**.

Default: A procedure by which the **Plaintiff** is awarded whatever was requested in the **Complaint** if the **Defendant** fails to file an **Answer** or otherwise appear in the lawsuit. Courts prefer to resolve cases on the merits and not by default.

Defendant/Respondent: A person against whom a **Complaint/Petition** is filed. See **Parties**.

Deviation Factors: The court may adjust the amount of **Child Support** based upon any of the following factors:

- (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;
- (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. NRS 125B.080(9).

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Domestic Violence: Domestic violence occurs when a person commits one of the following acts upon the person's spouse or former spouse, anyone else related to that person by blood or marriage, anyone else with whom that person is or was residing; anyone else with whom that person had or did have a dating relationship; anyone with whom that person has a child; the minor child of any of the people here described; and any custodian or legal guardian of that person's minor child:

- (a) Battery;
- (b) Assault;
- (c) Compelling a person by force or threat of force to perform an act from which the person has the right to refrain or to refrain from an act which the person has a right to perform;
- (d) Sexual assault;
- (e) A knowing, purposeful, or reckless course of conduct intended to harass which may include:
 - (1) Stalking;
 - (2) Arson;
 - (3) Trespassing;
 - (4) Larceny;
 - (5) Destruction of private property;
 - (6) Carrying a concealed weapon without a permit;
 - (7) Injuring or killing an animal.
- (f) False imprisonment
- (g) Unlawful entry of the other person's residence, or forcible entry against the other person's will if there is a reasonably foreseeable risk of harm to the other person from the entry. NRS 33.018(1).

EPO: Extended Protection Order against domestic violence. See **Domestic Violence**.

Ex Parte Motion: Motions granted without notice to the other party. Ex parte motions are for use only in emergency situations, usually when the health or safety of a child is in danger. Many people file ex parte motions hoping they will get faster action. In fact, **if there is no emergency the ex parte motion will be denied and there will be considerable delay.** If an ex parte motion is granted, the law requires that a hearing be held within ten days. If there is no emergency, a **notice motion** should be used.

Financial Declaration: A court approved form disclosing the assets and liabilities of parties. In contested divorce cases a **Financial Declaration** must be filed within ten days after an **Answer** is filed and with any **Motion** asking for Child Support or Alimony. WDCR 40.

Gross Monthly Income (g.m.i.): For a person who is not self-employed, g.m.i. is the total amount of income received each month from any source. For a person who is self-employed, g.m.i. is the total amount of income received each month from any source after deduction of legitimate business expenses, but without deduction for personal income taxes, contributions to retirement or pensions, or other personal expenses. NRS 125B.070(1)(a).

Legal Custody: Legal custody of a child is the right to make major decisions regarding the child, including health, education, and religion. **Sole legal custody** gives that right to one parent. **Joint legal custody** gives that right to both parents and requires them to cooperate, communicate,

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and compromise. If joint legal custodians cannot agree, the court will settle their disputes. *Rivero v. Rivero* 125 Nev. 410, 420-421 (2009).

Mediation: The court will sometimes order divorcing couples to attend half-day mediation with trained mediators in an attempt to allow parents to decide matters of child custody and visitation. There is a fee, based on income, for attending mediation.

Minimum Amount of Support: The minimum amount of child support that can be awarded is \$100 per month per child, unless the court makes a written finding that a parent who owes child support is unable to pay the minimum amount. NRS 125B.080(4).

Motion: You can't write a letter to the judge. Any request that you make for the court to do something for you, unless it is made orally at a hearing, must be in a writing called a motion.

Motion for Order to Show Cause: A type of **Motion** that asks the court to find that the other side has violated a court order.

Notice Motion: Most motions should be notice motions so that the court will have the opportunity to read the arguments of both sides before making a decision. Notice motions must be served on the other party. The other party has ten judicial days to file and opposition to the motion. Then the party filing the motion has five judicial days to file a reply to the opposition. If the motion or opposition is served by mail, the responding party has an additional three calendar days to respond. Thereafter, either party may submit the motion to the court for decision. See **Submission**.

Obligation of Support: Nevada law requires that child support be calculated as a percentage of the paying parent's gross monthly income (g.m.i.). For one child, child support is 18% of g.m.i. For two children, 25% of g.m.i. For three children, 29% of g.m.i. For each additional child, an additional 2% of g.m.i. NRS 125B.070(1)(b).

Parties: The **Petitioner/Plaintiff** and the **Respondent/Defendant**.

Physical Custody: Physical custody involves the time a child resides with a parent and that parent provides supervision and makes the day-to-day decisions regarding the child. Parents can share **joint physical custody** or one parent may have **primary physical custody**. Nevada's law creates a preference in favor of **joint physical custody**.

Plaintiff/Petitioner: A person who starts a legal action by filing a **Complaint/Petition**. See **Parties**.

Presumptive Maximum Amount: The amount of **Child Support** is limited by the **Presumptive Maximum Amount** that changes on July 1, each year. NRS 125B.070(2) and (3).

Relocation: Moving out of state with a child, or to a place within the state that is at such a distance that the move will substantially impair the ability of the other parent to maintain a meaningful relationship with the child. Relocation requires the prior written consent of the other parent or the court. Failure to obtain prior written consent may affect child custody and may be a crime. NRS 125C.006 and NRS 125C.0065.

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Resident Witness: Nevada law requires in divorce cases that a declaration be filed with the court swearing that at least one of the **Parties** has lived in Nevada for more than six weeks prior to the filing of a divorce **Complaint**.

Separate Property and Debt: All debt incurred or property owned before marriage, or afterwards acquired by gift, bequest, devise, descent, or by award of personal injury damage, with the rents, issues, and profits thereof. NRS 123.130.

Settlement Conference: Usually the second time the court meets with the **Parties**. Few family law cases go to trial. The court tries very hard to bring **Parties** to agreement, particularly when they are parents together.

Spousal Support: See **Alimony**.

Submission: Nothing filed with the court is sent to the judge for decision until it is submitted by filing a form entitled "Request for Submission."

Summons: A form, issued by the clerk of the court, to be served on the **Defendant** with the **Complaint**. The **Summons** informs the **Defendant** that he/she has been sued and tells him/her when to file the **Answer**.

TPO: Temporary Protection Order against domestic violence. See **Domestic Violence**.

Legal Assistance

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

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