

**ANSWER AND  
COUNTERCLAIM  
TO  
COMPLAINT FOR  
DIVORCE  
(WITHOUT MINOR CHILDREN)**

**AC – 1**

Self Help Center  
1 South Sierra St., First Floor  
Reno, NV 89501  
775-325-6731  
[www.washoecourts.com](http://www.washoecourts.com)

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**ANSWER AND COUNTERCLAIM TO  
COMPLAINT FOR DIVORCE  
(WITHOUT MINOR CHILDREN)**

**PACKET AC-1**

Use this answer and counterclaim packet only if all of the following requirements have been met:

- You are currently married.
- You received a complaint for divorce.
- You are filing a counterclaim.
- The other party has not filed a default against you.

**Attention**

- An answer must be filed and served within 21 days after you have received the summons and complaint. If you do not file within that time, your spouse may take a default against you and be awarded what they have asked for in their complaint.
- If you received a request to waive service of summons, please contact the Family Division Self Help Center for more information.
- If you received other motions with the complaint for divorce, you must answer to those motions with forms other than this answer and counterclaim. Please contact the Family Division Self Help Center for more

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 FOR COMPLETING FORMS**

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

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

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. EFile User Agreement (Standard)
2. Family Court Information Sheet
3. Answer and Counterclaim
4. General Financial Disclosure
5. Proof of Service
6. Definitions of Terms Used in this Packet

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## INSTRUCTIONS: STEP 1

### **eFlex Account and eFile User Agreement:**

To file your documents, you will need to sign up for an eFlex account and have a valid email address. There is no fee to sign up for a standard eFlex account. If you already have an eFlex account for a different case, you do not need to create another account and can skip this step.

To sign up:

- 1) Carefully read and complete the eFile User Agreement (Standard) by filling in as much information as possible, signing, and dating page two;
- 2) Return the eFile User Agreement (Standard) to the Law Library, Self Help Center, Filing Office, or email it to [eflexsupport@washoecourts.us](mailto:eflexsupport@washoecourts.us);
- 3) Request an account at <https://wcefex.washoecourts.com/>.

The image shows two overlapping sample pages of the "eFile User Agreement (Standard)" form. The top page is the front cover, featuring the logo of the Second Judicial District Court, Washoe County, State of Nevada. The text on the front cover includes the title "eFILE USER AGREEMENT (Standard)" and a brief introduction stating that it serves as the user agreement with the court for e-filing. The bottom page contains the terms of the agreement, including a list of acknowledgments and consent to the following: submitting filings electronically, understanding of account deactivation, electronic signatures, and acceptance of electronic notices. Below the terms are fields for "Attorney or Person Name", "Bar ID", "Law Firm", "Interpreter needed", "eFlex Email Address", "Alternate eFlex Email Address", "Mailing Address", "City", "State", "Zip Code", "Phone Number", and "Fax Number". A signature line and date field are also present. A footer note states: "To become a registered eFlex account holder, you must request an account online at https://wcefex.washoecourts.com and click on the 'Request an Account' button. Next, print out this form, complete and sign, and deliver the link-signed copy to the Second Judicial District Court Filing Office, 75 Court Street, Reno, NV 89501. Upon completion of your account request AND receipt of the signed eFile User Agreement, your electronic request for a user account will be approved. You will be notified by email and be able to login with your user name and requested password within three (3) working days." Both pages are dated "Revised February 17, 2017".

If you need further assistance signing up for an account, please visit the Filing Office or Law Library at 75 Court Street, Reno, Nevada, or the Self Help Center at 1 S. Sierra Street, Reno, Nevada.

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## INSTRUCTIONS: STEP 2

### Complete the Family Court Information Sheet as Shown:

1) Print the name of your spouse.

2) Print your name.

4) Print your name and your spouse's name, social security number(s), and date(s) of birth. Print "do not have" if one or both of you do not have a social security number.

**STOP HERE**  
There is no need to complete the rest of this form because your spouse and you have no minor children.

3) Print the Case No. and Department No. from the complaint you received.

1 IN THE FAMILY  
2 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF  
3 IN AND FOR THE COUNTY OF WASHOE

4 Plaintiff/Petitioner,  
5 vs.  
6 Defendant/Respondent.

7

8 Name: \_\_\_\_\_ Name: \_\_\_\_\_  
9 Social Security #: \_\_\_\_\_ Social Security #: \_\_\_\_\_  
10 Date of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

11 Residential Address: \_\_\_\_\_ Residential Address: \_\_\_\_\_

12 Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

13 City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

14 Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_

15 Are you employed? YES [ ] NO [ ] Are you employed? YES [ ] NO [ ]  
16 Name of Employer: \_\_\_\_\_ Name of Employer: \_\_\_\_\_

17 Business Address: \_\_\_\_\_ Business Address: \_\_\_\_\_

18 City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_

19 Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_

20 Driver's License #: \_\_\_\_\_ Driver's License #: \_\_\_\_\_

21 Date of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

23 CHILDREN INVOLVED IN THIS CASE  
24 Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_  
25 Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_  
26 Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_  
27 Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_

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

Does this case involve family violence: [ ] Yes [ ] No  
Are you requesting Child Support Enforcement Services 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 Answer and Counterclaim as Shown:

1) Print your name, address, telephone number, and email.

2) Print the name of your spouse.

3) Print your name.

5) Complete pages 1-7, following the instructions on each page.

1 Code: 1137  
2 Name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 Telephone: \_\_\_\_\_  
5 Email: \_\_\_\_\_  
6 Self-Represented Litigant

7 IN THE FA  
8 OF THE SECOND JUDICIAL DISTRI  
9 IN AND FOR THE COUNTY OF WASH  
10 Case No. \_\_\_\_\_  
11 Dept. No. \_\_\_\_\_  
12 Plaintiff / Petitioner,  
13 vs.  
14 Defendant / Respondent.

15  
16 ANSWER TO COMPLAINT FOR DIVORCE AND COUNTERCLAIM  
17  
18 ANSWER  
19 Admit  
20 List the paragraph(s) in the Complaint with which you agree.  
21  
22 A. I admit the allegations in Paragraph(s) \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_  
27 \_\_\_\_\_  
28 If more room is needed, attach additional sheets.

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4) Print the Case No. and Department No. from the complaint you received.

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## INSTRUCTIONS: STEP 4

### Complete the General Financial Disclosure Form as Shown:

1) Print your name, address, telephone number, and email.

2) Print your spouse's name.

3) Print your name.

5) Answer all of the questions on each page of the document.

MISC  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Attorney for \_\_\_\_\_  
Nevada State Bar No. \_\_\_\_\_

Second Judicial District Court  
Washoe County, Nevada

4) Print the Case No. and Department No. from the complaint you received.

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

Plaintiff, \_\_\_\_\_  
vs. \_\_\_\_\_  
Defendant. \_\_\_\_\_

**GENERAL FINANCIAL DISCLOSURE FORM**

**A. Personal Information:**

1. What is your full name? (*first, middle, last*) \_\_\_\_\_  
2. How old are you? \_\_\_\_\_ 3. What is your date of birth? \_\_\_\_\_  
4. What is your highest level of education? \_\_\_\_\_

**B. Employment Information:**

1. Are you currently employed/ self-employed? ( check one)  
 No  
 Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? ( check one)  
 No  
 Yes If yes, what is your level of disability? \_\_\_\_\_  
What agency certified you disabled? \_\_\_\_\_  
What is the nature of your disability? \_\_\_\_\_

**C. Prior Employment:** If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: \_\_\_\_\_ Date of Hire: \_\_\_\_\_ Date of Termination: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_

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## INSTRUCTIONS: STEP 5

### Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and at the Second Judicial District Court.

If you have not done so, you will need to sign up for an eFlex account and turn in the EFile User Agreement (*see INSTRUCTIONS: STEP 1*), to the Filing Office located at 75 Court Street or email to [eflexsupport@washoecourts.us](mailto:eflexsupport@washoecourts.us).

Sign into your eFlex account using the username and password you created and electronically file the:

- Family Court Information Sheet;
- Answer and Counterclaim and any exhibits; and
- General Financial Disclosure form.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Second Judicial District Court.

There may be a filing fee charged when documents are filed. Fee information is available at the Filing Office and online at: [www.washoecourts.com](http://www.washoecourts.com).

#### **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 **Application for Waiver of Fees and Costs packet**, which may be obtained at the following locations:

- Family Division Self Help Center, 1 South Sierra Street, Reno, NV, First Floor
- Law Library or Filing Office, 75 Court Street, Reno, NV, First Floor
- Protection Order Help Center, 1 South Sierra Street, Reno, NV, Third Floor
- Online at: [www.washoecourts.com](http://www.washoecourts.com) (select the “Forms & Packets” tab on the top right hand side of the home screen)



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### INSTRUCTIONS: STEP 6

#### **Setting a Case Management Conference**

You must have a case management conference. If one was not set by your spouse when filing the complaint, you need to set one by filling out and filing the **F-1 Notice to Set** packet. The notice to set packet can be found at the Self Help Center, Law Library, Filing Office, or on our website at [www.washoecourts.com](http://www.washoecourts.com), under the Forms and Packets tab.

### INSTRUCTIONS: STEP 7

#### **Serving the Documents**

Once a document has been electronically filed, a Notice of Electronic Filing will be automatically generated and sent to any electronic filers in the case. All electronic filers have agreed to accept the notice as valid and effective service. This replaces the need for paper service.

If the other party has not yet signed up for electronic filing, or you do not know whether the other party is an electronic filer, please contact the Self Help Center. **Additional steps are required to complete service if the other party is not an electronic filer.**

The Notice of Electronic Filing does not replace the Proof of Service (*see* INSTRUCTIONS: STEP 8).

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## INSTRUCTIONS: STEP 8

### Complete the Proof of Service as Shown:

This form must be completed by the person who serves the documents.

1) Print your name, address, telephone number, and email.

2) Print the names of the parties, the Case No. and Department No. just as they appear in all other documents in this case.

3) Print the name of the person served, and the date served.

4) Mark the box for how they were served. If serving by personal service, certified mail, or postage prepaid, write the address of where service was made.

5) The person who serves the document(s) must date, sign, and print their name.

1	Code: 3720
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
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	<u>PROOF OF SERVICE</u>
14	I served a true and correct copy of ANSWER AND COUNTERCLAIM, GENERAL
15	FINANCIAL DISCLOSURE FORM, and FAMILY COURT INFORMATION SHEET upon the
16	following people:
17	1. Name: _____ Date: _____
18	By: <input type="checkbox"/> Service by eFlex <input type="checkbox"/> Personal Service
19	<input type="checkbox"/> Certified mail, return receipt attached <input type="checkbox"/> U.S. Mail, postage prepaid
20	<input type="checkbox"/> Other: _____
21	Address where service occurred, if applicable: _____
22	If more room is needed, attach additional sheets.
23	A copy of this Proof of Service has been electronically served, mailed, or personally delivered
24	to all parties or their lawyer.
25	This document does not contain the personal information of any person as defined by
26	NRS 603A.040.
27	Date: _____ Your Signature: _____
28	Print Your Name: _____
	REV 9/2018 JCB 1 AC1 PROOF OF SERVICE

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INSTRUCTIONS: STEP 9

## **Filing the Proof of Service**

After service is completed, you must file the proof of service with the court. See INSTRUCTIONS: STEP 6. There will not be a filing fee for the proof of service.

Without proof of service on the other party, the court cannot consider your answer.

INSTRUCTIONS: STEP 10

## **Time to Respond**

Your spouse has 21 days to respond, starting the day after being served. If you served your spouse by mail, your spouse has 24 days to respond.

Your documents are not filed until any filing fees are paid.

If your spouse does not respond within that time period, you may move for default on the counterclaim. A default packet is available at the Filing Office, Law Library, Self Help Center, or online at [www.washoecourts.com](http://www.washoecourts.com).

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## SOME DEFINITIONS OF TERMS USED IN THE PETITION FOR DIVORCE

**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:** Money that either spouse, by court order, pays to the other person for support either while they are separated or after they are divorced.

### Community

**Debts:** Usually, any amount owed by either spouse, or both of them that was contracted or came due during the marriage. It often does not matter if the debt is in one or both names.

### Community

**Property:** Usually anything acquired by either spouse, or both of them, during marriage. It often does not matter if the property is owned in one or both names.

**Residency:** Nevada law requires that a divorce case be granted only if one of the spouses, or both of them, was physically present in the State of Nevada for at least six weeks immediately before the Joint Petition for Divorce is filed with the court. An additional requirement is that one spouse, has been in Nevada for six weeks and must intent to continue to live in Nevada for the foreseeable future.

### Resident

**Witness:** Any adult resident of the State of Nevada, other than one of the spouses, who knows and can swear that either spouse was physically present in the State of Nevada for at least six weeks immediately before the Joint Petition for Divorce is filed with the court.

### Request for

**Submission:** No paper filed with the court is seen by the judge until a request for submission is filed with the court.

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## **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.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or visit the Family Division Self Help Center which is located at One South Sierra Street, Reno, NV. **The Self Help Center cannot give legal advice** but can give information regarding court procedures.

You may also wish to speak with a family law lawyer at no cost through the Law Library's "Lawyer in the Library" program, or to seek assistance from other free or reduced-cost legal resources in the area, to include:

### **LAWYER IN THE LIBRARY**

First Floor (to the left of the filing office) of the courthouse located at:  
75 Court Street, Reno, NV.  
(775) 328-3250

**[www.washoecourts.com/lawlib](http://www.washoecourts.com/lawlib)**

Tuesday Evenings - Arrive by 4:25 p.m.

\*Please Note\* The program is limited to 10 participants each evening.

### **NEVADA LEGAL SERVICES**

204 Marsh Avenue Reno, NV 89509  
(775) 284-3491 – leave message if  
necessary

**<http://www.nslaw.net>**

### **WASHOE LEGAL SERVICES**

299 S. Arlington Avenue Reno, NV 89501  
(775) 329-2727 – leave message if  
necessary

**<http://www.washoelegalservices.org>**