

**PETITION
TO ESTABLISH CUSTODY
AND VISITATION**

D-8

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731

www.washoecourts.com

PETITION TO ESTABLISH CUSTODY AND VISITATION

PACKET D-8

Use this petition to establish custody and visitation packet only if the following statement is 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.

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. EFile User Agreement (Standard)
2. Family Court Information Sheet
3. Petition to Establish Custody and Visitation
 - a. Appendix A: Child Custody Schedule
 - b. Appendix B: Child Support Worksheet
4. General Financial Disclosure Form
5. Summons
6. Declaration of Personal Service
7. 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.

INSTRUCTIONS: STEP 1

If you already have an eFlex account for a different case, you do not need to create another account and can skip this step.

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.

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 Second Judicial District Court, or email it to eflexsupport@washocourts.us; and
- 3) Request an account at <https://wceflex.washocourts.com/>.

<p>SECOND JUDICIAL DISTRICT COURT</p>  <p>WASHOE COUNTY STATE OF NEVADA</p> <p>EFILE USER AGREEMENT (Standard)</p> <p>This serves as your eFile User Agreement with the Second Judicial District Court for the purpose of registering an account to permit eFiling of court case documents using the eFlex Electronic Filing System (eFlex). Currently, this account will be subject to a \$0.00 fee per transaction. This agreement will expire at the end of two years unless the account is renewed. Accounts may be renewed online at www.washocourts.com.</p> <p>By registering for an eFlex account I agree and consent to the following:</p> <ul style="list-style-type: none">I will submit court filings electronically through eFlex on court cases for which I am an active party or a record, or an officer of the Court filing documents in my official capacity.As a registered eFlex account holder, I cannot deactivate my email address without filing a Written Notice of Intent to change my email address with the District Court. This Written Notice of Intent must include my bar number and a list of all pending court matters. Also included must be an acknowledgment that all attorneys of record on those pending matters have been notified of my new email address. I understand that it is my responsibility to keep my email address updated on my eFlex account profile.I understand that once my eFlex account is deactivated, I will no longer be able to electronically eFile any documents using my account and will receive eFlex electronic service. Furthermore, I will no longer have access to court records through my eFlex account.Electronic signatures (e.g. /s) are permissible on electronically filed documents submitted from the eFlex account. (See Nevada Electronic Filing and Conversion Rules, Rule 11).I will accept eFile electronic notices sent to my email on file with eFlex as a valid and effective service of eFiled documents replacing the need for paper service. Electronic service of documents is limited to documents permitted to be served by mail, express mail, overnight delivery, or facsimile transmission. Complaint, petition or other document that must be served with a summons, and summons or a subpoena cannot be served electronically.I agree to the terms of the license agreement as stated by Tiberia on the court's eFlex website under "Terms of Use" and "Privacy Policy" when registering for an eFlex account and pressing the submit button.I understand that email addresses supplied by the registered user via the username/password activation through "eFlex Account" supersede the court's case management system for the purpose of data and effective service of eFiled documents. I understand that it is my responsibility to keep my email address updated on my eFlex account profile.I agree to file the proper motion to withdraw/notice of change/substitution of counsel/notice of termination (whichever applies) into each of my cases when ever I depart from an agency, office, or I or cease to represent a party in any case, or cease to be an eFlex user within 10 days of any such change. If known, I will designate the new attorney and/or e-File contact on each case. Further, I will separate the Clerk of Court of any employment change which will globally affect all or a majority of my cases. <p>Revised September 26, 2018</p>	<ul style="list-style-type: none">I Acknowledge receipt, understanding and agree to follow the Nevada Electronic Filing and Conversion Rules (EFCR).I understand if a party submits a proposed Order and the Order is eFiled by the Court, ONLY eFlex account holders will be served by the Court. I understand all other parties must be served by the party who submitted the proposed Order by other means.I understand as a registered eFlex account holder, I will only have access to documents in court cases for which I am an active party or attorney of record. In the event that I inadvertently obtain access to unauthorized information on any case, I will immediately notify the Court Administrator/Clerk of Court, the presiding judicial officer and all active attorneys on that specific case. I will take every precaution to shield myself and all members of my firm from viewing, downloading or disseminating any unauthorized information. I will delete and destroy immediately any unauthorized information that I inadvertently obtain.I understand any violation of the terms of this agreement may result in sanctions imposed by the Court. <p>Attorney or Person Name: _____ If an attorney, Bar ID: _____ Law Firm: _____ If not an attorney, DOB: _____ Interpreter needed: <input type="checkbox"/> Yes or <input type="checkbox"/> No Language: _____ If not an attorney, Case number(s): _____ eFlex Email Address: _____ 1st Alternate eFlex Email Address: _____ 2nd Alternate eFlex Email Address: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number: _____ Fax Number: _____ Designated eFlex contact person: _____</p> <p>I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.</p> <p>Date: _____ Signature of Attorney/Person Agency Signatory: _____</p> <p>Check one: <input type="checkbox"/> Renewal of Standard Account: follow online instructions at http://www.washocourts.com/index.cfm?page=eFlex <input type="checkbox"/> New Standard Account</p> <p><small>To become a registered eFlex account holder, you must request an account online at https://wceflex.washocourts.com and click on the "Request an Account" button. Next, print out this form, complete and sign it and deliver the ink-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.</small></p> <p>Translated/Interpreted by (if applicable): _____ Print Name _____ Signature _____</p> <p>Revised September 26, 2018</p>
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If you need further assistance signing up for an account, please contact the Resource Center at 775-325-6731.

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 you on the left-hand side and the other parent's on the right hand side. 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 Resource Center will give you a Case No. and Department No. when you file the petition with the court.

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

4 _____
 5 Plaintiff/Petitioner,
 6 vs.
 7 _____
 8 Defendant/Respondent.

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

10 IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:

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 []
 Name of Employer: _____ Name of Employer: _____
 16 Business Address: _____ Business Address: _____
 17 City, State, Zip: _____ City, State, Zip: _____
 18 Telephone #: _____ Telephone #: _____
 19 Driver's License #: _____ Driver's License #: _____
 Date of Birth: _____ Date of Birth: _____
 20 Ethnicity: [] White (Not Hispanic) Ethnicity: [] White (Not Hispanic)
 [] African-American [] Hispanic [] African-American [] Hispanic
 21 [] Asian or Pacific Islander [] Asian or Pacific Islander
 [] Native American/Alaskan Native [] Other [] Native American/Alaskan Native [] Other

22 CHILDREN INVOLVED IN THIS CASE
 23 Name: _____ SSN: _____ DOB: _____
 24 Name: _____ SSN: _____ DOB: _____
 25 Name: _____ SSN: _____ DOB: _____
 26 Name: _____ SSN: _____ DOB: _____
 27 If there are more than five children, list their names on a separate sheet of paper and attach.

28 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.

INSTRUCTIONS: STEP 3

Complete the Petition to Establish Custody and Visitation as Shown:

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

1 Code: \$3609
 Name: _____
 Address: _____
 3 Telephone: _____
 4 Email: _____
 Self-Represented Litigant

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

2) Print your name.

Plaintiff/Petitioner,

Case No. _____

3) Print the other parent's name.

vs.

Dept. No. _____

Defendant/Respondent.

PETITION TO ESTABLISH CUSTODY AND VISITATION

4) Complete pages 1 - 17, following the instructions on each page.

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

-OR-

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

//
 //
 //
 //
 //

INSTRUCTIONS: STEP 3a

Child Custody Schedules

Please review Appendix A: Custody Schedules.

These example schedules can assist you in filling out the petition. They do not need to be filed with the court. However, you may do so if you would like.



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
						

Custody Schedules

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

Option A: 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 (7) days) with you and then the following week they will spend one week (seven (7) 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(ren).



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

Option A: 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 B: Rotating 2/2/3 (Joint Physical Custody)

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

Example provided on the next page (exchanges taking place in the a.m. OR pm (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 B: Rotating 2/2/3 Custody Schedule (AM Drop Off)						
					Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	[Hatched]		[Solid]		[Hatched]	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Hatched]	[Solid]		[Hatched]	[Hatched]	[Solid]	[Solid]
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Solid]	[Hatched]	[Hatched]		[Solid]	[Hatched]	[Hatched]
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Hatched]	[Solid]	[Solid]	[Hatched]	[Hatched]	[Solid]	[Solid]

Option B: Rotating 2/2/3 Custody Schedule (PM Drop Off)						
					Friday	Saturday
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		[Hatched]		[Solid]	[Solid]	[Hatched]
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		[Solid]	[Solid]	[Hatched]	[Hatched]	[Solid]
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Solid]	[Solid]	[Hatched]	[Hatched]	[Solid]	[Solid]	[Hatched]
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
[Hatched]	[Hatched]	[Solid]	[Solid]	[Hatched]	[Hatched]	[Solid]

INSTRUCTIONS: STEP 3b

Calculating Child Support

Appendix B does not need to be filed with the Court.

APPENDIX B

Gross Monthly Income (GMI)

The first step in determining child support is calculating your Gross Monthly Income, the amount of money you make each month *before taxes are deducted*.

Gross Monthly Income includes money received from employment, social security, unemployment benefits, pension/retirement, interest/investments, etc. Gross Monthly Income DOES NOT include SSI, SNAP, TANF, cash benefits from the county, or child support received. For a full list of incomes included in Gross Monthly Income look at NAC425.

To calculate your Gross Monthly Income from employment, use one of the tables below:

Parent 1

Annual Income	\$
÷ by 12 months =	\$
Employment GMI	

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Weekly Income	\$
x52 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Hourly Wage	\$
# of hours worked per week	
hourly wage x hours worked per week	\$
x52 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Parent 2

Annual Income	\$
÷ by 12 months =	\$
Employment GMI	

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Weekly Income	\$
x52 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Hourly Wage	\$
# of hours worked per week	
hourly wage x hours worked per week	\$
x52 weeks	\$
÷ by 12 months =	\$
Employment GMI	

Copy the amount of GMI from Employment for each parent into the table on the following page.

REV 1/17/2020 JDB

Child Support Worksheet

- Use this work sheet to help you calculate the child support.

APPENDIX B

Gross Monthly Income (GMI)

The first step in determining child support is calculating your Gross Monthly Income, the amount of money you make each month *before taxes are deducted*.

Gross Monthly Income includes money received from employment, social security (*Not SSI*), unemployment benefits, pension/retirement, interest/investments, etc. Gross Monthly Income DOES NOT include SSI, SNAP, TANF, cash benefits from the county, or child support received. *For a full list of incomes included in Gross Monthly Income please see NAC 425.*

To calculate your Gross Monthly Income from employment, use one of the tables below:

Parent 1

Annual Income	\$
÷ by 12 months = Employment GMI	\$

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months = Employment GMI	\$

Weekly Income	\$
x52 weeks	\$
÷ by 12 months = Employment GMI	\$

Hourly Wage	\$
# of hours worked per week	
hourly wage x hours worked per week	\$
x52 weeks	\$
÷ by 12 months = Employment GMI	\$

Parent 2

Annual Income	\$
÷ by 12 months = Employment GMI	\$

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months = Employment GMI	\$

Weekly Income	\$
x52 weeks	\$
÷ by 12 months = Employment GMI	\$

Hourly Wage	\$
# of hours worked per week	
hourly wage x hours worked per week	\$
x52 weeks	\$
÷ by 12 months = Employment GMI	\$

Copy the amount of GMI from Employment for each parent into the table on the following page.

Now that you have determined the GMI from employment, add any money you receive each month from social security, unemployment benefits, pension/retirement, interest/investments, etc. Use the table below to find your Total Gross Monthly Income.

Parent 1

Parent 2

Employment GMI:	\$
Social Security:	\$
Unemployment:	\$
Pension/Retirement:	\$
Interest/Investments:	\$
Other:	\$
TOTAL GMI:	\$

Employment GMI:	\$
Social Security:	\$
Unemployment:	\$
Pension/Retirement:	\$
Interest/Investments:	\$
Other:	\$
TOTAL GMI:	\$

You should now have your Total Gross Monthly Income. If you or the other parent's Total Gross Monthly Income is less than \$1,883 a month, use the **Low-Income** Child Support Schedule below to complete the following pages. Please continue to the next page.

Low-Income Child Support Schedule
Child Support Obligation of Low-Income Payers
at 75% to 150% of the 2024 Federal Poverty Guidelines

Monthly Income Up To	One Child		Two Children		Three Children		Four Children		Five Children	
	Percent	Child Support Amount	Percent	Child Support Amount	Percent	Child Support Amount	Percent	Child Support Amount	Percent	Child Support Amount
\$941	10.56%	\$99	14.52%	\$137	17.16%	\$162	18.48%	\$174	19.80%	\$186
\$975	10.75%	\$105	14.79%	\$144	17.48%	\$170	18.82%	\$183	20.16%	\$197
\$1,008	10.95%	\$110	15.05%	\$152	17.79%	\$179	19.16%	\$193	20.53%	\$207
\$1,042	11.14%	\$116	15.32%	\$160	18.11%	\$189	19.50%	\$203	20.89%	\$218
\$1,076	11.34%	\$122	15.59%	\$168	18.42%	\$198	19.84%	\$213	21.26%	\$229
\$1,109	11.53%	\$128	15.86%	\$176	18.74%	\$208	20.18%	\$224	21.62%	\$240
\$1,143	11.73%	\$134	16.12%	\$184	19.05%	\$218	20.52%	\$235	21.99%	\$251
\$1,177	11.92%	\$140	16.39%	\$193	19.37%	\$228	20.86%	\$245	22.35%	\$263
\$1,210	12.11%	\$147	16.66%	\$202	19.69%	\$238	21.20%	\$257	22.71%	\$275
\$1,244	12.31%	\$153	16.92%	\$211	20.00%	\$249	21.54%	\$268	23.08%	\$287
\$1,277	12.50%	\$160	17.19%	\$220	20.32%	\$260	21.88%	\$279	23.44%	\$299
\$1,311	12.70%	\$166	17.46%	\$229	20.63%	\$271	22.22%	\$291	23.81%	\$312
\$1,345	12.89%	\$173	17.73%	\$238	20.95%	\$282	22.56%	\$303	24.17%	\$325
\$1,378	13.09%	\$180	17.99%	\$248	21.26%	\$293	22.90%	\$316	24.54%	\$338
\$1,412	13.28%	\$187	18.26%	\$258	21.58%	\$305	23.24%	\$328	24.90%	\$352
\$1,445	13.47%	\$195	18.53%	\$268	21.90%	\$317	23.58%	\$341	25.26%	\$365
\$1,479	13.67%	\$202	18.79%	\$278	22.21%	\$329	23.92%	\$354	25.63%	\$379
\$1,513	13.86%	\$210	19.06%	\$288	22.53%	\$341	24.26%	\$367	25.99%	\$393
\$1,546	14.06%	\$217	19.33%	\$299	22.84%	\$353	24.60%	\$380	26.36%	\$408
\$1,580	14.25%	\$225	19.60%	\$310	23.16%	\$366	24.94%	\$394	26.72%	\$422
\$1,614	14.45%	\$233	19.86%	\$321	23.47%	\$379	25.28%	\$408	27.09%	\$437
\$1,647	14.64%	\$241	20.13%	\$332	23.79%	\$392	25.62%	\$422	27.45%	\$452
\$1,681	14.83%	\$249	20.40%	\$343	24.11%	\$405	25.96%	\$436	27.81%	\$468
\$1,714	15.03%	\$258	20.66%	\$354	24.42%	\$419	26.30%	\$451	28.18%	\$483
\$1,748	15.22%	\$266	20.93%	\$366	24.74%	\$432	26.64%	\$466	28.54%	\$499
\$1,782	15.42%	\$275	21.20%	\$378	25.05%	\$446	26.98%	\$481	28.91%	\$515
\$1,815	15.61%	\$283	21.47%	\$390	25.37%	\$461	27.32%	\$496	29.27%	\$531
\$1,849	15.81%	\$292	21.73%	\$402	25.68%	\$475	27.66%	\$511	29.64%	\$548
\$1,883	16.00%	\$301	22.00%	\$414	26.00%	\$489	28.00%	\$527	30.00%	\$565

Child Support Worksheet

① Parent 1's Information

Gross monthly income (GMI) includes: employment income, including consistent overtime; interest and investment income; Social Security old-age insurance benefits and disability benefits (SSD), but not supplemental security income (SSI); alimony; military allowances; periodic payments from a pension or retirement plan; and unemployment benefits.

How much is Parent 1's gross monthly income? \$ _____

Ⓐ If Parent 1's gross monthly income is less than \$1,883, use the attached low-income child support schedule to identify Parent 1's child support obligation. \$ _____

If Parent 1's gross monthly income is less than \$1,883, stop here, and go to line ③.

Ⓑ Multiply the amount of Parent 1's gross monthly income which is more than \$1,883 but less than \$6,000 by

.16 (for 1 child)

.22 (for 2 children)

.26 (for 3 children)

.28 (for 4 children)

Add .02 for each additional child \$ _____

Ⓒ Multiply the amount of Parent 1's gross monthly income which is more than \$6,000 but less than \$10,000 by

.08 (for 1 child)

.11 (for 2 children)

.13 (for 3 children)

.14 (for 4 children)

Add .01 for each additional child \$ _____

Ⓓ Multiply the amount of Parent 1's gross monthly income which is more than \$10,000 by

.04 (for 1 child)

.06 (for 2 children)

.06 (for 3 children)

.07 (for 4 children)

Add .005 for each additional child \$ _____

Parent 1's child support obligation (Add lines B, C, and D) \$ _____

② Parent 2's Information

Gross monthly income (GMI) includes: employment income, including consistent overtime; interest and investment income; Social Security old-age insurance benefits and disability benefits (SSD), but not supplemental security income (SSI); alimony; military allowances; periodic payments from a pension or retirement plan; and unemployment benefits.

How much is Parent 2's gross monthly income? \$ _____

Ⓐ If Parent 2's gross monthly income is less than \$1,883, use the attached low-income child support schedule to identify Parent 2's child support obligation. \$ _____

If Parent 2's gross monthly income is less than \$1,883, stop here, and go to line ③.

Ⓑ Multiply the amount of Parent 2's gross monthly income which is more than \$1,883 but less than \$6,000 by

- .16 (for 1 child)
- .22 (for 2 children)
- .26 (for 3 children)
- .28 (for 4 children)
- Add .02 for each additional child \$ _____

Ⓒ Multiply the amount of Parent 2's gross monthly income which is more than \$6,000 but less than \$10,000 by

- .08 (for 1 child)
- .11 (for 2 children)
- .13 (for 3 children)
- .14 (for 4 children)
- Add .01 for each additional child \$ _____

Ⓓ Multiply the amount of Parent 2's gross monthly income which is more than \$10,000 by

- .04 (for 1 child)
- .06 (for 2 children)
- .06 (for 3 children)
- .07 (for 4 children)
- Add .005 for each additional child \$ _____

Parent 2's child support obligation (Add lines B, C, and D) \$ _____

③ **Joint Physical Custody.** Only fill out this section if you are asking for joint physical custody. Skip to ④ if one parent is to be awarded primary physical custody.

Subtract the lower earning parent's child support obligation from the higher earning parent's child support obligation.

	Higher		
	\$ _____		
-			
	Lower		
	\$ _____		
	Child Support Obligation	paid by	Name of higher income parent:
	\$ _____		_____

④ **Adjustments.** (complete all that apply)

- If Parent 1 wants primary or sole physical custody, the court uses the number in ⑥ as the standard amount of child support Parent 2 would pay.
- If Parent 2 wants to have primary or sole physical custody, the court uses the number in ⑥ as the standard amount of child support Parent 1 would pay.
- If you want both parents to have joint physical custody, the court uses the number in ③ as the standard amount of child support.

Adjustment Factors	Amount -/+
Any special education needs of the child	\$ _____
A parent's legal responsibility to support others	\$ _____
Value of services contributed by either parent	\$ _____
Any public assistance paid to support the child	\$ _____
Cost of transportation of the child to and from visitation	\$ _____
The relative income of both households.	\$ _____
The obligor's ability to pay	\$ _____
Any other necessary expenses for the benefit of the child(ren)	\$ _____
Total Deviations	\$ _____

⑤ **Final Child Support Amount Requested:**

\$ _____ paid by (*name*) _____

INSTRUCTIONS: STEP 4

Complete the General Financial Disclosure Form as Shown:

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

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

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

Second Judicial District Court
 Washoe County, Nevada

2) Print your name.

_____	Case No. _____
Plaintiff / Petitioner,	Dept. _____
vs.	

Defendant / Respondent.	

3) Print the other parent's name.

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: _____

4) Answer all of the questions on each page of the form.

INSTRUCTIONS: STEP 5

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, at the Law Library and the Resource Center.

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 Second Judicial District Court, or email to eflexsupport@washoecourts.us.

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

- Family Court Information Sheet;
- Petition to Establish Custody and Visitation;
- 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 in the Law Library and the Resource Center.

There may be a filing fee charged when documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

FILING FEE WAIVERS

If you cannot afford the fee, you may apply to have it waived. To apply, you must fill out and file the **Application for Waiver of Fees and Costs packet**, which you can get at:

- Resource Center, 1 South Sierra Street, Reno, NV, Third Floor
- Law Library, 75 Court Street, Reno, NV, First Floor
- Online at: www.washoecourts.com (select the “Forms and Packets” tab on the right-hand side of the home screen)

INSTRUCTIONS: STEP 6

Complete the Summons as Shown:

1) Print your names just as they appear on all other documents in this case. You will also print the Case No. and Department No. that were assigned to you.

2) Print "Petition to Establish Custody and Visitation" as the object of this action.

3) Print your name, address, phone number, and email address.

1	Code: 4085
2	IN THE FAMILY DIVISION OF THE
3	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
4	IN AND FOR THE COUNTY OF WASHOE
5	_____
6	Plaintiff / Petitioner / Joint Petitioner,
7	vs. Case No. _____
8	Dept. No. _____
9	_____
10	Defendant / Respondent / Joint Petitioner.
11	<u>SUMMONS</u>
12	TO THE DEFENDANT: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU <u>RESPOND IN WRITING WITHIN 21 DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.</u>
13	A civil complaint or petition has been filed by the plaintiff(s) against you for the relief as set forth in that document (see complaint or petition). When service is by publication, add a brief statement of the object of the action.
14	
15	
16	The object of this action is: _____
17	1. If you intend to defend this lawsuit, you must do the following within 21 days after service of this summons, exclusive of the day of service:
18	a. File with the Clerk of the Court, whose address is shown below, a formal written answer to the complaint or petition, along with the appropriate filing fees, in accordance with the rules of the Court, and;
19	b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.
20	2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint or petition.
21	
22	
23	Dated this _____ day of _____, 20_____.
24	Issued on behalf of Plaintiff(s): JACQUELINE BRYANT
25	CLERK OF THE COURT
26	Name: _____ By: _____
27	Address: _____ Deputy Clerk
28	Phone Number: _____ Second Judicial District Court
	Email: _____ 75 Court Street
	Reno, Nevada 89501
	1
	REV 2/2019 JDB
	SUMMONS

INSTRUCTIONS: STEP 7

Getting the Summons Issued

You will need to bring the Summons to the Resource Center or mail a copy of the Summons to the Filing Office using the following address:

75 Court Street
Reno, Nevada 89501
Attention Mail Desk

Once received, a filing clerk will issue the Summons by dating and signing the Summons and placing an embossed seal.

If you bring in the Summons in person, the Summons will be immediately returned to you.

If you mail in the Summons, you will receive the issued Summons back in the mail.

You will need to make a copy of the Summons to serve the other parent with.

Copy machines are available at the Law Library located on the first floor of the courthouse at 75 Court Street, Reno, NV. There is a per page charge to use the copy machine. Cash only.

INSTRUCTIONS: STEP 8

Setting a Case Management Conference

You must set a case management conference. The court will not automatically set one for you.

To set up your case management conference, you will need to contact the department in which your case will be heard. Once you have filed your documents, the Resource Center will assign you a case number and department. For contact information for each department, visit www.washoecourts.com/judges.

Alternatively, you can set a case management conference in person. To do so visit the Resource Center.

INSTRUCTIONS: STEP 9

Serving the Documents

The other parent **must be personally served** within 120 days after the summons is issued or your case may be dismissed. You must have the other parent personally served with the summons, petition, and all documents you have filed with the court other than an application for waiver of fees and costs or ex parte motion(s). The **original summons must be filed** with the court after service is completed.

Personal Service

Personal Service is completed by a person other than yourself by:

- handing a copy of the summons and petition along with all other documents you have filed with the court to the other parent; or
- leaving a copy at the other parent's home with a person of suitable age and discretion who lives there; or
- delivering a copy to an agent authorized to receive service (such as an attorney).

You cannot complete personal service. Service may be completed by:

- the Civil Division of the Sheriff's Office in the County in which the other parent resides or works; or
- a responsible adult over the age of 18 years (such as a friend or relative); or
- a private process service.

Service by Publication

If you are unable to serve the other parent, or do not know where the other parent is, you may electronically file an **Ex Parte Motion** requesting to serve the other parent by alternative service or by publishing in the newspaper. Contact the Resource Center for further information.

INSTRUCTIONS: STEP 10

Complete the Declaration of Personal Service as Shown:

The person who serves the other parent must complete this declaration (*see* Instructions: Step 9). **You cannot serve the other parent.**

The person who completes service must fill out the declaration and sign it. It is your responsibility to file the original summons and declaration of service with the court after service is completed.

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

2) Print your names just as they appear on all other documents in this case. You will also print the Case No. and Department No. that were assigned to you.

3) The person who served the document(s) must complete the declaration from this point forward.

4) The person who served the document(s) must sign, date, and print their information on page two of the declaration.

1	Code: 1520
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	_____
11	Plaintiff / Petitioner, Case No. _____
12	vs. Dept. No. _____
13	_____
14	Defendant / Respondent.
15	<u>DECLARATION OF PERSONAL SERVICE</u>
16	(To be filled out and signed by the person who served the Defendant or Respondent.)
17	I, _____, declare:
18	(Name of person who completed service)
19	1. I am not a party to this action and am over 18 years of age.
20	2. I am not a licensed process server; I am a natural person serving legal process without
21	compensation, not more than three times per year, on behalf of a litigant who is a natural
22	person, and therefore, I am not required to be licensed pursuant to NRS 648.063(2).
23	3. I was able to complete service.
24	4. I personally delivered and left the document(s) with:
25	<input type="checkbox"/> <u>The person to the case (Defendant / Respondent).</u> I served the document(s) on the
26	party at the location below.
27	_____
28	(Name of person served)

	(Street Address, City, State, and Zip Code of where served)
	REV 2/2019 JCB 1 DECLARATION OF PERSONAL SERVICE

INSTRUCTIONS: STEP 11

Filing the Summons and Declaration of Service

After service is completed, **you must file the original summons and declaration of service with the court.** Without proof of service on the other parent, the court cannot grant an order for custody and visitation.

The other parent has 21 days after the date of service in which to file an answer to the petition. If the other parent does not file an answer, please contact the Resource Center for further information regarding a **default packet.**

Legal Assistance Information

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 contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY

Sign up on our website:

<https://www.washoecourts.com/LawLibrary/LawyerInLibrary>

For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES

449 S. Virginia St.
Reno, NV 89501

775-284-3491 – leave a message, if
necessary

<https://nevadalegalservices.org>

NORTHERN NEVADA LEGAL AID

1 S. Sierra St., 1st Floor
Reno, NV 89501

775-321-2062 – leave a message, if
necessary

<https://nnlegalaid.org>

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.

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

- (a) Any special educational needs of the child;
- (b) The legal responsibility of the parties for the support of others;
- (c) The value of services contributed by either party;
- (d) Any public assistance paid to support the child;
- (e) The cost of transportation of the child to and from visitation;
- (f) The relative income of both households, so long as the adjustment does not exceed the total obligation of the other party;
- (g) Any other necessary expenses for the benefit of the child; and
- (h) The obligor's ability to pay.

2. The court may include benefits received by a child pursuant to 42 U.S.C. § 402(d) based on a parent's entitlement to federal disability or old-age insurance benefits pursuant to 42 U.S.C. §§ 401 to 433, inclusive, in the parent's gross income and adjust an obligor's child support obligation by subtracting the amount of the child's benefit. In no case may this adjustment require an obligee to reimburse an obligor for any portion of the child's benefit. NAC 425.150.

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
- (l) Any act of abduction. NRS 125C.0035(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**.

Counterclaim: A claim, similar to the **Petition**, filed by a Defendant/ Respondent, usually with the **Answer**.

Default: A procedure by which the **Plaintiff/Petitioner** is awarded whatever was requested in the **Petition** if the **Defendant/Respondent** 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 **Petition** is filed. See **Parties**.

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 has 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;
 - (8) Burglary;
 - (9) An invasion of the home.
- (f) False imprisonment
- (g) Pandering. NRS 33.018(1)

The provisions of this section do not apply to:

- (a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or
- (b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other. NRS 33.018(2)

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 divorce cases a **Financial Declaration** must be filed within 14 days after an **Answer** is filed and with any **Motion** asking for Child Support or Alimony. WDCR 40.

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, 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.

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 14 days to file and opposition to the motion. Then the party filing the motion has seven days to file a reply to the opposition. Thereafter, either party **must** submit the motion to the court for decision.

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

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 **Petition**. See **Parties**.

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 200.359.

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.

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/Respondent** with the **Complaint**. The **Summons** informs the **Defendant/Respondent** 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**.