

**JOINT PETITION  
TO ESTABLISH CUSTODY  
AND VISITATION**

**D-9**

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

\*

**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. EFile User Agreement (Standard) x 2
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

*If both parties already have eFlex accounts, skip this step and move on to INSTRUCTIONS: STEP 2.*

### EFlex Account and EFile User Agreement:

Both parties will need to sign up for an eFlex account. There is no fee to sign up for a standard eFlex account. If either party already has an eFlex account for a different case, they do not need to create another account and can skip this step.

To sign up each party will need to:

- 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](mailto:eflexsupport@washocourts.us); and
- 3) Request an account at <https://wcefex.washocourts.com/>.

The image shows two overlapping document pages. The left page is the front of the 'EFILE USER AGREEMENT (Standard)' from the Second Judicial District Court, Washoe County, State of Nevada. It includes the court's logo and text explaining the purpose of the agreement and the terms of registration. The right page is the back of the agreement, featuring a list of terms and conditions, a signature line for the attorney or person, and a date field. A large, diagonal 'SAMPLE' watermark is overlaid across both pages.

If either party needs further assistance signing up for an account, please contact the Resource Center at 775-325-6731.

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## INSTRUCTIONS: STEP 2

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

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

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.

1 IN THE FA  
2 OF THE SECOND JUDICIAL DISTRICT  
3 IN AND FOR THE COUNTY OF WASHOE  
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Plaintiff/Petitioner,  
vs.  
Defendant/Respondent.

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

Name: \_\_\_\_\_ Social Security #: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Interpreter Needed?  YES  NO Interpreter Needed?  YES  NO  
Language: \_\_\_\_\_ Language: \_\_\_\_\_

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

Residential Address: \_\_\_\_\_ Residential Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_  
Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_  
Are you employed?  YES  NO Are you employed?  YES  NO  
Name of Employer: \_\_\_\_\_ Name of Employer: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_ City, State, Zip: \_\_\_\_\_  
Telephone #: \_\_\_\_\_ Telephone #: \_\_\_\_\_  
Driver's License #: \_\_\_\_\_ Driver's License #: \_\_\_\_\_  
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

**CHILDREN INVOLVED IN THIS CASE**

Name: \_\_\_\_\_ SSN: \_\_\_\_\_ DOB: \_\_\_\_\_  
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:  Yes  No  
Are you requesting Child Support Enforcement Services from the District Attorney's Office (IV-D) Services?  Yes  No

REV 9/17/19 KAL

This document contains the social security number of a person as required by NRS 123.130, 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:

You and the other parent will need to initial each section and sign this form.

For more assistance regarding custody schedules and child support calculations.  
See INSTRUCTIONS: STEP 3a & 3b.

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

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 - 15, following the instructions on each page.

1	Code: S3645/3645
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
13	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
14	IN AND FOR THE COUNTY OF WASHINGTON
15	Parent's Name, Case No. _____
16	and Dept. No. _____
17	Other Parent's Name, _____
18	Joint Petitioners. _____
19	
20	<u>JOINT PETITION TO ESTABLISH CUSTODY AND VISITATION</u>
21	
22	A. <input type="checkbox"/> The child(ren) have resided in and have been physically present in the State of Nevada for
23	the last six months.
24	—OR—
25	<input type="checkbox"/> 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 Resource Center will give you a Case No. and Department No. when you file the petition with the court.

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## 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






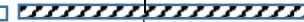











**Option B: Rotating 2/2/3 (Joint Physical Custody)**

















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).

<b>Option B: Rotating 2/2/3 Custody Schedule (AM Drop Off)</b>						
					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
						

<b>Option B: Rotating 2/2/3 Custody Schedule (PM Drop Off)</b>						
					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 C: Every Other Weekend (Primary Physical Custody)**

The other parent OR you will have more custodial time with the minor child(ren). On week one, the parent with primary physical custody will have the entire week (seven (7) days), on week two, the parent with primary physical custody will have approximately four days, with the other parent having approximately three days of visitation with the minor child(ren). This schedule will alternate weekly throughout the year.

Example provided on the next page (exchanges taking place on Friday afternoon, in some cases at school drop off, on exchange days). You can schedule an off week visitation for the noncustodial parent.



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



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

<b>Option C: Every Other Weekend</b>						
					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 D: Create your own.**

<b>Option D: Create your own.</b>						
					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

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## INSTRUCTIONS: STEP 3b

### Calculating Child Support

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

- 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*.

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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 please see NAC 425.

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

<u>Parent 1</u>		<u>Parent 2</u>	
Annual Income	\$	Annual Income	\$
÷ by 12 months =	\$	÷ by 12 months =	\$
<b>Employment GMI</b>		<b>Employment GMI</b>	
Biweekly Income	\$	Biweekly Income	\$
x26 weeks	\$	x26 weeks	\$
÷ by 12 months =	\$	÷ by 12 months =	\$
<b>Employment GMI</b>		<b>Employment GMI</b>	
Weekly Income	\$	Weekly Income	\$
x52 weeks	\$	x52 weeks	\$
÷ by 12 months =	\$	÷ by 12 months =	\$
<b>Employment GMI</b>		<b>Employment GMI</b>	
Hourly Wage	\$	Hourly Wage	\$
# of hours worked per week		# of hours worked per week	
hourly wage x hours worked per week	\$	hourly wage x hours worked per week	\$
x52 weeks	\$	x52 weeks	\$
÷ by 12 months =	\$	÷ by 12 months =	\$
<b>Employment GMI</b>		<b>Employment GMI</b>	

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

# 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 = <b>Employment GMI</b>	\$

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months = <b>Employment GMI</b>	\$

Weekly Income	\$
x52 weeks	\$
÷ by 12 months = <b>Employment GMI</b>	\$

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

### Parent 2

Annual Income	\$
÷ by 12 months = <b>Employment GMI</b>	\$

Biweekly Income	\$
x26 weeks	\$
÷ by 12 months = <b>Employment GMI</b>	\$

Weekly Income	\$
x52 weeks	\$
÷ by 12 months = <b>Employment GMI</b>	\$

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

**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**

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

**Parent 2**

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

You should now have your Total Gross Monthly Income. If you or the other parent's Total Gross Monthly Income is less than \$1,823 a month, use the **Low-Income** Child Support Schedule below to complete the following pages. Please continue to the next page.

**Child Support Obligation of Low-Income Payers  
at 75% to 150% of the 2023 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
\$911	10.56%	\$96	14.52%	\$132	17.16%	\$156	18.48%	\$168	19.80%	\$180
\$944	10.75%	\$101	14.79%	\$140	17.48%	\$165	18.82%	\$178	20.16%	\$190
\$976	10.95%	\$107	15.05%	\$147	17.79%	\$174	19.16%	\$187	20.53%	\$200
\$1,009	11.14%	\$112	15.32%	\$155	18.11%	\$183	19.50%	\$197	20.89%	\$211
\$1,041	11.34%	\$118	15.59%	\$162	18.42%	\$192	19.84%	\$207	21.26%	\$221
\$1,074	11.53%	\$124	15.86%	\$170	18.74%	\$201	20.18%	\$217	21.62%	\$232
\$1,107	11.73%	\$130	16.12%	\$178	19.05%	\$211	20.52%	\$227	21.99%	\$243
\$1,139	11.92%	\$136	16.39%	\$187	19.37%	\$221	20.86%	\$238	22.35%	\$255
\$1,172	12.11%	\$142	16.66%	\$195	19.69%	\$231	21.20%	\$248	22.71%	\$266
\$1,204	12.31%	\$148	16.92%	\$204	20.00%	\$241	21.54%	\$259	23.08%	\$278
\$1,237	12.50%	\$155	17.19%	\$213	20.32%	\$251	21.88%	\$271	23.44%	\$290
\$1,269	12.70%	\$161	17.46%	\$222	20.63%	\$262	22.22%	\$282	23.81%	\$302
\$1,302	12.89%	\$168	17.73%	\$231	20.95%	\$273	22.56%	\$294	24.17%	\$315
\$1,334	13.09%	\$175	17.99%	\$240	21.26%	\$284	22.90%	\$306	24.54%	\$327
\$1,367	13.28%	\$182	18.26%	\$250	21.58%	\$295	23.24%	\$318	24.90%	\$340
\$1,399	13.47%	\$189	18.53%	\$259	21.90%	\$306	23.58%	\$330	25.26%	\$354
\$1,432	13.67%	\$196	18.79%	\$269	22.21%	\$318	23.92%	\$343	25.63%	\$367
\$1,465	13.86%	\$203	19.06%	\$279	22.53%	\$330	24.26%	\$355	25.99%	\$381
\$1,497	14.06%	\$210	19.33%	\$289	22.84%	\$342	24.60%	\$368	26.36%	\$395
\$1,530	14.25%	\$218	19.60%	\$300	23.16%	\$354	24.94%	\$381	26.72%	\$409
\$1,562	14.45%	\$226	19.86%	\$310	23.47%	\$367	25.28%	\$395	27.09%	\$423
\$1,595	14.64%	\$233	20.13%	\$321	23.79%	\$379	25.62%	\$409	27.45%	\$438
\$1,627	14.83%	\$241	20.40%	\$332	24.11%	\$392	25.96%	\$422	27.81%	\$453
\$1,660	15.03%	\$249	20.66%	\$343	24.42%	\$405	26.30%	\$437	28.18%	\$468
\$1,692	15.22%	\$258	20.93%	\$354	24.74%	\$419	26.64%	\$451	28.54%	\$483
\$1,725	15.42%	\$266	21.20%	\$366	25.05%	\$432	26.98%	\$465	28.91%	\$499
\$1,757	15.61%	\$274	21.47%	\$377	25.37%	\$446	27.32%	\$480	29.27%	\$514
\$1,790	15.81%	\$283	21.73%	\$389	25.68%	\$460	27.66%	\$495	29.64%	\$530
\$1,823	16.00%	\$292	22.00%	\$401	26.00%	\$474	28.00%	\$510	30.00%	\$547

# 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 \$1,823, 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 \$1,823, stop here, and go to line ③.

Ⓑ Multiply the amount of Parent 1's gross monthly income which is more than \$1,823 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 \$1,823, 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 \$1,823, stop here, and go to line ③.

**Ⓑ** Multiply the amount of Parent 2's gross monthly income which is more than \$1,823 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*) \_\_\_\_\_

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## INSTRUCTIONS: STEP 4

### Complete the Request For Submission as Shown:

Only one parent needs to fill out this form.

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

2) Print your names in the same order as all other documents.

3) Print the date you are filing the documents.

4) 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 COURT OF THE STATE OF
9	IN AND FOR THE COUNTY OF WASHOE
10	Plaintiff/Petitioner 1, Case No. _____
11	vs. Dept. No. _____
12	Defendant/Petitioner 2.
13	<u>REQUEST FOR SUBMISSION</u>
14	I request that the Joint Petition to Establish Custody and Visitation that was filed on
15	(Date the document was filed) _____ be submitted to the Court for decision.
16	This document does not contain the personal information of any person as defined by NRS
17	603A.040.
18	I declare under penalty of perjury under the law of the State of Nevada that the foregoing
19	is true and correct.
20	Date: _____ Your Signature: _____
21	Print Your Name: _____
22	REV 07/2017 JB
23	1
24	REQUEST FOR SUBMISSION

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



# Do Not File Or Copy This Page

## INSTRUCTIONS: STEP 5

### Complete the Index of Exhibits and the Exhibit Cover Page as Shown:

You will need to attach the Order Establishing Custody, Visitation, and Child Support as an exhibit to the Request for Submission to electronically file it.

**You do not need to write anything on these pages.**

- 1) The documents should be in the following order:
- Request for Submission
  - the Index of Exhibits
  - the Exhibit Cover Page
  - the Order Establishing Custody, Visitation, and Child Support

INDEX OF EXHIBITS	
Exhibit Number <u>  1  </u>	Number of Pages <u>  3  </u>
Exhibit Description <u>  Proposed Order  </u>	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
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Exhibit Description _____	

Exhibit Cover Page
<p style="text-align: center;">EXHIBIT NUMBER 1</p>

# Do Not File Or Copy This Page

## INSTRUCTIONS: STEP 6

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

1) Print your names in the same order as all other documents.

2) Complete pages 1-4, 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	IN THE F	
6	OF THE SECOND JUDICIAL DISTRICT COURT OF THE ST	NEVADA
7	IN AND FOR THE COUNTY OF WASH	
8		
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 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 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 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	D9 ORDER

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

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## INSTRUCTIONS: STEP 7

### **Electronically Filing the Documents**

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

Scanners are available at the Law Library and the Resource Center.

If they either party has not done so, they will need to sign up for an eFlex account and turn in the EFile User Agreement (*see* INSTRUCTIONS: STEP 1), to the Second Judicial District Court, or email to [eflexsupport@washoecourts.us](mailto:eflexsupport@washoecourts.us).

One party will sign into their eFlex account using the username and password they created and electronically file the:

- Family Court Information Sheet;
- Joint Petition to Establish Custody and Visitation;
- Request for Submission and Exhibit Index; and
- Order Establishing Custody, Visitation, and Child Support (as an exhibit to the Request for Submission).

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.

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

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

## NOW WHAT HAPPENS?

After you have completed all the forms and submitted them to the Court, you must wait for the Judge to make a decision. This could take up to 60 days.

If the Judge denies the order, you will receive an order indicating such.

All orders can be reviewed and printed from your eFlex account. Certified copies are available at the Resource Center.

## 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., 1<sup>st</sup> Floor  
Reno, NV 89501

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

<https://nnlegalaid.org>

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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.

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

1. (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  
(a) 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).

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**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
  - (a) 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)

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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 an 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**.



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**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**.