

OPPOSITION GENERAL

GA-8

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

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OPPOSITION GENERAL

PACKET GA-8

**USE THIS PETITION PACKET ONLY IF ALL
OF THE FOLLOWING REQUIREMENTS HAVE BEEN MET:**

- A petition or motion was filed in an adult guardianship case.
- You disagree with or would like to object to the petition or motion filed.

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. EFlex User Agreement (Standard)
2. Opposition
3. Certificate of Service
4. Declaration of Personal Service

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.

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

SECOND JUDICIAL DISTRICT COURT



WASHOE COUNTY
STATE OF NEVADA

**EFILE USER AGREEMENT
(Standard)**

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 acct). Currently, this account will be subject to a \$0.00 fee per transaction. This agreement will expire at the end of the year unless the account is renewed. Accounts may be renewed online at www.washoecourts.com.

By registering for an eFlex account I agree and consent to the following:

- I will submit court filings electronically through eFlex on court cases for which I am an active party or attorney of 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. I 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 eFlex electronic notices sent to my email on file with eFlex as 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 transmittal, 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 Cyber on the court's eFlex website under "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 account through "eFlex Account" supersede the court's case management system for the purpose of delivering valid and effective service of eFiled documents. I understand that it is my responsibility to keep my 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 (whatever applies) into each of my cases whenever I depart from an agency, office, or law 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 separately notify the Clerk of Court of any employment change which will globally affect all or a majority of my cases.

Revised September 26, 2018

- 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.

Attorney or Person Name: _____
 If an attorney, Bar ID: _____ Law Firm: _____
 If not an attorney, DOB: _____ Interpreter needed: Yes or 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: _____

I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.

Date: _____ Signature of Attorney/Person Agency Signatory: _____

Check one:
 Renewal of Standard Account (see online instructions at <http://www.washoecourts.com/index.cfm?page=eFlex>)
 New Standard Account

To become a registered eFlex account holder, you must request an account online at <https://wceflex.washoecourts.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.

Translated/interpreted by (if applicable): _____ Print Name _____ Signature _____

Revised September 26, 2018

If you need further assistance signing up for an account, please call the Resource Center at 775-325-6731.

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INSTRUCTIONS: STEP 2

Complete the Opposition to Petition for Guardianship as Shown:

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

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

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

COURT CODE: 2650
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:

Person
 Estate
 Person and Estate

CASE NO.: _____
DEPT: _____

of:

(name of person who has a guardian)
A Protected Person.

OPPOSITION

I/we, *(first person's name)* _____, and *(second person's name, or "n/a" if none)* _____ respectfully represent(s) the following to this Honorable Court: *(explain in detail why you are opposed to petition or motion that you received)*

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Page 1 of 3 – Opposition

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INSTRUCTIONS: STEP 3

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

To attach documents in support of your Opposition you will need an Exhibit Index and Exhibit Cover Page(s). If you do not have any exhibits skip this step and continue with INSTRUCTIONS: STEP 4.

1) For each exhibit you are attaching you must print:

- a) An exhibit number, starting with 1,
- b) The number of pages in the exhibit, and
- c) A description of the exhibit.

2) For each exhibit, you must fill out an Exhibit Cover Page with the exhibit number listed on the Index of Exhibits.

3) The documents should be in the following order:

- the Opposition
- the Index of Exhibits
- the Exhibit Cover Page
- the exhibit
- the Exhibit Cover Page
- the exhibit, and so on.

INDEX OF EXHIBITS

Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	

Exhibit Cover Page

EXHIBIT NUMBER _____

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INSTRUCTIONS: STEP 4

Electronically Filing the Documents

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

- Opposition; and
- Any Exhibits.

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 the 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 filing fee, you may apply to have your filing fee 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 & Packets” tab on the top right hand side of the home screen)

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INSTRUCTIONS: STEP 5

Serving the Documents

You must serve the Protected Person, the Protected Person's attorney, the person(s) that filed the petition or motion and the following member of the protected person's family:

- Mother
- Father
- Children (over the age of 14)
- Grandparents
- Siblings (over the age of 14)
- Spouse
- Grandchildren (over the age of 14)

You will also need to serve:

- The Director of the Department of Health and Human Service if the Protected Person has received or is receiving benefits from Medicaid.
- The Department of Veteran Affairs if the Protected Person is receiving benefits from the VA.
- Anyone else who is listed under NRS 159.034.

Service can be made by electronic service (if the person being served is signed up for eFlex), certified mail, registered mail, regular mail, or through personal service. **PERSONAL SERVICE CANNOT BE COMPLETED BY YOU.**

If you serve by certified mail or register mail, keep the white slips and green cards to attach to your Certificate of Service (*see INSTRUCTIONS: STEP 6*).

If you serve by personal service, service may be completed by:

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

The Declaration of Service must be completed by the person who served the documents (*see INSTRUCTIONS: STEP 7*).

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INSTRUCTIONS: STEP 6

Complete the Certificate of Service for all Persons Served by Mail as Shown:

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

2) Print the heading, Case No., and Dept. No. just as they appear on all your other documents in this case.

3) Fill in the information on pages 1 -2, following the instructions on each page.

4) List the names and addresses of the people served by mail, if any, in these spaces. If more room is needed, attach additional sheets.

COURT CODE: 1360
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate
of: _____
(name of person who has a guardian)
A Protected Person: _____

CASE NO.: _____
DEPT.: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am over the age of 18 and I served the check all that apply

Objection
 Other: _____

in the following manner:

BY MAIL
I certify that I deposited copies the foregoing documents in the U.S. mail in (city) _____, Nevada, addressed to the persons listed below on (date) _____ by check one Regular, Certified or Registered, return receipt requested:

Name: _____ Address: _____
Name: _____ Address: _____

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Page 1 of 2 - Certificate of Service (Generic Guardianship)

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

ELECTRONIC
I served the following persons pursuant to the court's electronic service rules on (date) _____:

Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____

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

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

DATED (month) _____ (day) _____, 20 ____

(Your Signature)

(Printed Name)

Page 2 of 2 - Certificate of Service (Generic Guardianship)

5) Date, sign, and print your name.

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INSTRUCTIONS: STEP 7

Complete the Declaration of Service for those Personally Served as Shown:

This form will be filled out by the person who completes service. One document will need to be filled out for each individual served. It is your responsibility to file a copy of the Declaration of Service once service is completed.

1) Print your name (the person filing the opposition), address, telephone number, and email address.

2) Print the heading, Case No., and Dept. No. just as they appear on all other documents in this case.

3) Fill in the information on pages 1 – 2, following the instructions on each page.

COURT CODE: 1520
Your Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____
Self-Represented _____

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Guardianship of the: _____
 Person
 Estate
 Person and Estate
of: _____
CASE NO.: _____
DEPT.: _____

(name of person who has a guardian)
A Protected Person

DECLARATION OF SERVICE
A copy of the filed documents can be **personally served** on anyone who is required to receive service.
A neutral person, not involved in this case or related to the parties, can personally serve the documents directly to the person. If that is not possible, the server can personally serve the documents on someone of suitable age and discretion who lives with the person.
The proposed guardians or relatives cannot do this.
The person who serves the documents must complete this form.

I, (name of person who served the documents) _____, declare (**complete EVERY SECTION below**):

1. I am not a party to or interested in this action and I am over 18 years of age.
2. I am not a licensed process server; I am a natural person serving legal process without compensation, not more than three times per year, on behalf of a litigant who is a natural person, and therefore I am not required to be licensed pursuant to NRS 648.063(2) (2017 Nevada Laws Ch. 126 (A.B. 128)).
3. **Who You Served.** I served (name of person who is supposed to get the documents) _____.

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Page 1 of 2 – Declaration of Service (Generic)

4. **What Documents You Served.** I served a copy of the (check all that apply)
 Objection
 Other: _____

5. **Where You Served.** I personally delivered and left the documents with: (check one)
 The Person Directly. I served the documents directly to the person at the location below. (complete the details below)
Name of Person Served _____
Address Where Served _____
City, State, Zip Code _____
 Someone Who Lives with the Person. This is a person of suitable age and discretion who lives with the person I needed to serve. (complete the details below)
Name of Person Served _____
Address Where Served _____
City, State, Zip Code _____

6. **When You Served.** I personally served the documents on (date you served the documents) (month) _____ (day) _____, 20____ at the hour of (time) _____: a.m. p.m.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.
This document does not contain the personal information of any person as defined by NRS 603A.040.

DATED (month) _____ (day) _____, 20____

Server's Signature: _____
Server's Printed Name: _____
Residential / Business Address: _____
City, State, Zip: _____
Server's Phone Number: _____

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Page 2 of 2 – Declaration of Service (Generic)

4) The person who served the documents will need to date, sign, and print their name, address, and phone number.

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INSTRUCTIONS: STEP 8

Electronically Filing the Documents

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

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

- Certificate of Mailing
- Declaration of Service

Make sure to keep the original copy of any 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.

Once the Certificate of Mailing and the Declaration of Service have been filed, you will need to mail a file-stamped copy to all of the parties served.

INSTRUCTIONS: STEP 9

The Hearing

The hearing will be virtual. The Court will send you log in instructions prior to hearing. Log in 15 minutes prior to the scheduled time for the hearing.

The Judge will have questions for the parties and give you a chance to speak.

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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 Resource Center. **The Resource 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

For information contact the Law Library at 775-328-3250.

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

NEVADA LEGAL SERVICES

204 Marsh Avenue, Reno, NV 89509

(775) 284-3491 – leave message if
necessary

<http://nlslaw.net>

WASHOE LEGAL SERVICES

299 S. Arlington Avenue, Reno, NV 89501

(775) 329-2727 – leave message if
necessary

<http://www.washoelegalservices.org>