

D-7

COMPLAINT FOR DIVORCE (WITH MINOR CHILDREN)

Use this packet if all the following statements are true:

- You and your spouse are currently married, and you want to divorce.
- You or your spouse has lived in Nevada for more than six weeks.
- You and your spouse have minor children together, either natural-born or adopted.
- The minor children have lived in Nevada for at least six months.

This packet contains the following:

1. Instructions
2. Legal Assistance Information
3. EFile User Agreement
4. Family Court Information Sheet
5. Complaint for Divorce
 - a. Appendix A: Gross Monthly Income Worksheet
 - b. Appendix B: Child Support Worksheet
6. General Financial Disclosure Form
7. Declaration of Resident Witness
8. Summons
9. Declaration of Personal Service

Note: 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: The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. To file electronically, you must have an eFlex account which you can sign up for in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

Step 2: Fill out the confidential **Family Court Information Sheet**.

Note: You will be given a case number and department when your documents are filed with the court.

Step 3: Fill out the **Complaint for Divorce** including **Appendix A: Gross Monthly Income Worksheet** and **Appendix B: Child Support Worksheet**.

Step 4: Fill out the **General Financial Disclosure Form**.

Step 5: Have a friend or family member, that is over the age of 18 and a resident of the State of Nevada, fill out the **Declaration of Resident Witness** for you *or* your spouse.

Step 6: Fill out the top section of the **Summons** and the lower section with your name and contact information. Court staff will complete the **Summons** with a signature, date, and seal, once it has been uploaded into eFlex.

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them. If you take them to the Resource Center to file, skip to Step 10 once they have been filed.

Step 7: Sign into your eFlex account using the username and password created in Step 1: <https://wcefex.washoecourts.com/>.

Step 8: Payment:

There is a filing fee. Note: If you cannot afford the filing fee, there is an **F-6 Application to Waive Fees and Costs** that can be used to ask for the filing fees to be waived.

- To pay the filing fee, you must add a credit card to your eFlex account.
- Click on “My Profile.”

- Under the “Wallets” section, go to “SECOND JUDICIAL DISTRICT COURT - STATE OF NEVADA - Family Court Fee Payments” and click the “Add” button.
- Enter a description for the credit card you will be using.
- Click “Create Credit Card Token.” Enter your credit card information and follow the prompts to save it to your account.

□ Step 9: Electronically file your documents:

- To start the divorce case, click “Home,” then click “New Case.”
- Select “Family-Related: Domestic Relations” and “Marriage Dissolution Case: Divorce - With Children - DC.”
- Click “Add my Parties” and enter your information as the Party Type “Plaintiff” and your spouse’s information as Party Type “Defendant”.
- Follow the prompts to upload the documents below.

Note: The Document Category field can be left blank.

- **Family Court Information Sheet**
(Document Type: “Family Court Info Sheet”)
- **Complaint for Divorce** including **Appendix A** and **Appendix B** all together as one PDF
(Document Type: “Complaint – Divorce Children”)
- **General Financial Disclosure Form**
(Document Type: “Financial Declaration”)
- **Declaration of Resident Witness**
(Document Type: “Declaration of Resident Witness”)
- **Summons**
(Document Type: “**Summons Issued”)
- When all documents have been uploaded, review each one by clicking on the hyperlinked file name in the “View Document” column. When you have confirmed everything is correct, click “Next.”

- When you are ready to submit your documents to the court, click “Submit the Filing”.

Step 10: Serve the documents

Your spouse must be **personally served** with the Complaint and Summons within 120 days after the complaint is filed or your case may be dismissed. Serve your spouse with the following documents:

- **Complaint for Divorce** including **Appendix A and Appendix B**
- **Summons**
- **General Financial Disclosure Form**
- **Declaration of Resident Witness**

Print file-stamped copies of these documents from your eFlex account or visit the Resource Center to obtain copies for a fee.

Personal service cannot be completed by you.

It can 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 that is not party to the case; or
- A private process service.

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

- Handing a copy to your spouse; or
- Leaving a copy at your spouse’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)

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

□ Step 11: Complete the **Declaration of Personal Service**

Fill out the top left portion of the Declaration of Personal Service with your contact information. Fill-in the plaintiff and defendant names, case number and department. The rest of the Declaration form must be completed by the person who served the documents (not you). The person who served the documents will need to print their name, address, and phone number, and date and sign the Declaration.

□ Step 12: Filing the **Declaration of Personal Service**

You may either bring your **Declaration of Personal Service** to the Resource Center to file it with the Court or follow the instructions below to electronically file the document yourself.

If you take it to the Resource Center to file, skip to Step 13 once it has been filed.

□ Step 12a: Electronically file the **Declaration of Personal Service**

- Log into your eFlex account: <https://wceflex.washoecourts.com/>.
- Click “Existing Cases.”
- Locate the Divorce case you are filing into, click on the blue “eFile” link next to the case number.
- To file the document, select the applicable Document Type, and click “Choose File.” Locate your document file on your computer, then click “Add.”

Note: The Document Category field can be left blank.

- **Declaration of Personal Service**
(Document Type: “Declaration”)
- Review the document by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your document to the court, click “Next” and then “Submit the Filing”.

□ Step 13: Setting the Case Management Conference Hearing

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

To set up your case management conference, contact the Judicial Assistant in the department in which your case will be heard. For contact information for each department, visit <https://www.washoecourts.com/Judges>.

The Judicial Assistant will file a **Notice/Order Setting Case Management Conference Hearing** into your case. See the order for further instructions on your next steps.

Step 14: Answering a Complaint for Divorce

Your spouse has 21 days starting the day after service to file an answer to the divorce complaint. If your spouse files an **Answer and Counterclaim**, you may respond with an **Answer to Counterclaim**. If your spouse files an Answer and Counterclaim and you do not file an Answer to Counterclaim, a default may be taken against you.

If your spouse does not file an answer, contact the Resource Center or Law Library for further information regarding a Default Packet.

For procedural questions, or help with electronically filing your documents, visit or contact:

**Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731**

**Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250**

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>