

Code: 1841
 Name: _____
 Address: _____

 Telephone: _____
 Email: _____

 Name: _____
 Address: _____

 Telephone: _____
 Email: _____
 Self-Represented Litigants

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

In the Matter of the Marriage of:

_____ and Petitioner 1, _____ Petitioner 2, _____ Joint Petitioners. _____ /	Case No. _____ Dept. No. _____
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JOINT PETITION FOR SUMMARY DECREE OF DIVORCE

Every section of this packet must be completed and initialed by both Petitioners.
 Failure to fill out every section may result in your Joint Petition being denied.

If more room is needed for ANY section, attach additional sheets.
 Each additional sheet must be initialed by both Petitioners.

Petitioners ask this Court to grant them a divorce.

1. Residency

Petitioner 1 **and/or** Petitioner 2 have resided in and been physically present in
 the State of Nevada for at least the last six weeks.

2. Date of Marriage and Separation

We were married on *(month, day, and year)* _____,
in *(city and state of marriage)* _____

and have been married ever since.

We are separated **or** are not separated. If separated, the date of separation was
(month, day, and year of separation) _____.

We are incompatible in marriage and no reconciliation is possible.

3. Addresses

The current address of Petitioner 1 is _____

The current address of Petitioner 2 is _____

The mailing address of Petitioner 1 is same as above **or** other:

The mailing address of Petitioner 2 is same as above **or** other:

4. Minor Children and Pregnancy

Complete the statements below. Place an "X" in a box to select your answers

a. We share no minor children that were either born to us or adopted.

b. Is either Petitioner currently pregnant?

Petitioner 1 is **or** is not pregnant at this time.

Petitioner 2 is **or** is not pregnant at this time.

If either Petitioner is pregnant, is the other spouse the parent of the unborn child?

Yes

No

What is the child's due date (*month, day, and year*)? _____

We agree to the statements listed above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

5. Division of Community Property/Assets (for Real Estate see Section 7)

Fully list all community property, the estimated value, and the agreed upon division of the property below, including whether the Petitioner is awarded the entire asset or a percentage of the asset. Property accumulated during the marriage is presumed to be community property.

All community property acquired during marriage must be disclosed.

Our community assets have been divided or should be divided as follows:

Bank Accounts (*list names on the account, name of bank and last four digits of the account number*)

1. Bank account: _____

Value: \$ _____

How will asset be divided: _____

2. Bank account: _____

Value: \$ _____

How will asset be divided: _____

3. Bank account: _____

Value: \$ _____

How will asset be divided: _____

4. Bank account: _____

Value: \$ _____

How will asset be divided: _____

Retirement Accounts (*401(k), IRA, pension, etc. List names on account, name of institution and last 4 digits*)

1. Retirement account: _____

Value: \$ _____

How will asset be divided: _____

2. Retirement account: _____
Value: \$ _____
How will asset be divided: _____
3. Retirement account: _____
Value: \$ _____
How will asset be divided: _____
4. Retirement account: _____
Value: \$ _____
How will asset be divided: _____

We agree to file any additional orders necessary to divide the retirement accounts, such as a Qualified Domestic Relations Order, within 6 months of the granting of the Decree of Divorce.

Motor Vehicles (*make, model and year*)

1. Vehicle: _____
Value: \$ _____
Who will receive the asset: _____
2. Vehicle: _____
Value: \$ _____
Who will receive the asset: _____
3. Vehicle: _____
Value: \$ _____
Who will receive the asset: _____
4. Vehicle: _____
Value: \$ _____
Who will receive the asset: _____

Trailers, RVs, or other motor vehicles (*make, model and year*)

1. Vehicle: _____
Value: \$ _____
Who will receive the asset: _____

2. Vehicle: _____

Value: \$ _____

Who will receive the asset: _____

3. Vehicle: _____

Value: \$ _____

Who will receive the asset: _____

4. Vehicle: _____

Value: \$ _____

Who will receive the asset: _____

Furniture and furnishings, tools, etc.

1. Item: _____

Value: \$ _____

Who will receive the asset: _____

2. Item: _____

Value: \$ _____

Who will receive the asset: _____

3. Item: _____

Value: \$ _____

Who will receive the asset: _____

4. Item: _____

Value: \$ _____

Who will receive the asset: _____

Other (jewelry, watches, art, guns, etc.)

1. Item: _____

Value: \$ _____

Who will receive the asset: _____

2. Item: _____

Value: \$ _____

Who will receive the asset: _____

3. Item: _____

Value: \$ _____

Who will receive the asset: _____

4. Item: _____

Value: \$ _____

Who will receive the asset: _____

We agree to the statements regarding the division of assets listed above. We agree that the community assets listed above will be divided within 30 days of the granting of the Decree of Divorce and that any titles to the above property will be transferred within 30 days of the granting of the Decree of Divorce.

(Petitioner 1 initials) (Petitioner 2 initials)

6. Division of Community Debts

Fully list all community debts below. Debts accumulated during the marriage are presumed to be community debts.

All community debts incurred during marriage must be disclosed.

Our community debts have been divided or should be divided as follows:

Credit Cards *(list names on the account, name of the institution, and last four digits of the account number)*

1. Credit card: _____

Balance: \$ _____

Who will assume the debt: _____

2. Credit card: _____

Balance: \$ _____

Who will assume the debt: _____

3. Credit card: _____

Balance: \$ _____

Who will assume the debt: _____

4. Credit card: _____
Balance: \$ _____
Who will assume the debt: _____

Car loans (*list names on the loan and make, model and year of vehicle*)

1. Car loan: _____
Balance: \$ _____
Who will assume the debt: _____
2. Car loan: _____
Balance: \$ _____
Who will assume the debt: _____
3. Car loan: _____
Balance: \$ _____
Who will assume the debt: _____
4. Car loan: _____
Balance: \$ _____
Who will assume the debt: _____

Medical Bills (*include name of patient and provider*)

1. Medical bill: _____
Balance: \$ _____
Who will assume the debt: _____
2. Medical bill: _____
Balance: \$ _____
Who will assume the debt: _____
3. Medical bill: _____
Balance: \$ _____
Who will assume the debt: _____
4. Medical bill: _____
Balance: \$ _____
Who will assume the debt: _____

Student Loans *(include name on the loan and name of the creditor)*

1. Student loan: _____
Balance: \$ _____
Who will assume the debt: _____
2. Student loan: _____
Balance: \$ _____
Who will assume the debt: _____
3. Student loan: _____
Balance: \$ _____
Who will assume the debt: _____
4. Student loan: _____
Balance: \$ _____
Who will assume the debt: _____

Other Loans or Debts *(include name on the loan/debt and provide specific details)*

1. Other loan or debt: _____
Balance: \$ _____
Who will assume the debt: _____
2. Other loan or debt: _____
Balance: \$ _____
Who will assume the debt: _____
3. Other loan or debt: _____
Balance: \$ _____
Who will assume the debt: _____
4. Other loan or debt: _____
Balance: \$ _____
Who will assume the debt: _____

We agree to the statements regarding division of debts listed above and that these debts will be divided/separated within 30 days of granting the Decree of Divorce.

(Petitioner 1 initials) (Petitioner 2 initials)

7. Division of Homes and Other Real Estate

Place an "X" in a box to select **ONLY ONE** of the two statements. List any homes and other real estate that belong to the Petitioners.

We do not own a home or other real estate.

or

Our homes and other real estate will be divided as follows:

1. Address of Home/Property #1: _____

Estimated value: \$_____ Current loan balance: \$_____

Who will receive the property? Petitioner 1 Petitioner 2
 Split net equity 50/50 Other (*describe below*)

Who will assume the loan? Petitioner 1 Petitioner 2
 Split 50/50 Other (*describe below*)

2. Address of Home/Property #2: _____

Estimated value: \$_____ Current loan balance: \$_____

Who will receive the property? Petitioner 1 Petitioner 2
 Split net equity 50/50 Other (*describe below*)

Who will assume the loan? Petitioner 1 Petitioner 2
 Split 50/50 Other (*describe below*)

3. Address of Home/Property #3: _____

Estimated value: \$_____ Current loan balance: \$_____

Who will receive the property? Petitioner 1 Petitioner 2
 Split net equity 50/50 Other (*describe below*)

Who will assume the loan? Petitioner 1 Petitioner 2
 Split 50/50 Other (*describe below*)

Other (describe how the property and associated debt will be divided between the Petitioners, providing as many specific details as possible regarding the sale of the home, refinancing, timeline for the sale or refinance, and how all debts and costs will be paid, including mortgage, cost of repairs, utilities, etc.):

We agree to the statements regarding the division of homes and other real estate listed above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

8. Disclosure Certification

Petitioner 1 and Petitioner 2 must initial the statement below.

We have each disclosed **ALL** community property and debts, and there is no other community property or debt for this Court to divide.

(Petitioner 1 initials) (Petitioner 2 initials)

9. Alimony

*Place an "X" in a box to select **ONLY ONE** of the two statements below.*

We both give up all rights to receive alimony.

or

Petitioner 1 **or** Petitioner 2 should receive alimony in the amount of (*amount of alimony*) \$ _____ per month, due on the (*day of the month the payment is due, e.g., 1st, 2nd, 3rd, etc.*) _____ of each month for (*number of months or years*) _____ months **or** years.

Alimony will begin on (*date first alimony payment will be made*): _____.

Alimony will automatically terminate upon the remarriage of the receiving Petitioner or the death of either Petitioner, and is modifiable pursuant to Nevada law.

We agree on the alimony statement selected above.

(Petitioner 1 initials) (Petitioner 2 initials)

10. Return to Former Name

Place an "X" in a box to select from the statements below.

Neither Petitioner wishes to return to their former name.

or

Petitioner 1 wishes to return to their former name of (*print full name: first, middle, last*): _____

Petitioner 2 wishes to return to their former name of (*print full name: first, middle, last*): _____

11. Additional Relief

Do you have any other requests you would like the Court to consider?
Place an "X" in a box to select **ONLY ONE** of the two statements below.

No additional relief is requested.

or

We request the additional relief listed below:

We agree on the statement selected above. _____ (Petitioner 1 initials) _____ (Petitioner 2 initials)

12. We reserve the right to amend this Petition, and to request additional and/or modified relief.

13. We give up the right to request formal findings of fact and conclusions of law, to receive written notice of entry of any decree of divorce, to move for a new trial, and to appeal.

14. We understand NRS 125.150(1)(b) requires the Court in granting a divorce, to the extent practicable, to make an equal disposition of the Petitioners' community property. We acknowledge that we have divided our property in an equitable way, but it may not be an exactly equal division. We are dividing our community property as indicated herein knowingly and voluntarily. We expressly waive the right to have our marital estate divided equally pursuant to NRS 125.150(1)(b).

15. We understand a final decree of divorce does not limit the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake, or the grounds recognized at law or in equity.

16. We ask for judgment as follows:

- a. That the Petitioners be granted a decree of divorce and that each of the Petitioners be restored to the status of single, unmarried persons;
- b. That the terms agreed upon in this joint petition be included in the decree; and
- c. For other and further relief as the Court may deem just and proper in this action.

NOTICE:

The court is prohibited from giving legal advice to either party involved in this litigation. However, in furtherance of Senate Bill (SB) 434 effective July 1, 2023, the Court provides the following notice to the parties:

"All property, other than that stated in NRS 123.130, acquired after marriage by either spouse or both spouses, is community property unless otherwise provided by an agreement in writing between the spouses; a decree of separate maintenance issued by a court of competent jurisdiction; NRS 123.190; or a decree issued or agreement in

writing entered pursuant to NRS 123.259.” NRS 123.220. This includes pensions and/or retirement assets acquired after marriage by either spouse. In granting a divorce, this court shall, to the extent practicable, make an equal disposition of the community property of the parties, absent compelling reasons. See NRS 125.150. In dividing pension or retirement assets this Court must also comply with NRS 125.155, the Employee Retirement Income Security Act of 1974 (ERISA), and any other applicable state and federal laws. Litigants are responsible for presenting testimony and evidence in support of any claim they believe they have for the manner in which these assets should be allocated. See *Gemma v. Gemma*, 105 Nev. 458, 778 P.2d 429 (1989) and *Fondi v. Fondi*, 106 Nev. 856, 802 P.2d 1264 (1990).

In making the order outlined above, this Court allocates the community and separate property portions of the parties’ disclosed retirement and pension assets in accordance with applicable law or this Court accepts the parties’ stipulated settlement agreement. For certain types of retirement and pension assets, an additional court order such as a Qualified Domestic Relations Order (QDRO) or Court Order Acceptable for Processing (COAP) is required to effectuate the Decree of Divorce awarding a portion of the participant’s pension plan, military pension, or retirement asset to another payee. QDROs and COAPs are generally issued separate from the Decree of Divorce and must conform with the terms set forth in the Decree of Divorce. See *Henson v. Henson*, 130 Nev. 814, 334 P.3d 933 (2014). **It is the litigants’ responsibility to ensure any necessary QDRO or COAP orders are provided to the Court for issuance at the time of issuance of the Decree of Divorce or immediately following issuance of the Decree of Divorce. The Court does not and will not prepare these orders for you.**

For more information regarding pensions, retirement assets, QDROs and/or COAPs the Court encourages litigants to consult with legal counsel, utilize the services of the

lawyer in the library program (www.washoecourts.com/lawlibrary/lawyerinlibrary), and/or review relevant legal authority including but not limited to the authorities cited above.

(Petitioner 1 initials) (Petitioner 2 initials)

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

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

Date: _____ Petitioner 1's signature: _____

Print Petitioner 1's name: _____

Date: _____ Petitioner 2's signature: _____

Print Petitioner 2's name: _____

****The Petitioners must initial and sign this Joint Petition
using a blue or black ink pen****