

Exhibit Cover Page

EXHIBIT NUMBER _____

Code: 1540

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:

_____	Case No. _____
and Petitioner 1,	Dept. No. _____

Petitioner 2,	
Joint Petitioners.	
_____ /	

**DECREE OF DIVORCE
(With Children)**

This Court having considered the Joint Petition for Summary Decree of Divorce and all of the papers and pleadings on file, finds as follows:

1. That all of the allegations contained in the documents on file are true;
2. That all of the requirements of NRS 125.181 and NRS 125.182 have been met;
3. That this Court has the necessary UCCJEA and PKPA initial and continuing jurisdiction to enter orders regarding child custody and visitation of the minor child(ren) of the union or adopted by the Petitioners, and hereby exercises said jurisdiction;
4. That the State of Nevada is the habitual residence of the minor child(ren);

5. That the Petitioners' agreement as stated in the Joint Petition for Summary Decree of Divorce regarding the care, custody, control and support of the minor child(ren) is in the child(ren)'s best interest;

6. That the Petitioners have waived their respective rights to written notice of the Decree of Divorce, to appeal, to request findings of fact and conclusions of law and to move for a new trial; and

7. That this Court has complete jurisdiction to enter this Decree.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That Petitioners are granted a divorce and are restored to the status of unmarried persons.
2. That their agreements, as stated in the Joint Petition for Summary Decree of Divorce, are hereby ratified, confirmed, and incorporated into this Decree of Divorce.
3. That their agreements, as stated in the Joint Petition for Summary Decree of Divorce, regarding the care, custody, control and support of the child(ren) are hereby ratified, confirmed, and incorporated into this Decree of Divorce.
4. That their agreements, as stated in the Joint Petition for Summary Decree of Divorce, regarding the division and distribution of community assets and debts, are hereby ratified, confirmed, and incorporated into this Decree of Divorce.
5. That their agreement, as stated in the Joint Petition for Summary Decree of Divorce, regarding the issue of alimony is hereby ratified, confirmed, and incorporated into this Decree of Divorce.

Select **only one** of the statements below

6. Petitioner 1 is hereby restored to their former name of (*print full name: first, middle, last*): _____.

or

Petitioner 1 shall retain their present name.

Select **only one** of the statements below.

7. Petitioner 2 is hereby restored to their former name of (*print full name: first, middle, last*): _____.

or

Petitioner 2 shall retain their present name.

IT IS FURTHER ORDERED AND THE PARTIES ARE PUT ON NOTICE that they are subject to the requirements of the following Nevada Revised Statutes:

NRS 125C.0045(6) regarding abduction, concealment or detention of a child:

PENALTY FOR VIOLATION OF ORDER:

THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193.130.

NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International law,

apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice of the following provisions:

NRS 125C.0045(8) regarding the Hague Convention:

If a parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.

(b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning the child to his or her habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

NRS 125C.006 regarding relocation with minor children

1. If primary physical custody has been established pursuant to an order, judgment or decree of a court and the custodial parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a

meaningful relationship with the child, and the custodial parent desires to take the child with him or her, the custodial parent shall, before relocating:

(a) Attempt to obtain the written consent of the noncustodial parent to relocate with the child; and

(b) If the noncustodial parent refuses to give that consent, petition the court for permission to relocate with the child.

NRS 125C.0065 regarding relocation with minor children

1. If joint physical custody has been established pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and

the relocating parent desires to take the child with him or her, the relocating parent shall, before relocating:

(a) Attempt to obtain the written consent of the non-relocating parent to relocate with the child; and

(b) If the non-relocating parent refuses to give that consent, petition the court for primary physical custody for the purpose of relocating.

NRS 125.007 regarding the collection of child support payments through mandatory wage withholding or assignment of income.

NRS 31A regarding the enforcement of a child support obligation and the collection of delinquent child support.

NRS 125B.145 regarding the review of child support at any time due to changed circumstances and at least every three years following the entry of the child support order.

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.

THIS IS A FINAL DECREE.

Date: _____

DISTRICT JUDGE

Respectfully Submitted:

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 Decree of Divorce
using a blue or black ink pen***