

1 Code: \$4400/4400
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 Name: _____
8 Address: _____
9 Telephone: _____
10 Email: _____
11 Self-Represented Litigant

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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. _____
Petitioner 1, Dept. No. _____
and
_____,
Petitioner 2,
Joint Petitioners.
_____ /

JOINT PETITION FOR LEGAL SEPARATION WITH MINOR CHILDREN

Petitioners ask this Court to grant them a legal separation also known as separate maintenance.

1. **PETITIONER 1** –AND/OR– **PETITIONER 2** have/has resided in and been physically present in the State of Nevada, for the last six weeks, and intend(s) to continue to make the State of Nevada their home for an indefinite period of time.

We were married on _____, in _____,
(Month, day, and year of marriage) (City and State in which married)
and ever since have been married. We are incompatible in marriage and there is no hope for reconciliation.

1 2. The current address of Petitioner 1 is _____
(Petitioner 1's address)

2
3 _____

4
5 The current address of Petitioner 2 is _____
(Petitioner 2's address)

6
7 _____

8
9 3. The mailing address of Petitioner 1 is **SAME AS ABOVE** -OR- **OTHER:**

10
11 _____

12 The mailing address of Petitioner 2 is **SAME AS ABOVE** -OR- **OTHER:**

13
14 _____

15 4. **PETITIONER 1** **IS** -OR- **IS NOT** pregnant at this time.

16
17 **PETITIONER 2** **IS** -OR- **IS NOT** pregnant at this time.

18 //
19 //
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26 //
27 //
28 //

Minor Child(ren)

On the lines below: Provide the information requested regarding each minor child born to, or adopted by petitioners. You **MUST LIST** where the child currently lives, where the child has lived for the **PAST 5 YEARS**, and the name(s) and current address(es) of the person(s) with whom the child lived at each address.

5. **5.**

Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child
Child's Name:		Date of Birth:	<input type="checkbox"/> Male <input type="checkbox"/> Female
Date Child Moved Here	Child's Address (Street Address, City, State)	Person(s) With Whom Child Lived (Name and Current Address)	Relationship To Child

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

1 a. Please identify any other court case in which either parent has participated as a party,
2 witness, or in any other way concerning the custody of or visitation with the child(ren) listed
3 above. If there are no other court cases, please check this box .

4 Name(s) of child(ren) involved: _____

5 Court: _____

6 Case number: _____ Date of custody determination: _____

7
8 b. Please identify any court case that could affect this case, including any case relating to
9 domestic violence, protective orders, termination of parental rights, adoptions, guardianships,
10 dependency, and paternity actions. If there are no other court cases, please check this box .

11 Name(s) of child(ren) involved: _____

12 Court: _____ Type of case: _____

13 Case number: _____ Date of last order: _____

14
15 c. Please identify the name(s) and address(es) of any person(s) not a party to this court case
16 who claim(s) a right to legal custody, physical custody or visitation with the child(ren).

17 If this is not applicable, please check this box .

18 Name(s) of child(ren) involved: _____

19 Name(s) and address(es) of person(s) claiming custody or visitation rights: _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 If more room is needed, attach additional sheets.

28 Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

1 **If the children have not been physically present in the State of Nevada for the past six months,**
2 **the court may not be able to issue a court order regarding custody and visitation. Depending**
3 **on your situation, the court may still be able to grant you a legal separation.**

4 **Legal Custody of the Minor Child(ren)**

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

6
7 **6. Who should have legal custody of the minor child(ren)?**

8
9 **BOTH PETITIONERS: JOINT LEGAL CUSTODY**

10 **-OR-**

11 **PETITIONER 1: SOLE LEGAL CUSTODY**

12 **-OR-**

13 **PETITIONER 2: SOLE LEGAL CUSTODY**

14
15 We agree to the legal custody selected above.

_____ (Petitioner 1 initials)

_____ (Petitioner 2 initials)

16
17 **Physical Custody of the Minor Child(ren)**

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

19
20 **7. Who should have physical custody of the minor child(ren)?**

21
22 **BOTH PETITIONERS: JOINT PHYSICAL CUSTODY**

23 **-OR-**

24 **PETITIONER 1: PRIMARY PHYSICAL CUSTODY**

25 **-OR-**

26 **PETITIONER 2: PRIMARY PHYSICAL CUSTODY**

27
28 We agree to physical custody selected above.

_____ (Petitioner 1 initials)

_____ (Petitioner 2 initials)

Custody / Visitation and Exchange Schedule

Place an **"X"** in a box to select **ONLY ONE** of the custody schedules provided below. A more detailed description of each custody schedule is provided in Appendix A. If you select **Option 4**, or would like to modify **Options 1-3**, write in your proposed custody / visitation schedule below.

8. **Option 1** Week On / Week Off: (Joint Custody) The minor child(ren) will spend one week with one parent and then the following week they will spend with the other parent. This schedule will alternate weekly throughout the year.

The exchange will take place on _____ at _____ **A.M.** -OR- **P.M.**
(Day of the week) (Time)

The parties will exchange the child(ren) at _____.
(Location)

PETITIONER 1 -OR- **PETITIONER 2** will have the child(ren) first.

- Option 2** Repeating two / two / three: (Joint Custody) The minor child(ren) will spend two days with one parent, then two days with the other parent, three days with one parent, two days with the other parent, two days with one parent, three days with the other parent, alternating throughout the year.

The first exchange will take place on the first Friday following this Court's Order.

The exchanges will take place at _____ **A.M.** -OR- **P.M.**
(Time)

The parties will exchange the child(ren) at _____.
(Location)

PETITIONER 1 -OR- **PETITIONER 2** will have the child(ren) first.

NOTE: This schedule is often used when the parents have a young child or children.

1 **Option 3** Three Weekends a Month: (Primary Custody) The minor child(ren) will spend
2 the first three full weekends (starts on the first Friday of the month) with **PETITIONER 1**
3 **-OR-** **PETITIONER 2**. Remaining weekdays and weekends will be spent with the other
4 parent.

5 The exchange will take place on Friday at _____ **A.M.** **-OR-** **P.M.** and Sunday
6 at _____ **A.M.** **-OR-** **P.M.**
7 (Time) (Time)

8 The parties will exchange the child(ren) at _____
9 (Location)

10 **Option 4** Schedule Described Below: We request the following schedule (*Include*
11 *instructions for transportation and exchanges with times and locations.*):

12 _____
13 _____
14 _____
15 _____
16 _____
17 _____
18 _____
19 _____
20 _____
21 _____
22 _____
23 _____
24 _____

25 If more room is needed, attach additional sheets.

26 Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

27 We agree to the visitation and transportation schedule selected above.

28 _____
(Petitioner 1 initials)

(Petitioner 2 initials)

Holiday Visitation Schedule

Please fill out the below holiday visitation schedule. Undesignated religious or school holidays shall follow the parents' regular timeshare schedule, unless detailed below. For example, Christmas typically falls during the 1st half of Winter Break. If nothing is identified in "Other," the parent who has the 1st half of the break, has the child(ren) for Christmas.

9.

Check box holiday applies	Holiday	Exchange Times	Even Numbered Years	Odd Numbered Years
<input type="checkbox"/>	1 st Half Spring Break	Begins upon release of school and ends at 9 a.m. halfway through the break.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	2 nd Half Spring Break	Begins at 9 a.m. halfway through the break and ends when school resumes.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Mother's Day	Begins 7 p.m. evening before Mother's Day; ends 9 a.m. the morning after.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Father's Day	Begins 7 p.m. evening before Father's Day; ends 9 a.m. the morning after.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	4 th of July	Begins 7 p.m. on July 3rd; ends 9 a.m. on July 5th.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Halloween	Begins 7 p.m. on October 30th; ends 9 a.m. on November 1st.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Fall Break	Begins upon release of school and ends when school resumes.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Thanksgiving Break	Begins upon release of school and ends when school resumes.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	1 st Half Winter Break	Begins upon release of school and ends at 9 a.m. halfway through the break.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	2 nd Half Winter Break	Begins at 9 a.m. halfway through the break and ends when school resumes.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Holidays not listed that are a 3-day weekend.	Begins upon release of school and ends when school resumes. Example: Memorial Day Weekend.	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Other:		<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2
<input type="checkbox"/>	Other:		<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2	<input type="checkbox"/> Petitioner 1 <input type="checkbox"/> Petitioner 2

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

We agree to the holiday schedule selected above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

Summer Visitation Schedule

Place an **"X"** in a box to select **ONLY ONE** of the summer visitation schedules provided below. If you select **Option 3**, or would like to modify **Options 1 or 2**, write in your proposed visitation schedule below. If one or both parents want an additional undesignated block of time, describe it in Option 3.

10. **Option 1: Visitation Remains the Same.**

Option 2: Alternating Two Week Timeshares: The minor child(ren) will spend two weeks with **PETITIONER 1** –OR– **PETITIONER 2** and then the following two weeks they will spend with the other parent. This will alternate for the remainder of the summer break.

Option 3: Schedule Described Below: We request the following summer visitation schedule: _____

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

Transportation for ALL Exchanges

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

Complete the statement below.

11. Transportation will be provided by the parent **PICKING UP** –OR– **DROPPING OFF** the child(ren) –OR– **OTHER:** _____

(Explain how transportation shall be provided)

We agree to the summer and vacation visitation/transportation schedules selected above.

(Petitioner 1 initials)

(Petitioner 2 initials)

Child Support Calculation

Fill in the information requested below. The child support MUST be based on the formula as set out in the Nevada Revised Statutes. You may not just state an arbitrary amount and you may not state "no child support to be paid." **Included in Appendix B, you will find child support calculation worksheets to assist you with calculating child support.**

12. Petitioner 1's gross monthly income is: \$ _____
(Amount earned per month before deductions)

Petitioner 2's gross monthly income is: \$ _____
(Amount earned per month before deductions)

Deviations

If you are requesting an amount of child support that is lower or higher than the statutory amount, your reason(s) for requesting a different amount must be based upon one or more of the following factors. Place an "X" in all that apply. Include the dollar amount of deviation for each category.

<input type="checkbox"/> The cost of health insurance \$ _____	<input type="checkbox"/> The cost of child care \$ _____	<input type="checkbox"/> The relative income of both parents \$ _____
<input type="checkbox"/> Special educational needs of the child \$ _____	<input type="checkbox"/> The amount of time the child spends with each parent \$ _____	<input type="checkbox"/> Any other necessary expenses for the benefit of the child \$ _____
<input type="checkbox"/> The age of the child \$ _____	<input type="checkbox"/> Legal responsibility of the parent for the support of others \$ _____	<input type="checkbox"/> The value of services contributed by either parent \$ _____
<input type="checkbox"/> Any expenses reasonably related to the mother's pregnancy and confinement \$ _____	<input type="checkbox"/> The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction that ordered the support and the non-custodial parent remained \$ _____	<input type="checkbox"/> Any public assistance paid to support the child \$ _____

Explain: _____

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

The amount of child support for **PETITIONER 1** -OR- **PETITIONER 2** to receive after any deviation(s) is \$ _____ per month. This amount of child support is in compliance with NRS 125B.070.
(Amount of child support)

We agree to the child support amount listed above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

Child Support Payment

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

13. a. The parent paying child support will pay the support directly to the other parent.

-OR-

b. A wage assignment is or should be put in place and payment should be enforced through the District Attorney’s Office.

We agree to the child support payment plan above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

Health Care for Child(ren)

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

Complete the statements below.

Place an **“X”** in a box in front of the selected answer.

14. a. The child(ren) are covered by a health insurance policy (this includes Medicaid, Tricare, private health insurance, etc.). **YES** -OR- **NO**

b. Who will provide health insurance for the minor child(ren)?

PETITIONER 1 -OR- **PETITIONER 2** -OR- **BOTH PARENTS**

c. We will equally share all costs of insurance for the minor child(ren), including, premiums, deductibles, and any uncovered medical, dental, or vision expenses. If either parent incurs a medical expense on behalf of the child(ren), they will provide the other parent with proof of payment and a copy of the bill within 30 days of receiving it, and the other parent will have 30 days to reimburse their half of the amount paid or to set up payment arrangements through the health care provider.

We agree to the above health care options for the child(ren).

(Petitioner 1 initials) (Petitioner 2 initials)

Tax Deduction

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

15. a. Every year, **PETITIONER 1** -OR- **PETITIONER 2** should claim the child(ren) as dependents for tax purposes.

-OR-

b. The tax deduction should alternate, with **PETITIONER 1** -OR- **PETITIONER 2** claiming the child(ren) in **EVEN NUMBERED** -OR- **ODD NUMBERED** years, and the other parent claiming the child(ren) in the other years.

-OR-

c. The tax deduction should be shared by each of us claiming one or more children each year

PETITIONER 1 will claim: _____
(Name(s) of child(ren) petitioner is claiming)

PETITIONER 2 will claim: _____
(Name(s) of child(ren) petitioner is claiming)

We agree to the tax deductions selected above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

School Enrollment

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

16. The child(ren) should attend:

a. The school(s) zoned for **PETITIONER 1'S** address.

-OR-

b. The school(s) zoned for **PETITIONER 2'S** address.

-OR-

c. Other: _____

We agree to the school enrollment selected above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

Division of Community Debts

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

17. a. There are no community debts to be divided as they have previously been divided or there are no community debts.

-OR-

b. The community debts should be divided as follows:

PETITIONER 1 will be responsible for the debts listed below:

If more room is needed, attach additional sheets.

PETITIONER 2 will be responsible for the debts listed below:

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

We agree to the statement regarding debts listed above. _____
(Petitioner 1 initials) (Petitioner 2 initials)

Division of Community Property

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

18. a. There is no community property to be divided as it has previously been divided or there is no community property.

-OR-

b. The community property should be divided as follows:

PETITIONER 1 will receive the property listed below:

If more room is needed, attach additional sheets.

PETITIONER 2 will receive the property listed below:

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

We agree to the statement regarding property listed above. _____ (Petitioner 1 initials) _____ (Petitioner 2 initials)

Disclosure Certification

Petitioner 1 **AND** Petitioner 2 must initial the statement below.

19. We have each disclosed all community property and debts and there are no other community property or debts for this Court to divide. _____ (Petitioner 1 initials) _____ (Petitioner 2 initials)

Spousal Support (Alimony)

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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

20. a. We give up all rights to receive spousal support (alimony).

-OR-

b. **PETITIONER 1** **-OR-** **PETITIONER 2** should receive spousal support (alimony)

in the amount of \$ _____ per month, due on the _____

for _____ (Amount) **MONTHS** **-OR-** **YEARS.** (Day / Date of payment each month)

(Number of months or years)

The spousal support (alimony) will begin on: _____

(Date first payment will be made)

We agree on the spousal support (alimony) arrangement selected above.

(Petitioner 1 initials) (Petitioner 2 initials)

Additional Relief

Petitioner 1 **AND** Petitioner 2 must initial their agreement.

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.

21. a. No additional relief is requested.

-OR-

a. We request the additional relief listed below:

If more room is needed, attach additional sheets.

Each additional sheet must be initialed by Petitioner 1 **AND** Petitioner 2.

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

1 **22.** We reserve the right to amend this petition, and to request additional and/or modified relief.

2 **23.** We give up the right to request a formal findings of fact and conclusions of law, to receive
3 written notice of entry of any Decree of Legal Separation also known as a Decree of Separate
4 Maintenance, to move for a new trial, and to appeal.

5 **24.** We understand a final Decree of Legal Separation also known as a Decree of Separate
6 Maintenance does not limit the rights of either party to bring an action to set aside the final
7 decree for fraud, duress, accident, mistake or the grounds recognized at law or in equity.

8 **25.** We ask for judgment as follows:

- 9 a. For a Decree of Legal Separation also known as a Decree of Separate Maintenance, fully
10 and finally adjudicating the property rights of the parties, disposing of any community
11 property, separate property, and debt;
- 12 b. That the terms agreed upon in this joint petition be included in the decree; and
- 13 c. For other and further relief as the Court may deem just and proper in this action.
- 14

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

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

19

20 Date: _____ Petitioner 1's Signature: _____

21
22 Print Petitioner 1's Name: _____

23
24
25 Date: _____ Petitioner 2's Signature: _____

26
27 Print Petitioner 2's Name: _____

28