

MOTION FOR REVIEW AND MODIFICATION OF CHILD SUPPORT

M-3

Self Help Center
1 South Sierra St., First Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

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**Motion for Review and Modification
of Child Support
PACKET M-3**

Use this motion for review and modification of child support only if the following statements are true:

- You already have a child support order with the Second Judicial District Court.
- If the child support is being enforced or was setup through the District Attorney's Office, you have already contacted them about wanting to make a change.

IMPORTANT

If you are requesting that the court enter a judgement for child support arrears, or you are requesting that the court affirm a past order for arrears, a **schedule of arrears** must be filed with this motion. The **schedule of arrears** can be obtained from the Self Help Center, Law Library, Filing Office, or online at www.washoecourts.com.

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.

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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 or type the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Motion for Review and Modification of Child Support
2. General Financial Disclosure*
*The court cannot review your motion without this document.
3. Proof of Service
4. Reply to Opposition to Motion for Review and Modification of Child Support
5. Request for Submission
6. Proof of Service

This packet contains the following additional information:

1. Nevada Statutes regarding child support
2. Child support calculation worksheets

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INSTRUCTIONS: STEP 1

Complete the Motion for Review and Modification of Child Support as Shown:

If your child support is currently being enforced through the District Attorney's Office, contact their office before filing this packet.

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

2) Print the names of the parties, the Case No. and Department No. just as they appear on all other documents in this case.

3) Complete pages 1-5, following the instructions on each page.

1 Code: 2340
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant
7
8 OF THE SECOND JUDIC
9 IN AN
10
11 _____ Plaintiff / Petitioner, Case No. _____
12 vs. Dept. No. _____
13
14 _____ Defendant / Respondent,
15
16 MOTION FOR REVIEW AND MODIFICATION OF CHILD SUPPORT
17
18 A. I move the Court to review and modify or adjust the child support obligation in this matter. To
19 the best of my knowledge, the last order for child support in this matter was entered on
20 _____
21 (Date of Last Order)
22 B. The name(s) and birth date(s) of the child(ren) who are the subject of this Motion are:
23 NAME BIRTH DATE
24 _____
25 _____
26 _____
27 _____
28 _____

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If you have more than one case filed against the other party (such as a divorce, child support action through the District Attorney's office, or a TPO) use the case number from the case in which your child support was ordered.

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INSTRUCTIONS: STEP 2

Complete the General Financial Disclosure as Shown:

It is very important that you file this document, without it, the court cannot review your motion.

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

2) Print the names of the parties, the Case No. and Department No. just as they appear on all other documents in this case.

3) Complete pages 1-7, following the instructions on each page.

MISC
Name: _____
Address: _____
Phone: _____
Email: _____
Attorney for _____
Nevada State Bar No. _____

Second Judicial District Court
Washoe County, Nevada

Plaintiff / Petitioner, vs. Defendant / Respondent.	Case No. _____ Dept. _____
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GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:
1. What is your full name? (*first, middle, last*) _____
2. How old are you? _____
3. What is your date of birth? _____
4. What is your highest level of education? _____

B. Employment Information:
1. Are you currently employed/ self-employed? (check one)
 No
 Yes If yes, complete the table below. Attached an additional page if needed.

Date of Hire	Employer Name	Job Title	Work Schedule (days)	Work Schedule (shift times)

2. Are you disabled? (check one)
 No
 Yes If yes, what is your level of disability? _____
What agency certified you disabled? _____
What is the nature of your disability? _____

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.
Prior Employer: _____ Date of Hire: _____
Date of Termination: _____ Reason for Leaving: _____

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INSTRUCTIONS: STEP 3

Electronically Filing and Serving the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.washoecourts.com/>, and at the Second Judicial District Court. Scanners are available at the Second Judicial District Court.

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

- Motion and any Exhibits; and
- General Financial Disclosure.

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.

There may be a filing fee charged when documents are filed. Fee information is available at the Filing Office 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 found in the **Application for Waiver of Fees and Costs packet**, which may be obtained at the following locations:

- Family Division Self Help Center, 1 South Sierra Street, Reno, NV, First Floor
- Filing Office, 75 Court Street, Reno, NV, First Floor
- Protection Order Help Center, 1 South Sierra Street, Reno, NV, Third Floor
- Online at: www.washoecourts.com (select the “Forms and Packets” tab on the right hand side of the home screen)

Once a document has been electronically filed, a Notice of Electronic Filing will be automatically generated and sent to any electronic filers in the case. All electronic filers have agreed to accept the notice as valid and effective service. This replaces the need for paper service.

If the other party has not yet signed up for electronic filing, or you do not know whether the other party is an electronic filer, please contact the Self Help Center. **Additional steps are required to complete service if the other party is not an electronic filer.**

The Notice of Electronic Filing does not replace the Proof of Service (*see* INSTRUCTIONS: STEP 4).

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INSTRUCTIONS: STEP 4

Complete the Proof of Service as Shown:

This form must be completed by the person who serves the documents.

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

2) Print the names of the parties, the Case No. and Department No. just as they appear in all other documents in this case.

3) Print the name of the person served, and the date served.

4) Mark the box for how they were served. If serving by personal service, certified mail, or postage prepaid, and write the address.

5) The person who serves the document(s) must date, sign, and print their name.

1	Code: 3720
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9	IN AND FOR THE COUNTY OF WASHOE
10	_____ Plaintiff / Petitioner / Joint Petitioner,
11	vs.
12	_____ Defendant / Respondent / Joint Petitioner.
13	Case No. _____
14	Dept. No. _____
15	<u>PROOF OF SERVICE</u>
16	I served a true and correct copy of MOTION FOR REVIEW AND MODIFICATION OF
17	CHILD SUPPORT and GENERAL FINANCIAL DISCLOSURE upon the following people:
18	L. Name: _____ Date: _____
19	By: <input type="checkbox"/> Service by eFlex <input type="checkbox"/> Personal Service
20	<input type="checkbox"/> Certified mail, return receipt attached <input type="checkbox"/> U.S. Mail, postage prepaid
21	<input type="checkbox"/> Other: _____
22	Address where service occurred, if applicable: _____
23	If more room is needed, attach additional sheets.
24	A copy of this Proof of Service has been electronically served, mailed, or personally delivered
25	to all parties or their lawyer.
26	This document does not contain the personal information of any person as defined by
27	NRS 603A.040.
28	Date: _____ Your Signature: _____
	Print Your Name: _____
	REV 9/2018 JCB 1 PROOF OF SERVICE

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INSTRUCTIONS: STEP 5

Filing the Proof of Service

After service is completed, you must file the Proof of Service with the Court (*See INSTRUCTIONS: STEP 3*). There will not be a filing fee for the Proof of Service.

Without proof of service on the other party, the court cannot consider your request.

Time to Respond

If you served the other party through eFlex or personal service, the other party has ten (10) days, beginning the day after service, to file an opposition/response to the request.

If you served the other party by U.S. Mail, the other party has thirteen (13) days, beginning the day after mailing, to file an opposition/response to the request.

If the other party does not oppose/respond within that time, you will file the Request for Submission to send your request to the judge for review. Please skip INSTRUCTIONS: STEP 6 and continue to INSTRUCTIONS: STEP 7.

If the other party does file an opposition/response, you have five (5) days, beginning the day after service, to file a Reply to the opposition/response. If the other party serves you by U.S. Mail, you have eight (8) days, starting the day after mailing, to file a Reply to the opposition/response. Please continue to INSTRUCTIONS: STEP 6.

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INSTRUCTIONS: STEP 6

*Only use this form if you have waited the time provided for the other party to respond **AND** the other party has filed an opposition to the motion.*

Complete the Reply to Opposition as Shown:

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

2) Print the names of the parties, the Case No. and Department No. just as they appear on all other documents in this case.

3) Complete pages 1 and 2, following the instructions on each page.

1	Code: 3795
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY DIVISION
8	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9	IN AND FOR THE COUNTY OF WASHOE
10	_____ Plaintiff / Petitioner, Case No. _____
11	vs. Dept. No. _____
12	_____ Defendant / Respondent,
13	_____
14	<u>REPLY TO OPPOSITION TO MOTION FOR REVIEW AND</u>
15	<u>MODIFICATION OF CHILD SUPPORT</u>
16	I reply to the Opposition to my Motion for Review and Modification of Child Support as follows:
17	_____
18	State, in detail, your reply to the other party's statements.
19	_____
20	_____
21	_____
22	_____
23	_____
24	_____
25	_____
26	_____
27	_____
28	_____
	REV 10/2017 JCB 1 M-3 REPLY

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INSTRUCTIONS: STEP 7

Complete the Request for Submission as Shown:

This document lets the judge know that all the necessary paperwork has been filed and that each person has been given the correct amount of time to respond. It is very important to file this document, it allows your case to move forward.

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

2) Print the names of the parties, the Case No. and Department No. just as they appear on all other documents in this case.

3) Print the date the document(s) were filed.

4) Date, print your name, and sign.

1	Code: 3860
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant _____
7	
8	IN THE FAMILY DIVISION
9	OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
10	IN AND FOR THE COUNTY OF WASHOE
11	Plaintiff / Petitioner _____ Case No. _____
12	vs. _____ Dept. No. _____
13	Defendant / Respondent _____
14	
15	<u>REQUEST FOR SUBMISSION</u>
16	I request that the Motion for Review and Modification of Child Support that was filed on
17	_____
18	(Date of filing) _____ be submitted to the Court for decision.
19	This document does not contain the personal information of any person as defined by
20	NRS 603A.040.
21	I declare under penalty of perjury under the law of the State of Nevada the foregoing is true and
22	correct.
23	
24	Date: _____ Your Signature: _____
25	
26	Print Your Name: _____
27	
28	

REV 11/2017 JCB 1 REQUEST FOR SUBMISSION

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INSTRUCTIONS: STEP 8

Filing and Serving the Reply and Request for Submission

File, and serve the Reply and Request for Submission as you did the Motion and General Financial Disclosure (*see* INSTRUCTIONS: STEP 3).

INSTRUCTIONS: STEP 9

Complete and File the Proof of Service for the Reply and Request for Submission

Complete the second Proof of Service for both the Reply and Request for Submission (*see* INSTRUCTIONS: STEP 4). File the Proof of Service (*see* INSTRUCTIONS: STEP 5). There is no fee to file these documents.

WHAT HAPPENS NOW?

Now that you have completed all the steps, your motion has been submitted to the court for a decision.

The court may do a number of things, such as: 1) file an order based upon the documents you have submitted, 2) require you to file additional documents, or 3) file an order requiring you to set a hearing.

If you receive an order and do not know what to do next, contact a private attorney or seek help from the Self Help Center.

Do not ignore a court order.

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 Family Division Self Help Center which is located at One South Sierra Street, Reno, NV. **The Self Help 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

First Floor (to the left of the Filing Office) of the courthouse located at:

75 Court Street, Reno, NV.

775-328-3250

www.washoecourts.com/lawlib

Tuesday Evenings – Arrive by 4:25 p.m.

Please Note The program is limited to 10 participants each evening.

NEVADA LEGAL SERVICES

204 Marsh Avenue Reno, NV 89509

(775) 284- 3491 – leave a message if necessary

nlslaw.net

WASHOE LEGAL SERVICES

299 S. Arlington Avenue Reno, NV 89501

(775) 329-2727 – leave a message if necessary

www.washoelegalservices.org

Self Help Center 775-325-6731

Law Library 775-328-3250

Filing Office 775-328-3110 ext. 7

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ADDITIONAL INFORMATION:

NRS 125B.145 Review and medication of order for support: Request for review; jurisdiction; notification of right to request review states in part;

1. An order for the support of child must, upon the filing of a request for review by:
 - (a) ...
 - (b) A parent or legal guardian of the child, be reviewed by the court at least every 3 years pursuant to this section to determine whether the order should be modified or adjusted. Each review conducted pursuant to this section must be in response to a separate request.
2. If the court:
 - (a) ...
 - (b) Has jurisdiction to modify the order and, taking into account the best interests of the child, determines that modification or adjustment of the order is appropriate, the court shall enter an order modifying or adjusting the previous order for support in accordance with the guidelines established by the Administrator of the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to section 8 of this act.
3. The court shall ensure that:
 - (a) Each person who is subject to an order for the support of a child is notified, not less than once every 3 years, that the person may request a review of the order pursuant to this section; or
 - (b) An order for the support of a child includes notification that each person who is subject to the order may request a review of the order pursuant to this section.
4. An order for the support of a child may be reviewed at any time on the basis of changed circumstances. For the purposes of this subsection, a change of 20 percent or more in gross monthly income of a person who is subject to an order for the support of a child shall be deemed to constitute changed circumstances requiring a review for modification of the order for the support of a child.
5. As used in this section:
 - (a) “Gross monthly income” has the meaning ascribed to it in NRS 125.150.
 - (b) “Order for the support of a child” means such an order that was issued or is being enforced by a court of this State.

(Added to NRS by 1989,859; A 1991, 1337; 1993, 2626; 1997,489§173; 2003,96; 2017,371§3)