

1 Code: 2350

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 _____,

11 Plaintiff / Petitioner / Joint Petitioner,

12 vs.

13 Case No. _____

14 _____,

15 Defendant / Respondent / Joint Petitioner.

16 Dept. No. _____

17 _____ /

18 MOTION FOR CHANGE OF CUSTODY OR VISITATION

19 **1.** There has been a substantial change in circumstances affecting the welfare of the child(ren) and
20 modification serves the best interest of the child(ren). I am requesting the following (*check*
21 *all that apply*):

22 A change in legal custody (*the right to make major decisions regarding the child(ren),*
23 *including health, education, and religion*)

24 A change in physical custody (*involves the time a child resides with a parent*)

25 A change in the general visitation schedule

26 Other: _____

1 **2. Child(ren).**

2 There is / are (*number*) _____ minor child(ren) in common born or adopted by the parties.

3

Child's Name	Age	Date of Birth

4

5

6

7

8

9 **3.** Describe the substantial change in circumstances and what you want the Court to order. In detail,
10 tell the Court what you are asking for and why you believe this change is in the child(ren)'s best
11 interest. _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 *If you need more room on any section of this form, attach additional sheets.*

1 **4. Best Interest Factors.** The requested custody and visitation schedule is in the best interest of
2 the child(ren) for the following reasons (*Answer each question. Describe in detail why the*
3 *change in the custody and visitation schedule is in the best interest of the child(ren).*):

4 **a.** Is / Are the child(ren) old enough and / or capable of having a preference in the custody and
5 visitation? (*check one*)

6 No

7 Yes. If known, what is their preference and why? _____

8 _____

9 _____

10
11 **b.** Is one parent more likely to allow the child(ren) to have frequent contact and a continuing
12 relationship with the other parent? (*check one*)

13 No

14 Yes, (*name of parent*) _____ is because: _____

15 _____

16 _____

17
18 **c.** How do you and the other parent get along? _____

19 _____

20 _____

21
22 **d.** Are you and the other parent able to cooperate to meet the needs of the child(ren)?

23 (*check one*)

24 No, and the current custody and visitation schedule is not in the best interest of the
25 child(ren) because: _____

26 _____

27 _____

28 Yes

1 e. Describe your mental and physical health? _____

2 _____

3 _____

4 Describe the other parent's mental and physical health? _____

5 _____

6 _____

7 f. What physical, developmental, and emotional needs does/do the child(ren) have?

8 _____

9 _____

10 _____

11 g. How will the proposed custody change affect the physical, developmental, and/or emotional
12 needs of the child(ren)? _____

13 _____

14 _____

15 _____

16 h. What do you and your child(ren) do together? _____

17 _____

18 _____

19 _____

20 What does the other parent do with the child(ren) when they are together? _____

21 _____

22 _____

23 _____

24 i. Will the proposed custody and visitation schedule allow the child(ren) to maintain a
25 relationship with their siblings? (check one)

26 Not Applicable

27 No

28 Yes

1 j. Has there been a history of parental abuse or neglect of the child(ren) or any siblings of the
2 child(ren), or a history of domestic violence against the child(ren), you, or the other parent,
3 or any other person who lives with the child(ren)? (check all that apply)

4 No

5 Yes, I have a history, the abuse, neglect, and / or act of domestic violence was
6 (include case number(s), if any and if known): _____
7 _____
8 _____

9 Yes, the other parent has a history, the abuse, neglect, and / or act of domestic
10 violence was (include case number(s), if any and if known): _____
11 _____
12 _____

13
14 k. Have either you or the other parent committed an act of abduction against the child(ren) or
15 any other child? (all that apply)

16 No

17 Yes, I have a history, the act of abduction was: _____
18 _____
19 _____

20 Yes, the other parent has a history, the act of abduction was: _____
21 _____
22 _____

23
24 l. Is there a nomination of a guardian? (check one)

25 No

26 Yes, the name(s) of the nominated guardian(s) is / are: _____
27 _____
28 _____

1 **5. UCCJEA Declaration.**

2 **a. Persons Other Than You or the Other Parent Who Claim Custody/Visitation.**

3 Is there anyone other than you or the other parent who has custody of the child(ren) or
4 who claim a right to custody or visitation with the child(ren)? (check one)

5 No.

6 Yes, the following people have custody or claim custody/visitation of the
7 child(ren) *(list names and addresses of anyone who claims custody/visitation*
8 *rights):*

9 _____
10 _____

11
12 **b. Participation in Other Cases:** Have you ever participated in any case concerning this
13 child(ren) as a party, witness, or in some other capacity? (check one):

14 No.

15 Yes, I have participated in the following cases concerning this child(ren) *(provide all*
16 *specifics including the state, the court name, child(ren) involved, the case number,*
17 *and the date of the child custody order, if any):*

18 _____
19 _____

20
21 **c. Knowledge of Other Cases:** Do you know of any other case that could affect this case, such
22 as other custody cases, domestic violence cases, protection order cases, or
23 adoption/terminations? (check one):

24 No.

25 Yes, the following cases that could affect this case *(give all specifics including the*
26 *state, the court name, the parties involved, the case number, and the type of*
27 *case):* _____

28 _____

6. Motion/Opposition Notice

A.	Mark the CORRECT ANSWER with a X .	Yes	No
	1. Has a final decree or custody order been entered in this case? If yes , then continue to Question 2. If no , you do not need to answer any other questions.		
	2. Is this a motion or an opposition to a motion filed to change a final order? If yes , then continue to Question 3. If no , you do not need to answer any other question.		
	3. Is this a motion or an opposition to a motion filed only to change the amount of child support?		
	4. Is this a motion or an opposition to a motion for reconsideration or a new trial and the motion was filed within 14 days of the Judge's Order?		
	If the answer to Question 4 is yes , write in the filing date found on the front page of the Judge's Order.	Date	
B.	If you answered NO to either Question 1 or 2, or YES to Question 3 or 4, you are <u>exempt</u> from a filing fee. However, if the Court later determines you should have paid the filing fee, your motion will <u>not</u> be decided until the fee is paid.		

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

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

DATED this (day) _____ day of (month) _____, 20_____.

Submitted By: (Your signature) _____

(Print your name) _____

To the person receiving this Motion:

- You have 14 days to file an Opposition (17 days if you were served by U.S. Mail).
- **If you do not file an Opposition, the Court may consider your nonresponse as agreement to this Motion and may grant the Motion.**

To the person who filed this Motion:

- If the other parent files an Opposition, you have 7 days to file a Reply (10 days if you were served by U.S. Mail).
- Whether or not the other parent files an Opposition, you must file the Request for Submission to have the Motion reviewed by the judge.
- **You must allow the other parent the full amount of time to oppose the Motion before filing the Request for Submission.**