M-8
MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

Purpose of this packet:

You have a valid, enforceable court order from the Second Judicial District Court and the other party has the ability to obey the order and is not obeying the order.
You want the court to enforce the order.

You may need additional forms (which are not included with this packet):
If you are requesting that the court enter a judgment for child support, spousal support, or alimony arrears (past due debts), or you are requesting that the court affirm a past order for arrears, you must file an F-7 Declaration and Schedule of Arrearages with this motion. The F-7 forms are available online at washoecourts.com or in-person at the Resource Center or Law Library.

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Note: 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

Instructions:

☐ **Step 1: Sign up for an electronic filing account (if you don't already have one)**

The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. Sign up for a free eFlex account in person at the Resource Center, or online at: https://www.washoecourts.com/EFiling/SignUp.

☐ **Step 2: Fill out the following forms**

- Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
- Index of Exhibits and Exhibit Cover Page
- Declaration of Moving Party

Attach as Exhibit 1: A copy of the existing court order the other party is not following.

If you are attaching additional exhibits that support your motion, each exhibit needs its own Exhibit Cover Page and must be listed on the Index of Exhibits.

The Declaration of Moving Party form must be fully completed and filed along with your Motion, even if it contains the same or similar information as your Motion.

If you are requesting the court enter a judgment/confirm a past order for child support, spousal support, or alimony arrearages: You must file an F-7 Declaration and Schedule of Arrearages with this motion. The F-7 is available online at washoecourts.com or in-person at the Resource Center or the Law Library.

☐ **Step 3: File your forms with the court**

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them.

↳ How to file your documents using eFlex:

1. Sign in to your eFlex account: https://wceflex.washoecourts.com/.
2. Click "Home;" click "Existing Cases."
3. Locate the case you are filing into, and click on the blue "eFile" link next to the case number.
4. To file each document, you will select the applicable Document Type, click "Choose File" or "Browse," then locate your document file on your computer, and click "Add."

   Follow the prompts to upload the document below:

   Note: Leave the eFlex Document Category field blank.

   - Motion for Order to Enforce and/or for an Order to Show Cause Regarding Contempt with the Index of Exhibits as the last page, all together as one PDF.
     (Document Type: Mtn Ord to Show Cause)

- Exhibit Cover Page and existing Court Order, all together as one PDF. (Document Type: **Continuation)

  - When prompted to select which document you are attaching the Exhibit Cover Page and existing Court Order to, confirm that "Mtn Ord to Show Cause" is selected, click "Next."

    A helpful video for attaching exhibits can be found here: https://www.youtube.com/watch?v=6JRMlXxa8Pg

- Declaration of Moving Party
  (Document Type: Declaration of Moving Party)

5. When the documents have been uploaded, review them by clicking on the hyperlinked file name in the "View Document" column. When you have confirmed everything is correct, click "Next."

6. Estimated Fees: There is no filing fee required for this Motion; select "No Fee Required."

7. When you are ready to submit your documents to the court, click "Submit the Filing."

☐ **Step 4**: **Service**

You must serve (provide) the other party with a copy of your Motion and Declaration (and any exhibits). Service of your Motion may be done by electronic service (eFlex), mail, or personal service. The court **WILL NOT AND CANNOT** serve the documents for you.

Service by eFlex:

Service will be made electronically by eFlex if the other party has an active eFlex account.

To view which parties in the case will be served electronically, log into eFlex. On the home page, in the provided box, type in your case number, then click the blue "Service List" button. The eFlex system will generate a list of who will receive electronic notice and who will need to be served another way.

If the other party does not have an eFlex account, you can serve them by mail or personal service. You can print file-stamped copies of your documents from your eFlex account or visit the Resource Center to obtain copies for a fee.

Service by mail:

Service may be made by regular mail, certified mail, or registered mail. If you serve by certified mail, keep the white slips and green return cards to attach to your Proof of Service form.

Personal service:

Service may be made by handing a file-stamped copy of your documents to the other party.

☐ **Step 5: File proof of service**

After you have served the other party, you must file proof of service with the court.

A "Notice of Electronic Filing" will be generated by the eFlex system when any documents are filed into the case. A "Notice of Electronic Filing" does not replace the requirement of filing proof of service with the court.

Complete the first Proof of Service form with the date you served the documents and how you served the other party.

Electronically file your Proof of Service yourself or bring it to the Resource Center to get help filing it.

↳ How to file your Proof of Service using eFlex:

1. Sign in to your eFlex account: https://wceflex.washoecourts.com/.
2. Click "Home;" click "Existing Cases."
3. Locate the case you are filing into, and click on the blue "eFile" link next to the case number.
4. To file the document, you will select the applicable Document Type, click "Choose File" or "Browse," then locate your document file on your computer, and click "Add."

   Follow the prompts to upload the following document:

   Note: Leave the eFlex Document Category field blank.

   - Proof of Service
     Note: If you are including mailing receipts, your Proof of Service and receipts need to be all together as one PDF document.
     (Document Type: Proof of Service)

5. Review the document by clicking on the hyperlinked file name in the "View Document" column. When you are ready to submit your document to the court, click "Next" and "Submit the Filing."

☐ **Step 6: Response to your Motion**

After you file and serve your documents, the other party can file their response, also known as an *Opposition*, to your Motion.

If you served your Motion through eFlex or personal service, the other party has **14 days**, beginning the day after service, to file an Opposition to your Motion.

If you served the other party by U.S. mail, they have 17 days, beginning the day after mailing, to file an Opposition to your Motion.

If the other party files an Opposition to your motion: You have **7** days to file a Reply (10 days after date of mailing if you were served by mail). A Reply to Opposition is included in this packet and is optional.

If the other party does not file an Opposition to your motion: You may discard the Reply to Opposition form.

☐ **Step 7: Submit your Motion to the judge for review**

A Request for Submission form is used to inform the court that your Motion is ready for review and that the time for opposition has passed.

Whether or not the other party files an Opposition, you must file a Request for Submission to have your Motion reviewed by the judge.

You must allow the other party the full amount of time to oppose your Motion before filing the Request for Submission.

☐ **Step 8: Fill out and file the following forms:**

- Reply to Opposition (if applicable)
- Request for Submission
- Second Proof of Service

You must serve (provide) the other party with a copy of your Reply to Opposition (if applicable) and Request for Submission. Fill out the second Proof of Service form with the names of the documents you served.

Electronically file your documents yourself or bring your completed documents to the Resource Center to get help filing them.

↳ How to file your documents using eFlex:

1. Sign in to your eFlex account: https://wceflex.washoecourts.com/.
2. Click “Home,” click “Existing Cases.”
3. Locate the case you are filing into, and click on the blue “eFile” link next to the case number.
4. To file each document, you will select the applicable Document Type, click “Choose File” or “Browse,” then locate your document file on your computer, and click “Add.”

   Follow the prompts to upload the following documents:

   Note: Leave the eFlex Document Category field blank.

   - Reply to Opposition (if applicable)
     (Document Type: Reply to/in Opposition)
   - Request for Submission
     (Document Type: Request for Submission)
   - Proof of Service
     (Document Type: Proof of Service)

5. Review the documents by clicking on the hyperlinked file name in the “View Document” column. When you are ready to submit your documents to the court, click “Next” and “Submit the Filing.”

☐ **Step 9: Wait**

Once you have completed all the steps, your motion has been sent to the court for a decision. The judge will have approximately 60 days to review your documents and issue an order.

For procedural questions, or help with electronically filing your documents, visit or contact:

Resource Center
1 South Sierra St., 3rd Floor
Reno, NV 89501
775-325-6731

Law Library
75 Court St., Room 101
Reno, NV 89501
775-328-3250

Legal Assistance Information

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 contact the Resource Center or the Law Library. **The Resource Center and the Law Library staff cannot give legal advice** but can give information regarding court procedures.

You may wish to speak with a lawyer at no cost through the Law Library's Lawyer in the Library program. The Lawyer in the Library program is held via Zoom; you must register ahead of time to participate. No walk-ins accepted as space is limited.

LAWYER IN THE LIBRARY
Sign up on our website:
https://www.washoecourts.com/LawLibrary/LawyerInLibrary
For questions, contact the Law Library at 775-328-3250

To seek assistance from other free or reduced-cost legal resources in the area, please contact:

NEVADA LEGAL SERVICES
449 S. Virginia St.
Reno, NV 89501
775-284-3491 – leave a message, if necessary
https://nevadalegalservices.org

NORTHERN NEVADA LEGAL AID
1 S. Sierra St., 1st Floor
Reno, NV 89501
775-321-2062 – leave a message, if necessary
https://nnlegalaid.org