

CHANGE OF VENUE

M-6

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

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CHANGE OF VENUE

PACKET M-6

Use this packet only if all of the following requirements have been met:

- You have a case in the Second Judicial District Court Family Division.
- You would like your case to be transferred to another venue in the State of Nevada.

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 the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Demand and/or Motion for Change of Venue
2. Proof of Service
3. Reply to Opposition to Demand and/or Motion for Change of Venue
4. Request for Submission
5. Proof of Service

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: STEP 1

Complete the Demand and/or Motion for Change of Venue as Shown:

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

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

3) Complete pages 1-4, following the instructions on the page.

1 Code: 2030
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 _____ Case No. _____
11 Plaintiff / Petitioner / Joint Petitioner, Dept. No. _____
12 vs.
13 _____
14 Defendant / Respondent / Joint Petitioner.

15 DEMAND AND/OR MOTION AND DECLARATION IN SUPPORT OF
16 CHANGE OF VENUE

17 Complete one of the two statements below, by placing an "X" in the appropriate box.

19 1. My time for filing an answer has
20 not expired and no response has been filed into the proceedings, therefore I demand
21 venue be changed for the following reasons:
22 expired and no final order has been issued, therefore I ask the Court for a change of
23 venue for the following reasons:
24 -OR-

25 2. A final order has been issued and
26 I ask the Court for change of venue for the following reasons:
27 neither party currently resides in Washoe County, therefore I demand venue be changed.
28

REV 4/18 JCB 1 M6 MOTION

1 Code: 2030

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,

Case No. _____

Dept. No. _____

12 vs.

13 _____,
14 Defendant / Respondent / Joint Petitioner.

15 DEMAND AND/OR MOTION AND DECLARATION IN SUPPORT OF
16 CHANGE OF VENUE

17 Complete **one** of the two statements below, by placing an **"X"** in the appropriate box.

18 1. My time for filing an answer has

19 not expired and no response has been filed into the proceedings, therefore I demand and
20 move the Court to change venue for the following reasons:

21 expired and no final order has been issued, therefore I move the Court for a change of
22 venue for the following reasons:

23 **-OR-**

24 2. A final order has been issued and

25 I move the Court for change of venue for the following reasons:

26 neither party currently resides in Washoe County, therefore I demand and move the
27 Court to change venue.
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Check all that apply.

- Washoe County is the improper venue.
- There is reason to believe that an impartial proceeding cannot be had at this venue.
- The venue is not convenient for witnesses and the change would promote justice.
- I am the defendant in a business case that is eligible for assignment to a business court, and I request a change to a county with a business court.
- Both parties agree to the change of venue.
- Other: _____

State, in detail, why the venue of this case should be transferred.

I declare as follows: _____

If more room is needed, attach additional sheets.

1 I reside at _____.
(Address, City, and State)

2
3 The other party resides at _____.
(Address, City, and State)

4
5 If this case involves minor child(ren), the child(ren) live with **ME** -OR- **THE OTHER**
6 **PARTY** -OR- _____.
(Name(s) of person(s) whom the child(ren) live with. Their address, city, and state)

7
8 Therefore, I demand and/or move the Court to change the venue of this matter be changed from
9 the County of Washoe to the County of _____ and the case be transferred
10 there and that all further proceedings be held there.

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

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

15
16 Date: _____ Your Signature: _____

17
18 Print Your Name: _____

19
20 **Notice to Responding Party:** You have a limited amount of time to respond to this Demand and/or
21 Motion. If you do not respond in writing within ten (10) judicial days, plus three (3) calendar days
22 if the Demand and/or Motion was mailed, the Court may grant this Demand and/or Motion without
23 a hearing.

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INSTRUCTIONS: STEP 2

Electronically Filing and Serving the Documents

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

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

- Demand and/or Motion and any Exhibits.

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.

Scanners are available at the Second Judicial District Court.

There may be a filing fee charged when documents are filed. Fee information is available at the Filing Office and online at: www.washocourts.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.washocourts.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 3).

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INSTRUCTIONS: STEP 3

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, write the address of where service was made.

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 DEMAND AND/OR MOTION AND DECLARATION IN SUPPORT OF CHANGE OF VENUE upon the following people: |
| 17 | 1. Name: _____ Date: _____ |
| 18 | By: <input type="checkbox"/> Service by eFlex <input type="checkbox"/> Personal Service |
| 19 | <input type="checkbox"/> Certified mail, return receipt attached <input type="checkbox"/> U.S. Mail, postage prepaid |
| 20 | <input type="checkbox"/> Other: _____ |
| 21 | Address where service occurred, if applicable: _____ |
| 22 | If more room is needed, attach additional sheets. |
| 23 | A copy of this Proof of Service has been electronically served, mailed, or personally delivered |
| 24 | to all parties or their lawyer. |
| 25 | This document does not contain the personal information of any person as defined by |
| 26 | NRS 603A.040. |
| 27 | Date: _____ Your Signature: _____ |
| 28 | Print Your Name: _____ |
| | REV 9/2018 JCB 1 PROOF OF SERVICE |

1 Code: 3720

Name: _____

2 Address: _____

3 Telephone: _____

Email: _____

4 Self-Represented Litigant

5 IN THE FAMILY DIVISION

6 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8
9 _____,
Plaintiff / Petitioner / Joint Petitioner,

Case No. _____

10 vs.

Dept. No. _____

11
12 _____,
Defendant / Respondent / Joint Petitioner.

13 PROOF OF SERVICE

14
15 I served a true and correct copy of DEMAND AND/OR MOTION AND DECLARATION IN
16 SUPPORT OF CHANGE OF VENUE upon the following people:

17 1. Name: _____ Date: _____

18 By: Service by eFlex

Personal Service

19 Certified mail, return receipt attached

U.S. Mail, postage prepaid

20 Other: _____

21 Address where service occurred, if applicable: _____

22 If more room is needed, attach additional sheets.

23 A copy of this Proof of Service has been electronically served, mailed, or personally delivered
24 to all parties or their lawyer.

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

27 Date: _____

Your Signature: _____

28 Print Your Name: _____

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INSTRUCTIONS: STEP 4

Filing the Proof of Service

After service is completed, you must file the Proof of Service with the Court (*See* INSTRUCTIONS: STEP 2). 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 service is completed by electronic filing or mail, the other party has ten (10) judicial days, plus three (3) calendar days, beginning the day after electronic service is made through eFlex or the documents are mailed.

If personal service is completed, the other party has ten (10) judicial days, not counting the day you hand them a copy of the Demand and/or Motion to file a response.

If the other party does not respond within that time period, please skip INSTRUCTIONS: STEP 5 and continue to INSTRUCTIONS: STEP 6.

If the other party does file a response, please continue to INSTRUCTIONS: STEP 5. You will have five (5) judicial days, plus three (3) calendar days after you are served through eFlex to file your Reply.

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INSTRUCTIONS: STEP 5

Only use this form if the other party has filed an opposition to the demand and/or motion.

Complete the Reply as Shown:

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

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

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

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|----|---|
| 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 | _____, Case No. _____ |
| 11 | Plaintiff / Petitioner / Joint Petitioner, Dept. No. _____ |
| 12 | vs. |
| 13 | _____, |
| 14 | Defendant / Respondent / Joint Petitioner. |
| 15 | <u>REPLY TO OPPOSITION TO DEMAND AND/OR MOTION FOR CHANGE OF VENUE</u> |
| 16 | I reply to the Opposition to Demand and/or Motion for Change of Venue as follows: |
| 17 | State, in detail, your reply to the other party's statements. |
| 18 | _____ |
| 19 | _____ |
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| 28 | _____ |
| | REV 4/2018 JCB 1 M6 REPLY |

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 _____,
11 Plaintiff / Petitioner / Joint Petitioner,

Case No. _____

12 Dept. No. _____

13 vs.

14 _____,
15 Defendant / Respondent / Joint Petitioner.

16 REPLY TO OPPOSITION TO DEMAND AND/OR MOTION FOR CHANGE OF VENUE

17 I reply to the Opposition to Demand and/or Motion for Change of Venue as follows:

18 State, in detail, your reply to the other party's statements.

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If more room is needed, attach additional sheets.

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

1. I do not request a hearing on this matter.

-OR-

2. I request a hearing on this matter because: _____

If more room is needed, attach additional sheets.

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.

Date: _____

Your Signature: _____

Print Your Name: _____

Do Not File Or Copy This Page

INSTRUCTIONS: STEP 6

Complete the Request for Submission as Shown:

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

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

3) Print the date you filed the demand and/or motion.

4) Print your name, sign, and date the document.

| | |
|----|--|
| 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 | |
| 16 | <u>REQUEST FOR SUBMISSION</u> |
| 17 | |
| 18 | I request that the Demand and/or Motion that was filed on _____ |
| 19 | be submitted to the Court for decision. (Date the document was filed) |
| 20 | This document does not contain the personal information of any person as defined by |
| 21 | NRS 603A.040. |
| 22 | I declare under penalty of perjury under the law of the State of Nevada, the foregoing is true and |
| 23 | correct. |
| 24 | |
| 25 | Date: _____ Your Signature _____ |
| 26 | |
| 27 | Print Your Name _____ |
| 28 | |
| | REV 4/2018 JCB 1 REQUEST FOR SUBMISSION |

1 Code: 3860
Name: _____
2 Address: _____
3 Telephone: _____
Email: _____
4 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

Plaintiff / Petitioner, Case No. _____
vs. Dept. No. _____

Defendant / Respondent.

REQUEST FOR SUBMISSION

I request that the Demand and/or Motion that was filed on _____
(Date the document was filed)
be submitted to the Court for decision.

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 the foregoing is true and
correct.

Date: _____ Your Signature _____
Print Your Name _____

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INSTRUCTIONS: STEP 7

Filing and Serving the Reply and Request for Submission

File and serve the Reply and Request for Submission as you did the Motion (*see* INSTRUCTIONS: STEP 2).

INSTRUCTIONS: STEP 8

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 3 and INSTRUCTIONS: STEP 4). Once filed, served, and submitted the Court has up to 60 days to grant, deny, or set the Motion for hearing. There is no fee to file these documents.

What Happens Next?

Once all the necessary documents have been filed, served, and submitted, the court has up to 60 days to grant, deny, or set the demand and/or motion for hearing. All orders can be reviewed and printed from your eFlex account

If there is an order transferring the case, the actual transfer of the file from one court to another usually takes approximately 2 to 3 weeks.

Contact the county to which you are transferring your case to confirm any steps you need to take to finish the transfer of venue.

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 _____,
11 Plaintiff / Petitioner / Joint Petitioner,

Case No. _____

12 vs.

Dept. No. _____

13 _____,
14 Defendant / Respondent / Joint Petitioner.

15 PROOF OF SERVICE

16 I served a true and correct copy of _____

(Name of document(s) served)

17 upon the following people:

18 1. Name: _____ Date: _____

19 By: Service by eFlex

Personal Service

Certified mail, return receipt attached

U.S. Mail, postage prepaid

Other: _____

21 Address where service occurred, if applicable: _____

22 If more room is needed, attach additional sheets.

23 A copy of this Proof of Service has been electronically served, mailed, or personally delivered
24 to all parties or their lawyer.

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

27 Date: _____

Your Signature: _____

28 Print Your Name: _____

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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 x214 – leave message if
necessary

<http://nlslaw.net>

WASHOE LEGAL SERVICES

299 S. Arlington Avenue Reno, NV 89501
(775) 329-2727 – leave message if
necessary

<http://www.washoelegalservices.org>