

OPPOSITION TO MOTION

(Instructions apply to the following oppositions: AM-1, AM-2, AM-3, AM-4, AM-5, AM-6)

Purpose of this packet:

Used to respond to a motion or other request.

Contents:

1. Instructions
2. Legal Assistance Information
3. Opposition to Motion
4. Proof of Service

Note: Additional forms are included in the following Opposition packets: AM-2 (Index of Exhibits & Exhibit Cover Page); AM-3 (General Financial Disclosure Form)

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 Opposition to Motion form**

Include the case number and department number of the family case you are filing into.

If you are including exhibits to support your Opposition, each exhibit will need its own Exhibit Cover Page and to be listed on the Index of Exhibits. An Exhibit Cover Page and Index of Exhibits is available online at washoecourts.com or in-person at the Resource Center or Law Library.

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

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

There may be a filing fee. If you are paying the filing fee with a credit card, the credit card must be added into eFlex before you electronically file your documents. Cash payments will need to be brought to the Resource Center. If you cannot afford the filing fee, there is an F-6 Application and Declaration to Waive Fees and Costs that can be used to ask for the filing fee to be waived.

🔗 How to add a credit card to your eFlex account:

1. Sign in to your eFlex account: <https://wcefex.washoecourts.com/>.
2. To pay the filing fee, you must add a credit card to your eFlex account.
3. Click on "My Profile."
4. Under the "Wallets" section, go to "SECOND JUDICIAL DISTRICT COURT - STATE OF NEVADA - Family Court Fee Payments" and click the "Add" button.
5. Enter a description for the credit card you will be using.
6. Click "Create Credit Card Token." Enter your credit card information and follow the prompts to save it to your account.

🔗 How to file your documents using eFlex:

1. Sign in to your eFlex account: <https://wcefex.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."

IF YOU ARE NOT INCLUDING EXHIBITS with your Opposition:

Follow the prompts to upload the document below:

Note: Leave the eFlex Document Category field blank.

- Opposition to Motion, as one PDF.
(Document Type: Opposition to Mtn)

IF YOU ARE ADDING EXHIBITS to your Opposition, you need to have multiple PDFs (see below).

Follow the prompts to upload the documents below:

Note: Leave the eFlex Document Category field blank.

- Opposition to Motion with the Index of Exhibits as the last page, all together as one PDF.
(Document Type: Opposition to Mtn)
- Exhibit Cover Page and your exhibit, all together as one PDF.
(Document Type: ** Continuation)
- When prompted to select which document you are attaching the Exhibit Cover Page and exhibit to, confirm that “Opposition to Mtn” is selected, click “Next.”

Repeat the same steps for any additional exhibits.

A helpful video for attaching exhibits can be found here:

<https://www.youtube.com/watch?v=6JRMIXxa8Pg>

IF YOU ARE FILING AN AM-3 OPPOSITION TO MOTION FOR REVIEW AND MODIFICATION OF CHILD SUPPORT, also upload the following document:

- General Financial Disclosure
(Document Type: Financial Declaration)

Note: If you are including pay stubs, your General Financial Disclosure Form and pay stubs need to be all together as one PDF.

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 may be a filing fee, even if eFlex shows a balance of zero. Select how you will satisfy the payment if it is determined that your opposition has a filing fee. If you have a credit card on file, select "Wallet Item." If you have an approved fee waiver on file, select "Order Granting Fee Waiver Approved."
7. When you are ready to submit your documents to the court, click "Submit the Filing."

☐ **Step 4: Service**

You must serve (give) the other party with a copy of your Opposition. Service of your opposition (including any exhibits, and/or General Financial Disclosure if applicable), 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 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://wcefex.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 Opposition to Motion

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

If you served your Opposition through eFlex or personal service, the other party has **7 days**, beginning the day after service, to file a Reply to Opposition.

If you served the other party by U.S. mail, they have 10 days, beginning the day after mailing, to file a Reply to Opposition.

□ Step 8: Wait

Once a Request for Submission is filed the judge will have approximately 60 days to review your documents and issue an order.

Typically, the moving party (the person that filed the motion) will file the Request for Submission to submit the motion to the judge for review, however, either party may submit the motion once the time for all responses has expired. See Washoe District Court Rules 12 (WDCR 12).

**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>