

Do Not File Or Copy This Page

**ANSWER AND
COUNTERCLAIM TO
PETITION TO ESTABLISH
CUSTODY AND
VISITATION**

AC-3

Resource Center
1 South Sierra St., Third Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

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**ANSWER AND COUNTERCLAIM TO
PETITION TO ESTABLISH CUSTODY
AND VISITATION
PACKET AC-3**

Use this packet only if all of the following statements are true:

- You received a petition to establish custody and visitation.
- You wish to file an answer and counterclaim.
- A default has not been entered against you.

Attention

- An answer must be filed within 21 days after you have received the summons and petition. If you do not file within that time, the other parent may take a default against you and be awarded what they have asked for in their petition.
- If you received a request to waive service of summons, please contact the Resource Center for more information.
- If you received other motions with the petition, you must answer to those motions with forms other than this answer and counterclaim. Please contact the Resource Center for more information.

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. EFile User Agreement (Standard)
2. Family Court Information Sheet
3. Answer and Counterclaim to Petition to Establish Custody and Visitation
 - a. Appendix A: Child Custody Schedule
 - b. Appendix B: Child Support Worksheets
4. General Financial Disclosure Form
5. Proof of Service
6. Definitions of Terms Used in this Packet

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INSTRUCTIONS: STEP 1

If you already have an eFlex account for a different case, you do not need to create another account and can skip this step.


eFlex Account and eFile User Agreement:

To file your documents, you will need to sign up for an eFlex account and have a valid email address. There is no fee to sign up for a standard eFlex account.

To sign up:

- 1) Carefully read and complete the eFile User Agreement (Standard) by filling in as much information as possible, signing, and dating page two;
- 2) Return the eFile User Agreement (Standard) to the Second Judicial District Court, or email it to eflexsupport@washoecourts.us; and
- 3) Request an account at <https://wceflex.washoecourts.com/>.

SECOND JUDICIAL DISTRICT COURT



WASHOE COUNTY
STATE OF NEVADA

**EFILE USER AGREEMENT
(Standard)**

This serves as your eFile User Agreement with the Second Judicial District Court for the purpose of permit filing of court case documents using the eFlex Electronic Filing System. Currently, this account will be subject to a \$0.00 fee per transaction. This agreement will expire years unless the account is renewed. Accounts may be renewed online at www.washoecourts.us

By registering for an eFlex account I agree and consent to the following:

- I will submit court filings electronically through eFlex on court cases for which I am an act of record, or an officer of the Court filing documents in my official capacity.
- As a registered eFlex account holder, I cannot deactivate my email address without filing Intent to change my email address with the District Court. This Written Notice of Intent must include bar number and a list of all pending court matters. Also included must be an acknowledgment and attorneys of record on those pending matters to have been notified of my new email address that it is my responsibility to keep my email address updated on my eFlex account profile.
- I understand that once my eFlex account is inactivated, I will no longer be able to electro any documents using my account, and I will no longer receive eFlex electronic service. Further have access to court records through my eFlex account.
- Electronic signatures (e.g. /s) are permissible on electronically filed documents submit E-Flex account. (See Nevada Electronic Filing and Conversion Rules, Rule 11).
- I will accept eFlex electronic notices sent to my email on file with eFlex as valid and eFiled documents replacing the need for paper service. Electronic service of document documents permitted to be served by mail, express mail, overnight delivery, or facsimile, petition or other document that must be served with a summons, and summons cannot be served electronically.
- I agree to the terms of the license agreement as stated by Tybara on the court's eFlex website and "privacy policy" when registering for an eFlex account and pressing the submit button.
- I understand that email addresses supplied by the registered user via the username/through "eFlex Account" supersede the court's case management system for the purpose of valid and effective service of eFiled documents. I understand that it is my responsibility to address updated on my eFlex account profile.
- I agree to file the proper motion to withdraw/notice of change/substitution of counsel/not employment (whichever applies) into each of my cases whenever I depart from an agency or cease to represent a party in any case, or cease to be an eFlex user within 10 days of If known, I will designate the new attorney and/or e-File contact on each case. Further, I, the Clerk of Court of any employment change which will globally affect all or a majority of

Revised September 26, 2018

- I Acknowledge receipt, understanding and agree to follow the Nevada Electronic Filing and Conversion Rules (EFCR).
- I understand if a party submits a proposed Order and the Order is eFiled by the Court, ONLY eFlex account holders will be served by the Court. I understand all other parties must be served by the party who submitted the proposed Order by other means.
- I understand as a registered eFlex account holder, I will only have access to documents in court cases for which I am an active party or attorney of record. In the event that I inadvertently obtain access to unauthorized information on any case, I will immediately notify the Court Administrator/Clerk of Court, presiding judicial officer and all active attorneys on that specific case. I will take every precaution to shield myself and all members of my firm from viewing, downloading or disseminating any unauthorized information. I will delete and destroy immediately any unauthorized information that I inadvertently obtain.
- I understand any violation of the terms of this agreement may result in sanctions imposed by the Court.

Attorney or Person Name: _____
If an attorney, Bar ID: _____ Law Firm: _____
If not an attorney, DOB: _____ Interpreter needed: Yes or No Language: _____
If not an attorney, Case number(s): _____
eFlex Email Address: _____
1st Alternate eFlex Email Address: _____
2nd Alternate eFlex Email Address: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ Fax Number: _____
Designated eFlex contact person: _____

I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.

Date: _____ Signature of Attorney/Person Agency Signatory: _____

Check one:
 Renewal of Standard Account. Follow online instructions at <http://www.washoecourts.com/index.cfm?page=eflex>
 New Standard Account

To become a registered eFlex account holder, you must request an account online at <https://wceflex.washoecourts.com> and click on the Request an Account button. Next, print out this form, complete and sign it and deliver the ink-signed copy to the Second Judicial District Court Filing Office, 75 Court Street, Reno, NV 89501. Upon completion of your account request AND receipt of the signed eFile User Agreement, your electronic request for a user account will be approved. You will be notified by email and be able to login with your user name and requested password within three (3) working days.

Translated/Interpreted by (if applicable): _____
Print Name _____ Signature _____

Revised September 26, 2018

If you need further assistance signing up for an account, please call the Resource Center at 775-325-6731.

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INSTRUCTIONS: STEP 2

Complete the Family Court Information Sheet as Shown:

1) Print the other parent's name.

2) Print your name.

4) Complete the requested information for you and the other parent. Print "do not have" if one or both of you do not have a social security number.

5) Print the name, social security number, and date of birth for each child involved in this case.

6) Answer the remaining questions.

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REV 9/17/19 KAL

IN THE FA
OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WASHOE

COMPLAINT FOR DIVORCE
FAMILY COURT INFORMATION SHEET

Plaintiff/Petitioner,

vs.

Defendant/Respondent.

Name: _____ Social Security #: _____
Date of Birth: _____ Interpreter Needed? YES NO
Language: _____

Name: _____ Social Security #: _____
Date of Birth: _____ Interpreter Needed? YES NO
Language: _____

Case No. _____
Dept. No. _____

IF THIS CASE INVOLVES CHILDREN, PLEASE COMPLETE THE FOLLOWING:

Residential Address: _____ Residential Address: _____
City, State, Zip: _____ City, State, Zip: _____
Mailing Address: _____ Mailing Address: _____
City, State, Zip: _____ City, State, Zip: _____
Telephone #: _____ Telephone #: _____
Are you employed? YES NO Are you employed? YES NO
Name of Employer: _____ Name of Employer: _____
Business Address: _____ Business Address: _____
City, State, Zip: _____ City, State, Zip: _____
Telephone #: _____ Telephone #: _____
Driver's License #: _____ Driver's License #: _____
Ethnicity: White (Not Hispanic) Ethnicity: White (Not Hispanic)
 African-American Hispanic African-American Hispanic
 Asian or Pacific Islander Asian or Pacific Islander
 Native American/Alaskan Native Other Native American/Alaskan Native Other

CHILDREN INVOLVED IN THIS CASE

Name: _____ SSN: _____ DOB: _____
Name: _____ SSN: _____ DOB: _____
Name: _____ SSN: _____ DOB: _____
Name: _____ SSN: _____ DOB: _____
Name: _____ SSN: _____ DOB: _____

If there are more than five children, list their names on a separate sheet of paper and attach.

Does this case involve family violence: Yes No
Are you requesting Child Support Enforcement Services from the District Attorney's Office (IV-D) Services? Yes No

This document contains the social security number of a person as required by NRS 123.130, NRS 125.230, and NRS 125B.055

3) Print the Case No. and Department No. from the petition you were given.

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INSTRUCTIONS STEP 3

Complete the Answer and Counterclaim to Petition to Establish Custody and Visitation as Shown:

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

2) Print the other parent's name.

3) Print your name.

5) Complete pages 1-18, following the instructions on each page.

When listing paragraphs, use the letter or number identifying the paragraph in the petition such as A, B, C or 1, 2, 3, etc.

For more information regarding custody schedules or child support calculations, see INSTRUCTIONS: STEP 3a & 3b.

| | |
|----|---|
| 1 | Code: _____ |
| 2 | Name: _____ |
| 3 | Address: _____ |
| 4 | Telephone: _____ |
| 5 | Email: _____ |
| 6 | Self-Represented Litigant |
| 7 | IN THE F |
| 8 | OF THE SECOND JUDICIAL DIST |
| 9 | IN AND FOR THE COUNTY OF WASHO |
| 10 | _____ |
| 11 | Plaintiff/Petitioner, Case No. _____ |
| 12 | vs. Dept. No. _____ |
| 13 | _____ |
| 14 | Defendant/Respondent. |
| 15 | _____ |
| 16 | _____ |
| 17 | <u>ANSWER TO PETITION TO ESTABLISH CUSTODY AND VISITATION</u> |
| 18 | <u>AND COUNTERCLAIM</u> |
| 19 | I. ANSWER |
| 20 | <u>Admit</u> |
| 21 | List the paragraph(s) in the Petition with which you agree. |
| 22 | _____ |
| 23 | A. I admit the allegations in Paragraph(s) _____ |
| 24 | _____ |
| 25 | _____ |
| 26 | _____ |
| 27 | _____ |
| 28 | If more room is needed, attach additional sheets. |
| | REV 10/2017 JCB 1 AC-3 ANSWER AND COUNTERCLAIM |

4) Print the Case No. and Department No. from the petition you were given.

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INSTRUCTIONS: STEP 3a

Child Custody Schedules

Please review Appendix A: Custody Schedules.

These example schedules can assist you in filling out the answer and counterclaim. They do not need to be filed with the court. However, you may do so if you would like.

APPENDIX A: Custody Schedules

These custody schedules are provided to you as examples. You may select a pre-set schedule as shown in Options 1 – 3, OR you may select to create your own visitation schedule in Option 4.

Option 1: Week On / Week Off (Joint Physical Custody)

You and the other parent will have equal time with the minor child(ren). The minor child(ren) will spend one week (seven days) with you and then the following week they will spend one week (seven days) with the other parent. This schedule will alternate weekly throughout the year.

Example provided below (with exchanges taking place on Friday afternoon):



Your custodial days / weeks with the minor child.



The other parent's custodial days / weeks with the minor child.

Option 1: Week On / Week Off Custody Schedule

| | | | | | Friday | Saturday |
|--------|--------|---------|-----------|----------|--------|----------|
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |

Custody Schedules

These custody schedules are provided to you as examples. You may select a pre-set schedule as shown in Options A – C, OR you may select to create your own visitation schedule in Option D.

Option A: Week On / Week Off (Joint Physical Custody)

You and the other parent will have equal time with the minor child(ren). The minor child(ren) will spend one week (seven (7) days) with you and then the following week they will spend one week (seven (7) days) with the other parent. This schedule will alternate weekly throughout the year.

Example provided below (with exchanges taking place on Friday afternoon):



Your custodial days / weeks with the minor child(ren).



The other parent's custodial days / weeks with the minor child(ren).

| Option A: Week On / Week Off Custody Schedule | | | | | | |
|---|--------|---------|-----------|----------|--------|----------|
| | | | | | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | | | | | |

Option B: Rotating 2/2/3 (Joint Physical Custody)

The other parent and you will have equal time with the minor child(ren). On week one, the minor child(ren) will spend two days with you (Monday – Wednesday), followed by two days with the other parent (Wednesday – Friday), ending the week with three days with you (Friday – Monday). On week two, the minor child(ren) will spend two days with the other parent (Monday – Wednesday), followed by two days with you (Wednesday – Friday), ending the week with three days with the other parent (Friday – Monday). This schedule will alternate weekly throughout the year.

Example provided on the next page (exchanges taking place in the a.m. OR pm (see below), in some cases at school drop off, on exchange days).



Your custodial days with the minor child(ren).



The other parent's custodial days with the minor child(ren).

| Option B: Rotating 2/2/3 Custody Schedule (AM Drop Off) | | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|-----------|
| | | | | | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | [Hatched] | | [Solid] | | [Hatched] | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| [Hatched] | [Solid] | | [Hatched] | [Hatched] | [Solid] | [Solid] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| [Solid] | [Hatched] | [Hatched] | [Solid] | [Solid] | [Hatched] | [Hatched] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| [Hatched] | [Solid] | [Solid] | [Hatched] | [Hatched] | [Solid] | [Solid] |

| Option B: Rotating 2/2/3 Custody Schedule (PM Drop Off) | | | | | | |
|--|-----------|-----------|-----------|-----------|-----------|-----------|
| | | | | | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | [Hatched] | | [Solid] | [Solid] | [Hatched] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | | [Solid] | [Solid] | [Hatched] | [Hatched] | [Solid] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| [Solid] | [Solid] | [Hatched] | [Hatched] | [Solid] | [Solid] | [Hatched] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| [Hatched] | [Hatched] | [Solid] | [Solid] | [Hatched] | [Hatched] | [Solid] |

Option C: Every Other Weekend (Primary Physical Custody)

The other parent OR you will have more custodial time with the minor child(ren). On week one, the parent with primary physical custody will have the entire week (seven (7) days), on week two, the parent with primary physical custody will have approximately four days, with the other parent having approximately three days of visitation with the minor child(ren). This schedule will alternate weekly throughout the year.

Example provided on the next page (exchanges taking place on Friday afternoon, in some cases at school drop off, on exchange days). You can schedule an off week visitation for the noncustodial parent.



Primary parent's custodial days with the minor child(ren).



Other parent's visitation days with the minor child(ren).

| Option C: Every Other Weekend | | | | | | |
|--------------------------------------|-------------------|---------|-----------|----------|--------|--------------|
| | | | | | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | [Hatched pattern] | | | | | |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | [Hatched pattern] | | | | | [Solid line] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | [Hatched pattern] | | | | | [Solid line] |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| | [Hatched pattern] | | | | | [Solid line] |

Option D: Create your own.

| Option D: Create your own. | | | | | | |
|-----------------------------------|--------|---------|-----------|----------|--------|----------|
| | | | | | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |

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INSTRUCTIONS: STEP 3b

Calculating Child Support

Appendix B does not need to be filed with the Court.

APPENDIX B

Gross Monthly Income (GMI)

The first step in determining child support is calculating your Gross Monthly Income, the amount of money you make each month *before taxes are deducted*.

Gross Monthly Income includes money received from employment, social security, unemployment benefits, pension/retirement, interest/investments, etc. Gross Monthly Income DOES NOT include SSI, SNAP, TANF, cash benefits from the county, or child support received. For a full list of incomes included in Gross Monthly Income look at NAC 425.

To calculate your Gross Monthly Income from employment, use one of the tables below:

Parent 1

| | |
|-----------------------|----|
| Annual Income | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-----------------------|----|
| Biweekly Income | \$ |
| x26 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-----------------------|----|
| Weekly Income | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-------------------------------------|----|
| Hourly Wage | \$ |
| # of hours worked per week | |
| hourly wage x hours worked per week | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

Parent 2

| | |
|-----------------------|----|
| Annual Income | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-----------------------|----|
| Biweekly Income | \$ |
| x26 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-----------------------|----|
| Weekly Income | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

| | |
|-------------------------------------|----|
| Hourly Wage | \$ |
| # of hours worked per week | |
| hourly wage x hours worked per week | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = | \$ |
| Employment GMI | |

Copy the amount of GMI from Employment for each parent into the table on the following page.

REV 1/17/2020 JDB

Child Support Worksheet

- Use this work sheet to help you calculate the child support.

APPENDIX B

Gross Monthly Income (GMI)

The first step in determining child support is calculating your Gross Monthly Income, the amount of money you make each month *before taxes are deducted*.

Gross Monthly Income includes money received from employment, social security (*Not SSI*), unemployment benefits, pension/retirement, interest/investments, etc. Gross Monthly Income DOES NOT include SSI, SNAP, TANF, cash benefits from the county, or child support received. *For a full list of incomes included in Gross Monthly Income please see NAC 425.*

To calculate your Gross Monthly Income from employment, use one of the tables below:

Parent 1

| | |
|---|----|
| Annual Income | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Biweekly Income | \$ |
| x26 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Weekly Income | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Hourly Wage | \$ |
| # of hours worked per week | |
| hourly wage x hours worked per week | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

Parent 2

| | |
|---|----|
| Annual Income | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Biweekly Income | \$ |
| x26 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Weekly Income | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

| | |
|---|----|
| Hourly Wage | \$ |
| # of hours worked per week | |
| hourly wage x hours worked per week | \$ |
| x52 weeks | \$ |
| ÷ by 12 months = Employment GMI | \$ |

Copy the amount of GMI from Employment for each parent into the table on the following page.

Now that you have determined the GMI from employment, add any money you receive each month from social security, unemployment benefits, pension/retirement, interest/investments, etc. Use the table below to find your Total Gross Monthly Income.

Parent 1

Parent 2

| | |
|-----------------------|-----------|
| Employment GMI: | \$ |
| Social Security: | \$ |
| Unemployment: | \$ |
| Pension/Retirement: | \$ |
| Interest/Investments: | \$ |
| Other: | \$ |
| TOTAL GMI: | \$ |

| | |
|-----------------------|-----------|
| Employment GMI: | \$ |
| Social Security: | \$ |
| Unemployment: | \$ |
| Pension/Retirement: | \$ |
| Interest/Investments: | \$ |
| Other: | \$ |
| TOTAL GMI: | \$ |

You should now have your Total Gross Monthly Income. If you or the other parent's Total Gross Monthly Income is less than \$1,883 a month, use the **Low-Income** Child Support Schedule below to complete the following pages. Please continue to the next page.

Low-Income Child Support Schedule
Child Support Obligation of Low-Income Payers
at 75% to 150% of the 2024 Federal Poverty Guidelines

| Monthly Income Up To | One Child | | Two Children | | Three Children | | Four Children | | Five Children | |
|----------------------|-----------|----------------------|--------------|----------------------|----------------|----------------------|---------------|----------------------|---------------|----------------------|
| | Percent | Child Support Amount | Percent | Child Support Amount | Percent | Child Support Amount | Percent | Child Support Amount | Percent | Child Support Amount |
| \$941 | 10.56% | \$99 | 14.52% | \$137 | 17.16% | \$162 | 18.48% | \$174 | 19.80% | \$186 |
| \$975 | 10.75% | \$105 | 14.79% | \$144 | 17.48% | \$170 | 18.82% | \$183 | 20.16% | \$197 |
| \$1,008 | 10.95% | \$110 | 15.05% | \$152 | 17.79% | \$179 | 19.16% | \$193 | 20.53% | \$207 |
| \$1,042 | 11.14% | \$116 | 15.32% | \$160 | 18.11% | \$189 | 19.50% | \$203 | 20.89% | \$218 |
| \$1,076 | 11.34% | \$122 | 15.59% | \$168 | 18.42% | \$198 | 19.84% | \$213 | 21.26% | \$229 |
| \$1,109 | 11.53% | \$128 | 15.86% | \$176 | 18.74% | \$208 | 20.18% | \$224 | 21.62% | \$240 |
| \$1,143 | 11.73% | \$134 | 16.12% | \$184 | 19.05% | \$218 | 20.52% | \$235 | 21.99% | \$251 |
| \$1,177 | 11.92% | \$140 | 16.39% | \$193 | 19.37% | \$228 | 20.86% | \$245 | 22.35% | \$263 |
| \$1,210 | 12.11% | \$147 | 16.66% | \$202 | 19.69% | \$238 | 21.20% | \$257 | 22.71% | \$275 |
| \$1,244 | 12.31% | \$153 | 16.92% | \$211 | 20.00% | \$249 | 21.54% | \$268 | 23.08% | \$287 |
| \$1,277 | 12.50% | \$160 | 17.19% | \$220 | 20.32% | \$260 | 21.88% | \$279 | 23.44% | \$299 |
| \$1,311 | 12.70% | \$166 | 17.46% | \$229 | 20.63% | \$271 | 22.22% | \$291 | 23.81% | \$312 |
| \$1,345 | 12.89% | \$173 | 17.73% | \$238 | 20.95% | \$282 | 22.56% | \$303 | 24.17% | \$325 |
| \$1,378 | 13.09% | \$180 | 17.99% | \$248 | 21.26% | \$293 | 22.90% | \$316 | 24.54% | \$338 |
| \$1,412 | 13.28% | \$187 | 18.26% | \$258 | 21.58% | \$305 | 23.24% | \$328 | 24.90% | \$352 |
| \$1,445 | 13.47% | \$195 | 18.53% | \$268 | 21.90% | \$317 | 23.58% | \$341 | 25.26% | \$365 |
| \$1,479 | 13.67% | \$202 | 18.79% | \$278 | 22.21% | \$329 | 23.92% | \$354 | 25.63% | \$379 |
| \$1,513 | 13.86% | \$210 | 19.06% | \$288 | 22.53% | \$341 | 24.26% | \$367 | 25.99% | \$393 |
| \$1,546 | 14.06% | \$217 | 19.33% | \$299 | 22.84% | \$353 | 24.60% | \$380 | 26.36% | \$408 |
| \$1,580 | 14.25% | \$225 | 19.60% | \$310 | 23.16% | \$366 | 24.94% | \$394 | 26.72% | \$422 |
| \$1,614 | 14.45% | \$233 | 19.86% | \$321 | 23.47% | \$379 | 25.28% | \$408 | 27.09% | \$437 |
| \$1,647 | 14.64% | \$241 | 20.13% | \$332 | 23.79% | \$392 | 25.62% | \$422 | 27.45% | \$452 |
| \$1,681 | 14.83% | \$249 | 20.40% | \$343 | 24.11% | \$405 | 25.96% | \$436 | 27.81% | \$468 |
| \$1,714 | 15.03% | \$258 | 20.66% | \$354 | 24.42% | \$419 | 26.30% | \$451 | 28.18% | \$483 |
| \$1,748 | 15.22% | \$266 | 20.93% | \$366 | 24.74% | \$432 | 26.64% | \$466 | 28.54% | \$499 |
| \$1,782 | 15.42% | \$275 | 21.20% | \$378 | 25.05% | \$446 | 26.98% | \$481 | 28.91% | \$515 |
| \$1,815 | 15.61% | \$283 | 21.47% | \$390 | 25.37% | \$461 | 27.32% | \$496 | 29.27% | \$531 |
| \$1,849 | 15.81% | \$292 | 21.73% | \$402 | 25.68% | \$475 | 27.66% | \$511 | 29.64% | \$548 |
| \$1,883 | 16.00% | \$301 | 22.00% | \$414 | 26.00% | \$489 | 28.00% | \$527 | 30.00% | \$565 |

Child Support Worksheet

① Parent 1's Information

Gross monthly income (GMI) includes: employment income, including consistent overtime; interest and investment income; Social Security old-age insurance benefits and disability benefits (SSD), but not supplemental security income (SSI); alimony; military allowances; periodic payments from a pension or retirement plan; and unemployment benefits.

How much is Parent 1's gross monthly income? \$ _____

Ⓐ If Parent 1's gross monthly income is less than \$1,883, use the attached low-income child support schedule to identify Parent 1's child support obligation. \$ _____

If Parent 1's gross monthly income is less than \$1,883, stop here, and go to line ③.

Ⓑ Multiply the amount of Parent 1's gross monthly income which is more than \$1,883 but less than \$6,000 by

.16 (for 1 child)

.22 (for 2 children)

.26 (for 3 children)

.28 (for 4 children)

Add .02 for each additional child \$ _____

Ⓒ Multiply the amount of Parent 1's gross monthly income which is more than \$6,000 but less than \$10,000 by

.08 (for 1 child)

.11 (for 2 children)

.13 (for 3 children)

.14 (for 4 children)

Add .01 for each additional child \$ _____

Ⓓ Multiply the amount of Parent 1's gross monthly income which is more than \$10,000 by

.04 (for 1 child)

.06 (for 2 children)

.06 (for 3 children)

.07 (for 4 children)

Add .005 for each additional child \$ _____

Parent 1's child support obligation (Add lines B, C, and D) \$ _____

② Parent 2's Information

Gross monthly income (GMI) includes: employment income, including consistent overtime; interest and investment income; Social Security old-age insurance benefits and disability benefits (SSD), but not supplemental security income (SSI); alimony; military allowances; periodic payments from a pension or retirement plan; and unemployment benefits.

How much is Parent 2's gross monthly income? \$ _____

Ⓐ If Parent 2's gross monthly income is less than \$1,883, use the attached low-income child support schedule to identify Parent 2's child support obligation. \$ _____

If Parent 2's gross monthly income is less than \$1,883, stop here, and go to line ③.

Ⓑ Multiply the amount of Parent 2's gross monthly income which is more than \$1,883 but less than \$6,000 by

- .16 (for 1 child)
- .22 (for 2 children)
- .26 (for 3 children)
- .28 (for 4 children)
- Add .02 for each additional child \$ _____

Ⓒ Multiply the amount of Parent 2's gross monthly income which is more than \$6,000 but less than \$10,000 by

- .08 (for 1 child)
- .11 (for 2 children)
- .13 (for 3 children)
- .14 (for 4 children)
- Add .01 for each additional child \$ _____

Ⓓ Multiply the amount of Parent 2's gross monthly income which is more than \$10,000 by

- .04 (for 1 child)
- .06 (for 2 children)
- .06 (for 3 children)
- .07 (for 4 children)
- Add .005 for each additional child \$ _____

Parent 2's child support obligation (Add lines B, C, and D) \$ _____

③ **Joint Physical Custody.** Only fill out this section if you are asking for joint physical custody. Skip to ④ if one parent is to be awarded primary physical custody.

Subtract the lower earning parent's child support obligation from the higher earning parent's child support obligation.

| | | | |
|---|--------------------------|---------|-------------------------------|
| | Higher | | |
| | \$ _____ | | |
| - | Lower | | |
| | \$ _____ | | |
| | | | |
| | Child Support Obligation | paid by | Name of higher income parent: |
| | \$ _____ | | _____ |

④ **Adjustments.** (complete all that apply)

- If Parent 1 wants primary or sole physical custody, the court uses the number in ⑥ as the standard amount of child support Parent 2 would pay.
- If Parent 2 wants to have primary or sole physical custody, the court uses the number in ⑥ as the standard amount of child support Parent 1 would pay.
- If you want both parents to have joint physical custody, the court uses the number in ③ as the standard amount of child support.

| Adjustment Factors | Amount -/+ |
|--|------------|
| Any special education needs of the child | \$ |
| A parent's legal responsibility to support others | \$ |
| Value of services contributed by either parent | \$ |
| Any public assistance paid to support the child | \$ |
| Cost of transportation of the child to and from visitation | \$ |
| The relative income of both households. | \$ |
| The obligor's ability to pay | \$ |
| Any other necessary expenses for the benefit of the child(ren) | \$ |
| Total Deviations | \$ |

⑤ **Final Child Support Amount Requested:**

\$ _____ paid by (*name*) _____

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INSTRUCTIONS: STEP 4

Complete the General Financial Disclosure Form as Shown:

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

2) Print the other parent's name.

3) Print your name.

5) Answer all of the questions on each page of the form.

Code: 1740
Name: _____
Address: _____
Phone: _____
Email: _____
Attorney for _____
Nevada State Bar No. _____

Second Judge
Washoe County, Nevada

4) Print the Case No. and Department No. from the petition you were given.

| | |
|-------------------|----------------|
| _____ | Case No. _____ |
| Plaintiff, | Dept. _____ |
| vs. | |
| _____ | |
| Defendant. | |

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 5

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, in the Law Library and Resource Center.

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

- Family Court Information Sheet;
- Answer and Counterclaim;
- General Financial Disclosure form.

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 in the Law Library and Resource Center.

There may be a filing fee charged when documents are filed. Fee information is available at the Resource Center and online at: www.washoecourts.com.

FILING FEE WAIVERS

If you cannot afford the fee, you may apply to have it waived. To apply, you must fill out and file the **Application for Waiver of Fees and Costs packet**, which you can get at:

- Resource Center, 1 South Sierra Street, Reno, NV, Third Floor
- Law Library, 75 Court Street, Reno, NV, First Floor
- Online at: www.washoecourts.com (select the “Forms and Packets” tab on the right hand side of the home screen)

INSTRUCTIONS: STEP 6

Setting a Case Management Conference

You must have a case management conference. If the other parent who filed the petition did not set one, you need to set one by filling out and filing the **F-1 Notice to Set** packet. The notice to set packet can be found at the Resource Center, Law Library, or on our website at www.washoecourts.com, under the Forms and Packets tab.

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INSTRUCTIONS: STEP 7

Complete the Proof of Service as Shown:

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

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

3) Print the name of the person served, the date, and select how they were served.

4) The person who completed service 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, Case No. _____ |
| 11 | vs. Dept. No. _____ |
| 12 | Defendant / Respondent / Joint Petitioner. |
| 13 | PROOF OF SERVICE |
| 14 | I served a true and correct copy of the Answer to Petition to Establish Custody and Visitation and Counterclaim and General Financial Disclosure Form upon the following people: |
| 15 | 1. Name: _____ Date: _____ |
| 16 | By: <input type="checkbox"/> Service by eFlex <input type="checkbox"/> Personal Service |
| 17 | <input type="checkbox"/> Certified mail, return receipt attached <input type="checkbox"/> U.S. Mail, postage prepaid |
| 18 | <input type="checkbox"/> Other: _____ |
| 19 | Address where service occurred, if applicable: _____ |
| 20 | If more room is needed, attach additional sheets. |
| 21 | A copy of this Proof of Service has been electronically served, mailed, or personally delivered |
| 22 | to all parties or their lawyer. |
| 23 | This document does not contain the personal information of any person as defined by |
| 24 | NRS 603A.040. |
| 25 | Date: _____ Your Signature: _____ |
| 26 | Print Your Name: _____ |
| 27 | REV 9/2018 JCB 1 M4 PROOF OF SERVICE |

INSTRUCTIONS: STEP 8

Filing the Proof of Service

After service is completed, you must file the proof of service with the court. See INSTRUCTIONS: STEP 5. There will not be a filing fee for the proof of service.

Without proof of service on the other parent, the court cannot consider your answer and counterclaim.

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Time to Respond

The other parent has 21 days to respond, starting the day after being served. If you served the other parent by mail, the other parent has 24 days to respond.

Your documents are not filed until any filing fees are paid.

If the other parent does not respond within that time period, you may move for default on the counterclaim. A default packet is available at the Law Library, Resource Center, or online at www.washoecourts.com

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>

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SOME DEFINITIONS OF TERMS USED IN FAMILY CASES

The following definitions and explanations are only to be used as general guidance.

The definitions provided do not explain the entire legal meaning or importance of the terms. A private attorney, licensed to practice in the State of Nevada, or a representative of one of the local legal resource agencies can provide you with a full explanation of the terms.

Adjustment Factors: The court may adjust the amount of Child Support based upon any of the following factors:

- (a) Any special educational needs of the child;
- (b) The legal responsibility of the parties for the support of others;
- (c) The value of services contributed by either party;
- (d) Any public assistance paid to support the child;
- (e) The cost of transportation of the child to and from visitation;
- (f) The relative income of both households, so long as the adjustment does not exceed the total obligation of the other party;
- (g) Any other necessary expenses for the benefit of the child; and
- (h) The obligor's ability to pay.

2. The court may include benefits received by a child pursuant to 42 U.S.C. § 402(d) based on a parent's entitlement to federal disability or old-age insurance benefits pursuant to 42 U.S.C. §§ 401 to 433, inclusive, in the parent's gross income and adjust an obligor's child support obligation by subtracting the amount of the child's benefit. In no case may this adjustment require an obligee to reimburse an obligor for any portion of the child's benefit. NAC 425.150.

Answer: A written pleading that admits or denies the allegations made in a complaint or petition. Failure to file can lead to a default.

Arrearage: Past due child support or alimony.

Best Interest of a Child: In determining the best interest of a child, the court will consider the following:

- (a) The wishes of a child of suitable age and capacity to form an intelligent preference;
- (b) Any nomination by a parent or guardian;
- (c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the other parent;
- (d) The level of conflict between the parents;
- (e) The ability of the parents to cooperate to meet the needs of the child;
- (f) The mental and physical health of the parents;
- (g) The physical, developmental, and emotional needs of the child;
- (h) The relationship of the child with each parent;
- (i) The ability of the child to maintain a relationship with siblings;
- (j) Any history of parental abuse or neglect;
- (k) Any history of domestic violence; and
- (l) Any act of abduction. NRS 125C.0035(4).

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Case Management Conference (CMC): The first meeting between the parties and the court. About half of all divorce cases settle at the CMC. For those cases that don't settle, the court frequently enters temporary order regarding alimony, attorney fees, child custody, child support, possession of property, mediation, and any issue requiring attention.

Child Custody: See **Legal Custody** and **Physical Custody**.

Child Support: The amount of money paid monthly or weekly by a parent to the person who has physical custody of that parent's child(ren). Calculation of the amount of child support requires consideration of **Gross Monthly Income (g.m.i.)**, **Obligation of Support**, **Deviation Factors**, **Minimum Amount of Support**, and **Presumptive Maximum Amounts**.

Counterclaim: A claim, similar to the **Petition**, filed by a Defendant/ Respondent, usually with the **Answer**.

Default: A procedure by which the **Plaintiff/ Petitioner** is awarded whatever was requested in the **Petition** if the **Defendant/ Respondent** fails to file an **Answer** or otherwise appear in the lawsuit. Courts prefer to resolve cases on the merits and not by default.

Defendant/ Respondent: A person against whom a **Petition** is filed. See **Parties**.

Domestic Violence: Domestic violence occurs when a person commits one of the following acts upon the person's spouse or former spouse, anyone else related to that person by blood or marriage; anyone else with whom that person has or did have a dating relationship; anyone with whom that person has a child; the minor child of any of the people here described; and any custodian or legal guardian of that person's minor child:

- (a) Battery;
- (b) Assault;
- (c) Compelling a person by force or threat of force to perform an act from which the person has the right to refrain or to refrain from an act which the person has a right to perform;
- (d) Sexual assault;
- (e) A knowing, purposeful, or reckless course of conduct intended to harass which may include:
 - (1) Stalking;
 - (2) Arson;
 - (3) Trespassing;
 - (4) Larceny;
 - (5) Destruction of private property;
 - (6) Carrying a concealed weapon without a permit;
 - (7) Injuring or killing an animal;
 - (8) Burglary;
 - (9) An invasion of the home.
- (f) False imprisonment
- (g) Pandering. NRS 33.018(1)

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The provisions of this section do not apply to:

- (a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or
- (b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other. NRS 33.018(2)

EPO: Extended Protection Order against domestic violence. See **Domestic Violence**.

Ex Parte Motion: Motions granted without notice to the other party. Ex parte motions are for use only in emergency situations, usually when the health or safety of a child is in danger. Many people file ex parte motions hoping they will get faster action. In fact, **if there is no emergency the ex parte motion will be denied and there will be considerable delay**. If an ex parte motion is granted, the law requires that a hearing be held within ten days. If there is no emergency, a **notice motion** should be used.

Financial Declaration: A court approved form disclosing the assets and liabilities of parties. In divorce cases a **Financial Declaration** must be filed within 14 days after an **Answer** is filed and with any **Motion** asking for Child Support or Alimony. WDCR 40.

Legal Custody: Legal custody of a child is the right to make major decisions regarding the child, including health, education, and religion. **Sole legal custody** gives that right to one parent. **Joint legal custody** gives that right to both parents and requires them to cooperate, communicate, and compromise. If joint legal custodians cannot agree, the court will settle their disputes. *Rivero v. Rivero* 125 Nev. 410, 420-421 (2009).

Mediation: The court will sometimes order divorcing couples to attend half-day mediation with trained mediators in an attempt to allow parents to decide matters of child custody and visitation. There is a fee, based on income, for attending mediation.

Motion: You can't write a letter to the judge. Any request that you make for the court to do something for you, unless it is made orally at a hearing, must be in a writing called a motion.

Motion for Order to Show Cause: A type of **Motion** that asks the court to find that the other side has violated a court order.

Notice Motion: Most motions should be notice motions so that the court will have the opportunity to read the arguments of both sides before making a decision. Notice motions must be served on the other party. The other party has 14 days to file and opposition to the motion. Then the party filing the motion has seven days to file a reply to the opposition. Thereafter, either party **must** submit the motion to the court for decision.

Parties: The **Plaintiff/ Petitioner** and the **Defendant/ Respondent**.

Physical Custody: Physical custody involves the time a child resides with a parent and that parent provides supervision and makes the day-to-day decisions regarding the child. Parents can share **joint physical custody** or one parent may have **primary physical custody**. Nevada's law creates a preference in favor of **joint physical custody**.

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Plaintiff/ Petitioner: A person who starts a legal action by filing a **Petition**. See **Parties**.

Relocation: Moving out of state with a child, or to a place within the state that is at such a distance that the move will substantially impair the ability of the other parent to maintain a meaningful relationship with the child. Relocation requires the prior written consent of the other parent or the court. Failure to obtain prior written consent may affect child custody and may be a crime. NRS 200.359.

Settlement Conference: Usually the second time the court meets with the **Parties**. Few family law cases go to trial. The court tries very hard to bring **Parties** to agreement, particularly when they are parents together.

Submission: Nothing filed with the court is sent to the judge for decision until it is submitted by filing a form entitled "Request for Submission."

Summons: A form, issued by the clerk of the court, to be served on the **Defendant/ Respondent** with the **Complaint**. The **Summons** informs the **Defendant/ Respondent** that he/she has been sued and tells him/her when to file the **Answer**.

TPO: Temporary Protection Order against domestic violence. See **Domestic Violence**.