

TPR-2

EX PARTE MOTION FOR PUBLICATION OF NOTICE OF HEARING TO TERMINATE PARENTAL RIGHTS

Purpose of this packet:

You have filed a Petition to Terminate Parental Rights and you have been unable to locate the necessary party to the case that you must give notice to, such as a parent or legal guardian, or the identity of the parent is unknown, or parentage has not been established.

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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

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:

- Ex Parte Motion for Publication of Notice and Declaration of Due Diligence in Support of Publication
- Request for Submission
- Index of Exhibits and Exhibit Cover Page
- Order for Publication

On the Order for Publication, complete the top portion of the form (minor's name, case number, department, and the name of the person who needs to be served). If your motion is granted, the judge will complete the rest of the form.

☐ Step 3: File your forms

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://wcefex.washoecourts.com/>.
2. Click "Home," click "Existing Cases."
3. Locate the case you are filing into, click on the blue "eFile" link next to the case number.
4. To file each document, select the applicable Document Type, and click "Choose File." Locate your document file on your computer, click "Add."
5. Follow the prompts to upload the documents below.

Note: The eFlex Document Category field can be left blank.

- Ex Parte Motion for Publication of Notice and Declaration of Due Diligence in Support of Publication
(Document Type: Ex Parte Mtn)
- Request for Submission and Index of Exhibits as a 2-page PDF.
(Document Type: Request for Submission)

- Exhibit Cover Page and Order for Publication as a 2-page PDF attached to the Request for Submission.
(Document Type: **Continuation)
- When prompted to select which document you are attaching your Exhibit Cover Page and Order for Publication to, confirm “Request for Submission” is selected and click “Next.”

A helpful video for attaching exhibits can be found here:

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

6. When all documents have been uploaded, review each one by clicking on the hyperlinked file name in the “View Document” column. When you have confirmed everything is correct, click “Next.”
7. Estimated Fees: there is no filing fee required for this ex parte motion; select “No Fee Required.”
8. When you are ready to submit your documents to the court, click “Submit the Filing.”

Step 4: Wait

If your ex parte motion is granted, the judge will issue an order specifying where you need to publish.

If your ex parte motion is denied, the judge will provide details of why it was denied.

Step 5: Publishing the Notice

A copy of the Notice of Hearing must be provided to a newspaper specified in the order. Most newspapers now do this process via email or on their website, not in person.

Download a copy of the Notice of Hearing from your eFlex account to send to the newspaper. (Confirm that the name of the minor has been replaced with initials only and that the Notice of Hearing is the most recent Notice of Hearing).

The Notice must be published once a week for a period of four weeks.

If you were ordered to publish in the Reno Gazette Journal or the Sparks Tribune, the contact information is below:

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|---|--|
| <ul style="list-style-type: none"> • Reno Gazette Journal
Must be submitted through their website.
https://www.rgj.com/public-notices | <ul style="list-style-type: none"> • Sparks Tribune
Contact (775) 236-2088
Or email:
sparkstribunelegals@gmail.com |
|---|--|

****If your order specifies another newspaper (than those listed above), contact the newspaper for their preferred method for submitting legal notices****

After publication, the newspaper will email you a receipt and a copy of the Notice as it appeared in the newspaper. This is known as an Affidavit of Publication and will need to be attached to the Proof of Publication form.

□ Step 6: File proof of publication

After publication is completed, you must show proof of publication by filing your Affidavit of Publication with the court.

If you do not file proof of publication at least 21 days prior to the hearing, your hearing may be vacated (canceled).

Complete the Proof of Publication form and include a copy of the Affidavit of Publication you received from the newspaper to go with the Proof of Publication form.

Electronically file your Proof of Publication and Affidavit of Publication 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://wcefex.washoecourts.com/> and upload the following documents:

Note: The eFlex Document Category field can be left blank.

- Proof of Publication and Affidavit of Publication all together as one PDF document.
(Document Type: Proof of Publication)

2. 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 then “Submit the Filing.”

□ Step 7: Response to the published notice

Starting the day after the last date of publication, the other party has 20 days to file a response. If the other party files a response to your petition, you can file a reply.

Even if the other party does not file a response, they can attend the court hearing.

□ Step 8: The Hearing

If the parent the petition was filed against attends the hearing, the parent will be able to tell the judge whether they agree or disagree with the termination of their parental rights.

If the parent the petition was filed against does not attend the hearing, the judge must be sure that the parent was properly served with the petition and notice of hearing. The judge may not go forward with the hearing if the other parent was not properly served.

**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>