

PETITION FOR PERMISSION TO MOVE OUT OF STATE

GA-9

Resource Center
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Reno, NV 89501
775-325-6731
www.washoecourts.com

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**PETITION FOR PERMISSION TO
MOVE OUT OF STATE**

PACKET GA-9

**USE THIS PETITION PACKET ONLY IF ALL
OF THE FOLLOWING REQUIREMENTS HAVE BEEN MET:**

- There is an open guardianship case in Washoe County.
- You are the guardian(s) of a protected person.
- You wish to relocate out of the state with the protected person.

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. Petition for Permission to Move out of State
2. Citation to Appear and Show Cause
3. Certificate of Mailing
4. Declaration 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 Petition as Shown:

If you have documents that support your petition, attach copies of the documents to your petition as exhibits (see INSTRUCTIONS: STEP 2). Explain in your petition how the documents support your petition. If you do not have any exhibits, please continue to INSTRUCTIONS: STEP 4.

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

2) Print the heading, Case No., and Dept. No. exactly as it appears on all other documents in this case.

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

COURT CODE: 3645
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE**

In the Matter of the Guardianship of the:

Person
 Estate
 Person and Estate

CASE NO.: _____
DEPT: _____

of:
(name of person who has a guardian)
A Protected Person.

PETITION FOR PERMISSION TO MOVE OUT OF STATE

Guardian(s), (first guardian's name) _____ and
(second guardian's name or "n/a") _____,
respectfully represent the following to this Honorable Court:

1. Guardian(s) plan to move to the State of (state) _____ on (date of your planned move) _____, 20__ and request permission to move the protected person to the new state because: (explain reasons for the move in detail)

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Page 1 of 3 – Petition to Relocate

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INSTRUCTIONS: STEP 2

Complete the Index of Exhibits and the Exhibit Cover Page as Shown:

To attach documents in support of your Petition to Move out of State you will need an Exhibit Index and Exhibit Cover Page(s). If you do not have any exhibits skip this step and continue with INSTRUCTIONS: STEP 3.

1) For each exhibit you are attaching you must print:

- a) An exhibit number, starting with 1,
- b) The number of pages in the exhibit, and
- c) A description of the exhibit.

2) For each exhibit, you must fill out an Exhibit Cover Page with the exhibit number listed on the Index of Exhibits.

3) The documents should be in the following order:

- The Petition for Permission to Move out of State
- The Index of Exhibits
- The Exhibit Cover Page
- The exhibit
- The Exhibit Cover Page
- The exhibit, and so on.

INDEX OF EXHIBITS

Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	
Exhibit Number _____	Number of Pages _____
Exhibit Description _____	

Exhibit Cover Page

EXHIBIT NUMBER _____

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INSTRUCTIONS: STEP 3

Electronically Filing the Documents

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

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

- Petition for Permission to Move out of State;
- Any Exhibits.

Make sure to keep the original copy of any 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 the Resource Center.

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INSTRUCTIONS: STEP 4

Complete the Citation to Appear and Show Cause as Shown:

You must contact the Court to set your petition for hearing and have the Citation issued. You may do this by: 1) emailing the Citation to AdultGuardianship@washoecourts.us, or 2) calling the guardianship Court Clerk at 775-328-3135. If you have any questions about getting the Citation issued, call 775-328-3135. You must serve a copy of the file-stamped Petition and Citation to Appear and Show Cause to the following protected person's family members (if surviving):

- Mother
- Father
- Children (over the age of 14)
- Grandparents
- Siblings (over the age of 14)
- Spouse
- Grandchildren (over the age of 14)

You will also need to serve

- The Protected Person and their attorney.
- The Director of the Department of Health and Human Service if the Protected Person has received or is receiving benefits from Medicaid.
- The Department of Veteran Affairs if the Protected Person is receiving benefits from the VA.
- Anyone else who is listed under NRS 159.034.

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

2) Print the heading, Case No., and Dept. No. exactly as it appears on all other documents in this case.

3) Print the names of all the people you are required to serve.

4) On the next page (not shown), print the names of the Petitioners and mark the box for "Petition for Permission to Move out of State". Leave the rest of the second page blank. A court employee will fill this out.

COURT CODE: 1395
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

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

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate
of: _____

CASE NO.: _____
DEPT: _____

(name of person who has a guardian)
A Protected Person: _____

CITATION TO APPEAR AND SHOW CAUSE

TO: (protected person's name) _____
(protected person's attorney's name) _____
(guardian's names) _____

ALL KNOWN RELATIVES OF THE PROTECTED PERSON:
(Write each relative's name on a separate line)

ANY PERSON HAVING THE CARE, CUSTODY, AND CONTROL OF THE
PROTECTED PERSON

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Page 1 of 2 - Citation to Appear and Show Cause (Generic)

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INSTRUCTIONS: STEP 5

Serving the Documents

Everyone listed on the citation must be served by certified mail, with return receipt requested, at least 20 days before the hearing, or by personal service at least 10 days before the date set for the hearing. **PERSONAL SERVICE CANNOT BE COMPLETED BY YOU.**

If you serve by certified mail, keep the white slips and green cards to attach to your Certificate of Service (*see INSTRUCTIONS: STEP 6*).

If you serve by personal service, service may be completed by:

- The Civil Division of the Sheriff's Office in the County in which the person you are serving resides or works; or
- A responsible adult over the age of 18 years (such as a friend or relative); or
- A private process service.

The Declaration of Service must be completed by the person who served the documents (*see INSTRUCTIONS: STEP 7*).

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INSTRUCTIONS: STEP 6

Complete the Certificate of Service for all Persons Served by Mail as Shown:

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

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

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

4) List the names and addresses of the people served by mail, if any, in these spaces. If more room is needed, attach additional sheets.

COURT CODE: 1360
Your Name: _____
Address: _____
City, State, Zip: _____
Telephone: _____
Email Address: _____
Self-Represented _____

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

In the Matter of the Guardianship of the:
 Person
 Estate
 Person and Estate
of: _____
(name of person who has a guardian)
A Protected Person.

CASE NO.: _____
DEPT.: _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am over the age of 18 and I served the (check all that apply)

Petition for Permission to Move out of State
 Citation to Appear and Show Cause
 Other: _____

in the following manner:

BY MAIL
I certify that I deposited copies the foregoing documents in the U.S. mail in (city) _____, Nevada, addressed to the persons listed below on (date) _____ by (check one) Regular, Certified or Registered, return receipt requested:

Name: _____ Address: _____
Name: _____ Address: _____

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Page 1 of 2 – Certificate of Service (Generic Guardianship)

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

ELECTRONIC
I served the following persons pursuant to the court's electronic service rules on (date) _____:

Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____
Name: _____ Email Address: _____

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

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

DATED (month) _____ (day) _____, 20 ____.

(Your Signature)

(Printed Name)

Page 2 of 2 – Certificate of Service (Generic Guardianship)

5) Date, sign, and print your name.

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INSTRUCTIONS: STEP 7

Complete the Declaration of Service for those Personally Served as Shown:

This form will be filled out by the person who completes service. One document will need to be filled out for each individual served. It is your responsibility to file a copy of the Declaration of Service once service is completed.

1) Print your name (the person who served the documents), address, telephone number, and email address.

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

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

COURT CODE: 1520
Your Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____
Self-Represented

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

In the Matter of the Guardianship of the:

- Person
 Estate
 Person and Estate

CASE NO: _____

DEPT: _____

of:

(name of person who has a guardian)
A Protected Person.

DECLARATION OF SERVICE

A copy of the filed documents can be **personally served** on anyone who is required to receive service.

A neutral person, not involved in this case or related to the parties, can personally serve the documents directly to the person. If that is not possible, the server can personally serve the documents on someone of suitable age and discretion who lives with the person.

*The proposed guardians or relatives cannot do this.
The person who serves the documents must complete this form.*

I, (name of person who served the documents) _____,

declare (**complete EVERY SECTION below**):

1. I am not a party to or interested in this action and I am over 18 years of age.
2. I am not a licensed process server; I am a natural person serving legal process without compensation, not more than three times per year, on behalf of a litigant who is a natural person, and therefore I am not required to be licensed pursuant to NRS 648.063(2) (2017 Nevada Laws Ch. 126 (A.B. 128)).
3. **Who You Served.** I served (name of person who is supposed to get the documents) _____.

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Page 1 of 2 – Declaration of Service (Generic)

4. **What Documents You Served.** I served a copy of the (check all that apply)

- Petition for Permission to Move out of State
 Citation to Appear and Show Cause / Notice of Hearing
 Other: _____

5. **Where You Served.** I personally delivered and left the documents with: (check one)

- The Person Directly.** I served the documents directly to the person at the location below. (complete the details below)

Name of Person Served _____

Address Where Served _____

City, State, Zip Code _____

- Someone Who Lives with the Person.** This is a person of suitable age and discretion who lives with the person I needed to serve. (complete the details below)

Name of Person Served _____

Address Where Served _____

City, State, Zip Code _____

6. **When You Served.** I personally served the documents on (date you served the documents) (month) _____ (day) _____, 20____ at the hour of (time) _____ a.m. p.m.

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

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

DATED (month) _____ (day) _____, 20____.

Server's Signature: _____

Server's Printed Name: _____

Residential / Business Address: _____

City, State, Zip: _____

Server's Phone Number: _____

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Page 2 of 2 – Declaration of Service (Generic)

4) The person who served the documents will need to date, sign, print their name, address, and phone number.

PERSONAL SERVICE CANNOT BE COMPLETED BY YOU.

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INSTRUCTIONS: STEP 8

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

- Certificate of Mailing
- Declaration of Service

Make sure to keep the original copy of any 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 the Resource Center.

Once the Certificate of Mailing and the Declaration of Service have been filed, you will need to mail a file-stamped copy to all of the parties served.

INSTRUCTIONS: STEP 9

The Hearing

The hearing will be virtual. The Court will send log in instructions prior to the hearing. Log in 15 minutes prior to your scheduled time for the hearing.

The Judge will have questions for you, the family members of the protected person, and the protected person. If the Petition for Permission to Move out of State is granted, the Judge will issue an order. You will then have 90 days to register the guardianship in the new state.

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>