

# **COMPLAINT FOR ANNULMENT**

**(NO MINOR CHILDREN, NO  
ASSETS AND NO DEBTS TO BE  
DIVIDED)**

**D-11**

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

[www.washoecourts.com](http://www.washoecourts.com)

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## **COMPLAINT FOR ANNULMENT (NO MINOR CHILDREN, NO ASSETS AND NO DEBTS TO BE DIVIDED) PACKET D-11**

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

- You and your spouse were married in Nevada –OR– You and your spouse were married elsewhere but you or your spouse has lived in Nevada for at least six weeks.
- You and your spouse have no minor children born to or adopted by you.
- You and your spouse have no community assets or debts to be divided.
- There is a legal reason for the annulment.  
(The legal reasons for an annulment can be found in the Nevada Revised Statutes, a copy of the Nevada Revised Statutes regarding annulments is available at the back of this packet.)

\*If any of these do not apply to you please contact the Resource Center, the Law Library, or seek the advice of a licensed attorney.

### **Attention**

Please note the length of the marriage and/or the fact that the parties did not actually cohabit or consummate the marriage are not, by themselves, grounds for an annulment.

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 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. Complaint for Annulment
4. Declaration of Resident Witness  
(To be used only if you or your spouse is a resident of the State of Nevada **AND** you wish to ask for a divorce if the annulment is not granted **-OR-** if you were married outside of the State of Nevada.)
5. Summons
6. Declaration of Personal Service

This packet contains the following additional information:

1. Nevada Revised Statutes regarding annulment

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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@washocourts.us](mailto:eflexsupport@washocourts.us);
- 3) Request an account at <https://wcefex.washocourts.com/>.

<p>SECOND JUDICIAL DISTRICT COURT</p>  <p>WASHOE COUNTY STATE OF NEVADA</p> <p><b>EFILE USER AGREEMENT (Standard)</b></p> <p>This serves as your eFile User Agreement with the Second Judicial District Court for the purpose of registering to permit e-filing of court case documents using the eFlex Electronic Filing System (eFlex). Currently, this account will be subject to a \$0.00 fee per transaction. This agreement will expire at the end of years unless the account is renewed. Accounts may be renewed online at <a href="http://www.washocourts.com">www.washocourts.com</a>.</p> <p>By registering for an eFlex account, I agree and consent to the following:</p> <ul style="list-style-type: none"><li>I will submit court filings electronically through eFlex on court cases for which I am an active party or of record, or an officer of the Court filing documents in my official capacity.</li><li>As a registered eFlex account holder, I cannot deactivate my email address without filing a Written Notice of Intent to change my email address with the District Court. This Written Notice of Intent must include my bar number and a list of all pending court matters. Also included must be an acknowledgment that all attorneys of record on those pending matters have been notified of my new email address. I understand that it is my responsibility to keep my email address updated on my eFlex account profile.</li><li>I understand that once my eFlex account is deactivated, I will no longer be able to electronically eFile any documents using my account nor will I receive eFlex electronic service. Furthermore, I will no longer have access to court records through my eFlex account.</li><li>Electronic signatures (e.g. /s/) are permissible on electronically filed documents submitted from the eFlex account. (See Nevada Electronic Filing and Conversion Rules, Rule 11).</li><li>I will accept eFile electronic notices sent to my email on file with eFlex as valid and effective service of eFiled documents replacing the need for paper service. Electronic service of documents is limited to documents permitted to be served by mail, express mail, overnight delivery, or facsimile transmission, petition or other document that must be served with a summons, and summons or a suit cannot be served electronically.</li><li>I agree to the terms of the license agreement as stated by Cyber on the court's eFlex website under "of use" and "privacy policy" when registering for an eFlex account and pressing the submit button.</li><li>I understand that email addresses supplied by the registered user via the username/password account through "eFlex Account" supersedes the court's case management system for the purpose of delivering valid and effective service of eFiled documents. I understand that it is my responsibility to keep my address updated on my eFlex account profile.</li><li>I agree to file the proper motion to withdraw/notice of change/substitution of counsel/notice of termination (whatever applies) into each of my cases whenever I depart from an agency, office, or I cease to represent a party in any case, or cease to be an eFlex user <b>within 10 days of any such change</b>. If known, I will designate the new attorney and/or e-Filed contact on each case. Further, I will separate the Clerk of Court of any employment change which will globally affect all or a majority of my cases.</li></ul> <p>Revised September 26, 2018</p>	<ul style="list-style-type: none"><li>I acknowledge receipt, understanding and agree to follow the Nevada Electronic Filing and Conversion Rules (EFCR).</li><li>I understand if a party submits a proposed Order and the Order is eFiled by the Court, <b>ONLY</b> 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.</li><li>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.</li><li>I understand any violation of the terms of this agreement may result in sanctions imposed by the Court.</li></ul> <p>Attorney or Person Name: _____ If an attorney, Bar ID: _____ Law Firm: _____ If not an attorney, DOB: _____ Interpreter needed: <input type="checkbox"/> Yes or <input type="checkbox"/> No Language: _____ If not an attorney, Case number(s): _____ eFlex Email Address: _____ 1<sup>st</sup> Alternate eFlex Email Address: _____ 2<sup>nd</sup> Alternate eFlex Email Address: _____ Mailing Address: _____ City: _____ State: _____ Zip Code: _____ Phone Number: _____ Fax Number: _____ Designated eFlex contact person: _____</p> <p><b>I hereby certify that I have read the above information and agree to abide by the requirements and terms as stated in this agreement.</b></p> <p>Date: _____ Signature of Attorney/Person Agency Signatory: _____</p> <p>Check one: <input type="checkbox"/> Renewal of Standard Account. Follow online instructions at <a href="http://www.washocourts.com/index.cfm?page=eflex">http://www.washocourts.com/index.cfm?page=eflex</a> <input type="checkbox"/> New Standard Account</p> <p><small>To become a registered eFlex account holder, you must request an account online at <a href="https://wcefex.washocourts.com">https://wcefex.washocourts.com</a> 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 <b>AND receipt of the signed eFile User Agreement</b>, 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.</small></p> <p>Translated/Interpreted by (if applicable): _____ Print Name _____ Signature _____</p> <p>Revised September 26, 2018</p>
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If you need further assistance signing up for an account, please call the Resource Center at 775-325-6731.

INSTRUCTIONS: STEP 2

Complete the Family Court Information Sheet as Shown:

1) Print your name.

2) Print your spouse's name.

3) Print your names, social security numbers, dates of birth, whether either of you need an interpreter, and if so what language. Print "do not have" if one or both of you do not have a social security number.

STOP HERE

There is no need to complete the rest of this form because you have no minor children.

IN THE F  
OF THE SECOND JUDICIAL DIST  
IN AND FOR THE COUNTY OF WASHOE

CO  
FAMILY COURT  
ION SHEET

Case No. \_\_\_\_\_  
Dept. No. \_\_\_\_\_

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

---

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

REV 9/17/19 KAL

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

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## INSTRUCTIONS: STEP 3

### Complete the Complaint for Annulment as Shown:

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

2) Print your name.

3) Print your spouse's name.

4) Complete all the pages of the complaint, following the instructions on each page.

1	Code: 3425/\$3425
2	Name: _____
3	Address: _____
4	Telephone: _____
5	Email: _____
6	Self-Represented Litigant
7	IN THE FAMILY COURT
8	OF THE SECOND JUDICIAL DISTRICT
9	IN AND FOR THE COUNTY OF CLATSOP
10	_____
11	Plaintiff / Petitioner,
12	Case No. _____
13	vs. Dept. No. _____
14	_____
15	Defendant / Respondent.
16	
17	<u>COMPLAINT FOR ANNULMENT</u>
18	
19	I declare:
20	
21	1. My spouse and I were married in the State of _____
22	on _____ (State in which married)
23	(Date of marriage)
24	2. <input type="checkbox"/> Neither my spouse nor I are a resident of the State of Nevada.
25	—OR—
26	<input type="checkbox"/> <b>I</b> —AND/OR— <input type="checkbox"/> <b>MY SPOUSE</b> has/have been a resident of the State of Nevada for at least
27	six weeks prior to filing this Complaint.
28	
	REV 12/28/2021 JDB 1 D-11 COMPLAINT

The Resource Center will give you a Case No. and Department No. when you file the complaint with the court.

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## INSTRUCTIONS: STEP 4

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

To attach exhibits to your documents, you must include an index of exhibits and exhibit cover page for each exhibit.

- 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.

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 _____	

- 2) For each exhibit, you must fill out an exhibit cover page with the exhibit number listed on the index of exhibits.

**Exhibit Cover Page**

EXHIBIT NUMBER \_\_\_\_\_

- 3) The documents must be in the following order:
  - the complaint for annulment
  - the index of exhibits
  - the exhibit cover page
  - the exhibit
  - the exhibit cover page
  - the exhibit, and so on.

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## INSTRUCTIONS: STEP 5

Use this document only if:

a) You wish to ask for a divorce if the annulment is not granted **AND** you and/or your spouse is a resident of Nevada.

**-OR-**

b) If you were married outside of the State of Nevada **AND** you and/or your spouse is a resident of Nevada.

### Complete the Declaration of Resident Witness as Shown:

You or your spouse cannot fill out this form as the resident witness.

Who can fill out this form? Someone who is 18 years of age or older, a resident of the State of Nevada, and who knows that you or your spouse have been physically present in Nevada for at least six weeks before filing for an annulment.

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

1 Code: 1521  
2 Name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 Telephone: \_\_\_\_\_  
5 Email: \_\_\_\_\_  
6 Self-Represented Litigant

The Resource Center will give you a Case No. and Department No. when you file the complaint with the court.

2) Print your name.

7 IN THE FAMILY DIVISION  
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE  
9 IN AND FOR THE COUNTY OF WASHOE

3) Print your spouse's name.

10  
11  
12 Plaintiff / Petitioner / Joint Petitioner, Case No. \_\_\_\_\_  
13 vs. Dept. No. \_\_\_\_\_

4) The resident witness (someone other than your spouse or you) must complete the declaration from this point forward.

14 Defendant / Respondent / Joint Petitioner  
15  
16  
17  
18 DECLARATION OF RESIDENT WITNESS  
19  
20 I, \_\_\_\_\_, do hereby declare  
21 (Name of Resident Witness)  
22 under penalty of perjury that the following is true.  
23 I am over the age of eighteen and competent to testify of my own knowledge to the following:

5) The resident witness must sign and date the declaration.

24 1. I have lived in the State of Nevada for \_\_\_\_\_ years and presently live at:  
25 (Number)  
26 \_\_\_\_\_  
27 (Your Street Address)  
28 \_\_\_\_\_  
(City, State, Zip Code)

REV 2/2019 JCB 1 Declaration of Resident Witness



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## INSTRUCTIONS: STEP 6

### 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 the Resource Center.

If you have not done so, you will need to sign up for an eFlex account and turn in the EFile User Agreement (*see INSTRUCTIONS: STEP 1*), to the Second Judicial District Court or email to [eflexsupport@washoecourts.us](mailto:eflexsupport@washoecourts.us).

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

- Family Court Information Sheet;
- Complaint for Annulment and any exhibits; and
- Declaration of Resident Witness (if applicable).

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 Law Library and the 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](http://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](http://www.washoecourts.com) (select the “Forms and Packets” tab on the right-hand side of the home screen)

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## INSTRUCTIONS: STEP 7

### Complete the Summons as Shown:

The Resource Center will give you a Case No. and Department No. when you file the complaint with the court.

1) Print your name. →

2) Print your spouse's name. →

3) Print "Complaint for Annulment" as the object of this action. →

4) Leave the date blank. →

5) Fill in your information. →

6) Leave this blank. →

Code: 4085

IN THE FAMILY

OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHINGTON

Plaintiff / Petitioner / Joint Petitioner, \_\_\_\_\_

vs. \_\_\_\_\_

Defendant / Respondent / Joint Petitioner. \_\_\_\_\_

Case No. \_\_\_\_\_

Dept. No. \_\_\_\_\_

SUMMONS

**TO THE DEFENDANT: YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND IN WRITING WITHIN 21 DAYS. READ THE INFORMATION BELOW VERY CAREFULLY.**

A civil complaint or petition has been filed by the plaintiff(s) against you for the relief as set forth in that document (see complaint or petition). When service is by publication, add a brief statement of the object of the action.

The object of this action is: \_\_\_\_\_

1. If you intend to defend this lawsuit, you must do the following within 21 days after service of this summons, exclusive of the day of service:

a. File with the Clerk of the Court, whose address is shown below, a **formal written answer** to the complaint or petition, along with the appropriate filing fees, in accordance with the rules of the Court, and;

b. Serve a copy of your answer upon the attorney or plaintiff(s) whose name and address is shown below.

2. Unless you respond, a default will be entered upon application of the plaintiff(s) and this Court may enter a judgment against you for the relief demanded in the complaint or petition.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Issued on behalf of Plaintiff(s):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

JACQUELINE BRYANT  
CLERK OF THE COURT

By: \_\_\_\_\_ Deputy Clerk

Second Judicial District Court  
75 Court Street  
Reno, Nevada 89501

REV 2/2019 JDB

SUMM

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### INSTRUCTIONS: STEP 8

#### **Getting the Summons Issued**

You will need to bring the Summons to the Resource Center or mail a copy of the Summons to the Filing Office using the following address:

75 Court Street  
Reno, Nevada 89501  
Attention Mail Desk

Once received, a filing clerk will issue the Summons by dating and signing the Summons and placing an embossed seal.

If you bring in the Summons in person, the Summons will be immediately returned to you.

If you mail in the Summons, you will receive the issued Summons back in the mail.

You will need to make a copy of the Summons to serve your spouse with.

Copy machines are available at the Law Library located on the first floor of the courthouse at 75 Court Street, Reno, NV. There is a per page charge to use the copy machine. Cash only.

### INSTRUCTIONS: STEP 9

#### **Setting a Case Management Conference**

You must set a case management conference. The court will not automatically set one for you.

To set up your case management conference, you will need to contact the department in which your case will be heard. Once you have filed your documents, the Resource Center will assign you a case number and department. For contact information for each department, visit [www.washoecourts.com/judges](http://www.washoecourts.com/judges).

Alternatively, you can set a case management conference in person. To do so visit the Resource Center.

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## INSTRUCTIONS: STEP 10

### **Serving the Documents**

The other party **must be personally served** within 120 days after the complaint is filed or your case may be dismissed. You must have your spouse personally served with a copy of the summons, complaint, notice of case management conference. The file-stamped documents should be stapled together with a **copy** of the “issued” summons on top. The original summons must be filed with the court after service is completed.

### **Personal Service**

**You cannot complete personal service.** Service may be completed by:

- the Civil Division of the Sheriff’s Office in the county in which your spouse resides or works; or
- a responsible adult over the age of 18 years (such as a friend or relative); or
- a private process service.

Personal service is completed by a person other than yourself by:

- handing a copy of the summons and complaint along with all other documents you have filed with the court to your spouse; or
- leaving a copy at your spouse’s home with a person of suitable age and discretion who lives there; or
- delivering a copy to an agent authorized to receive service (such as an attorney).

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## INSTRUCTIONS: STEP 11

### Complete the Declaration of Personal Service as Shown:

The person who serves your spouse must complete this declaration (see Instructions: Step 10). **You cannot serve your spouse.**

The person who completes service must fill out the declaration and sign it. It is your responsibility to file the original summons and declaration of service with the court after service is complete.

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

1 Code: 1520  
2 Name: \_\_\_\_\_  
3 Address: \_\_\_\_\_  
4 Telephone: \_\_\_\_\_  
5 Email: \_\_\_\_\_  
6 Self-Represented Litigant

The Resource Center will give you a Case No. and Department No. when you file the complaint with the court.

2) Print your name.

7 IN THE FAMILY  
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
9 IN AND FOR THE COUNTY OF WASHOE  
10 \_\_\_\_\_  
11 Plaintiff / Petitioner, Case No. \_\_\_\_\_  
12 vs. Dept. No. \_\_\_\_\_  
13 \_\_\_\_\_  
14 Defendant / Respondent.

3) Print your spouse's name.

4) The person who served the document(s) must complete the declaration from this point forward.

15 DECLARATION OF PERSONAL SERVICE  
16 (To be filled out and signed by the person who served the Defendant or Respondent.)  
17 I, \_\_\_\_\_, declare:  
18 (Name of person who completed service)  
19 1. I am not a party to this action and am over 18 years of age.  
20 2. I am not a licensed process server; I am a natural person serving legal process without  
21 compensation, not more than three times per year, on behalf of a litigant who is a natural  
22 person, and therefore I am not required to be licensed pursuant to NRS 648.063(2).  
23 3. I was able to complete service.  
24 4. I personally delivered and left the document(s) with:  
25  The person to the case (Defendant / Respondent), I served the document(s) on the  
26 party at the location below.  
27 \_\_\_\_\_  
28 (Name of person served)  
\_\_\_\_\_  
(Street Address, City, State, and Zip Code of where served)

5) The person who served the document(s) must sign and date the declaration.

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## INSTRUCTIONS: STEP 12

### **Filing the Summons and Declaration of Service**

After service is completed, **you must file the original summons and declaration of service with the court.** Without proof of service on your spouse, the court cannot grant the annulment.

Your spouse has 21 days after the date of service in which to file an answer to the complaint. If your spouse does not file an answer, please contact the Resource Center for further information regarding a **default packet.**

### **Service by Publication or Alternative Service**

If you do not know where your spouse is or you are unable to serve your spouse by personal service, you may file an **ex parte motion** to ask to complete service by alternative service or publication. Contact the Resource Center for further information.

## 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., 1<sup>st</sup> Floor  
Reno, NV 89501

775-321-2062 – leave a message, if  
necessary

<https://nnlegalaid.org>

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## NEVADA ANNULMENT STATUTES

**NRS 125.290 Void Marriages.** All marriages are prohibited by law because of:

1. Consanguinity between the parties; or
2. Either of the parties having a former spouse then living, if solemnized within this State, are void without any decree of divorce or annulment or other legal proceedings. A marriage void under this section shall not bar prosecution for the crime of bigamy pursuant to NRS 201.160.

**NRS 125.300 Voidable Marriages: Causes for annulment.**

A marriage may be annulled for any of the causes provided in NRS 125.320 to NRS 125.350, inclusive.

**NRS 125.320 Cause for annulment: Lack of consent of parent or guardian.**

1. When the consent of a parent, guardian or district court, as required by 122.025, has not been obtained, the marriage is void from the time its nullity is declared by a court of competent jurisdiction.
2. If the consent required by 122.025 is not first obtained, the marriage contracted without the consent of a parent, guardian or district court may be annulled upon application by or on behalf of the person who fails to obtain such consent, unless such person after reaching the age of 18 years freely cohabits for any time with the other party to the marriage as a married couple. Any such annulment proceedings must be brought within 1 year after such person reaches the age of 18 years.

**NRS 125.330 Cause for annulment: Want of understanding.**

1. When either of the parties to a marriage for want of understanding shall be incapable of assenting thereto, the marriage shall be void from the time its nullity shall be declared by a court of competent authority.
2. The marriage of any insane person shall not be adjudged void, after his or her restoration to reason, if it shall appear the parties freely cohabitated together as a married couple after such insane person was restored to a sound mind.

**NRS 125.340 Cause for annulment: Fraud.**

1. If the consent of either party was obtained by fraud and fraud has been proved, the marriage shall be void from the time its nullity shall be declared by a court of competent authority.
2. No marriage may be annulled for fraud if the parties to the marriage voluntarily cohabit as a married couple having received knowledge of such fraud.

**NRS 125.350 Cause for annulment: Grounds for declaring contract void in equity.**

A marriage may be annulled for any cause which is a ground for annulling or declaring void a contract in a court of equity.

**NRS 125.360 Annulment of marriage contracted within State: No requirement of residence.**

Annulment of marriages contracted, performed or entered into within the State of Nevada may be obtained by complaint, under oath, to any district court of the State of Nevada for any cause provided by law for annulment of marriage.

**NRS 125.370 Annulment of marriage not contracted within State: Jurisdiction of district court.**

1. Annulment of marriages contracted, performed or entered into without the State of Nevada may, for any cause provided by law for annulment of marriage, be obtained by complaint, under oath, to the district court of any county if the plaintiff shall have resided 6 weeks in the State before suit be brought; otherwise, under oath, to the district court of the county in which:
  - a. The defendant shall reside or be found; or
  - b. The plaintiff shall reside, if the latter be the county in which the parties last cohabited.
2. No court in this State shall have authority to annul any marriage contracted, performed or entered into without the State of Nevada unless one of the parties shall have resided in this State for the period of 6 weeks before filing of the complaint.



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## **NRS 125.380 Cause for annulment may be pleaded in divorce complaint.**

A cause of action for annulment may be pleaded in the same complaint with a cause of action for divorce.

## **NRS 125.390 Action in rem; status of parties determined.**

Any action brought in this State for annulment of marriage shall be an action in rem, and in addition to annulling or declaring the contract of marriage void the courts shall regulate and determine the status of the parties.

## **NRS 125.400 Service of process.**

In any suits brought under this chapter for annulment of marriage, process shall be served in the same manner as in actions at law, and the courts shall have the same power upon a substituted or constructive service of process to annul a marriage and regulate and determine the status of the parties as they would have had if process had been personally served.

## **NRS 125.410 Issue of marriages are legitimate.**

1. Nothing in this chapter shall be construed so as to make the issue of any marriage illegitimate if the person or persons not be of lawful age.
2. The issue of all marriages deemed null in law shall be legitimate.

## **NRS 125.420 Presumption: Law of another state same as law of Nevada.**

In any suit in this State for an annulment of marriage in anywise affected by the law of another state, it shall be presumed that the law of such other state is the same as the law of this State, unless and until the law of such other state shall be alleged and proved.

## **NRS 125.430 Reporting and transcription of evidence: Filing and costs.**

1. When ordered by the court, the evidence in annulment of marriage actions shall be reported and transcribed and the transcript thereof filed with the pleadings in the case.
2. The cost of such transcript shall be immediately computed by the reporter and paid by the party ordered by the court to do so to the clerk of the court, who shall pay the same to the reporter upon receiving from the latter the transcript of evidence.
3. In all cases heretofore or hereafter where a transcript of evidence has not been filed due to the death of the reporter, and a period of not less than 5 years has elapsed and no claim has been made during that period by any party, the amount of money on deposit with the clerk, and payable to such reporter if a transcript of the evidence had been filed, shall be, by the clerk, paid to the county treasurer, who shall deposit the same in the county general fund.

## **NRS 125.440 Judgment for arrearages in payment of support.**

1. When either party to an action for annulment or declaration of nullity of a void marriage, makes default in paying any sum of money as required by the judgment or order directing the payment thereof, the district court may make an order directing the entry of judgment for the amount of such arrears, together with costs and a reasonable attorney's fee.
2. The application of such order shall be upon such notice to the defaulting party as the court may direct.
3. The judgment may be enforced by execution or in any other manner provided by law for the collection of money judgments.