

**EX-PARTE MOTION FOR MUTUAL
RESTRAINING ORDER FOR
PROTECTION OF PROPERTY AND
FINANCES**

E-3

Resource Center
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www.washoecourts.com

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EX-PARTE MOTION FOR MUTUAL RESTRAINING ORDER FOR PROTECTION OF PROPERTY AND FINANCES

PACKET E-3

**THIS PACKET IS NOT TO BE USED ALONE
THE PACKET IS TO BE USED ONLY:**

- With a *Divorce or Legal Separation Complaint Packet* or with an *Answer to Divorce or Legal Complaint*
- When you want the court to enter an order in an existing case without the notice to the other party:
 - That protects property, whether it is real property or personal property (including bank accounts, retirement accounts, etc.) from being transferred, hidden or given away;
 - That protects the value of existing property;
 - That prevents changes in existing insurance policies, such as vehicle insurance, health insurance and life insurance policies;
 - That prevents that parties from incurring further debt, except for the actual necessities of life.

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. Ex-Parte Motion for Mutual Restraining Order
2. Request for Submission
3. Exhibit Index and Exhibit Cover Page
4. Ex-Parte Mutual Restraining Order

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 Ex Parte Motion for Mutual Restraining Order as Shown:

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

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

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

1	Code: 1670
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	
11	
12	Plaintiff / Petitioner / Joint Petitioner, Case No. _____
13	vs. Dept. No. _____
14	
15	Defendant / Respondent / Joint Petitioner.
16	
17	
18	<u>EX PARTE MOTION FOR MUTUAL RESTRAINING ORDER FOR PROTECTION OF</u>
19	<u>PROPERTY AND FINANCES</u>
20	1. I request an Ex Parte Mutual Financial Restraining Order that restrains the parties from
21	transferring, encumbering, hypothecating, concealing or in any way disposing of any property,
22	whether real or personal, whether community or separate, except in the usual course of business or
23	for the necessities of life.
24	
25	2. I further request that the parties be restrained from cashing, borrowing against, canceling,
26	transferring, disposing of, or changing the beneficiaries of any insurance coverage, including life,
27	health, automobile, and disability coverage.
28	//
	1
	REV 8/13/19 JDB
	E-3 MOTION

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INSTRUCTIONS: STEP 2

Complete the Request for Submission as Shown:

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

2) Print the names of the parties, the case number and department number just as they appear on all other documents in this case.

3) Print the date you filed the motion.

4) Print your name, sign, and date the document.

1 Code: 3860
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

11 _____
12 Plaintiff/Petitioner/ Joint Petitioner, Case No. _____
13 vs. Dept. No. _____
14 _____
15 Defendant/Respondent/ Joint Petitioner.

16
17
18 REQUEST FOR SUBMISSION

19
20 I request that the Ex Parte Motion for Mutual Restraining Order for Protection of Property and
21 Finances that was filed on *(date the document was filed with the Court)* _____
22 be submitted to the Court for decision.

23 This document does not contain the personal information of any person as defined by NRS
24 603A.040.

25
26 Date: _____ Your Signature: _____
27 Print Your Name: _____
28

REV 8/13/19 JDB 1 REQUEST FOR SUBMISSION

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INSTRUCTIONS: STEP 4

Filing in the Ex Parte Mutual Restraining Order

Fill in the heading just as it appears on the other documents in this case, including Case No. and Dept. No. if one has been assigned.

Do not fill in any other part of the Order. The Judge will fill in that information.

INSTRUCTIONS: STEP 5

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wceflex.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:

- Ex Parte Motion; and
- Request for Submission and Exhibit Index; and
- Order for Mutual Restraining Order (as an exhibit to the Request for Submission).

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 Filing Office and online at: www.washoecourts.com.

FILING FEE WAIVERS

If you cannot afford the filing fee, you may apply to have your filing fee waived. To apply, you must fill out and file the application found in the **Application for Waiver of Fees and Costs packet**, which may be obtained at the following locations:

- 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)

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INSTRUCTIONS STEP 6

If you file the Ex Parte Motion at the same time you file the Complaint or the Answer:

If you are filing the motion at the same time as you are filing your Complaint or your Answer, you can wait for the court to issue the Order and serve all of the documents together on the other party as instructed in the packet covering the service of the Complaint or Answer. The court will either call you to pick up the Order or the court will mail you a copy of the Order.

If you file the Ex Parte motion after the Complaint or Answer has been filed and served:

If you file the Ex Parte motion after the Complaint or Answer has been filed and served and the case is proceeding, when you receive the order from the Court it must be served either personally or by mail on the other party or the other party's attorney and you must then fill out and file a Proof of Service.

The Proof of Service form is available at the Resource Center, Law Library, and 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>