

M-8

MOTION FOR AN ORDER TO ENFORCE AND/OR FOR AN ORDER TO SHOW CAUSE REGARDING CONTEMPT

Use this packet if all the following statements are true:

- You have a valid, enforceable court order from the Second Judicial District Court.
- The other party has the ability to obey the order and is not obeying the order.
- You want the Court to enforce the order.

This packet contains the following:

1. Instructions
2. Legal Assistance Information
3. Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt
4. Index of Exhibits and Exhibit Cover Page
5. Declaration of Moving Party
6. Proof of Service
7. Reply to Opposition to Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt *
*Used if the other party files an opposition to your motion
8. Request for Submission
9. Proof of Service

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:** The Second Judicial District Court requires all documents to be electronically filed using the eFlex system. To file electronically, you must have an eFlex account which you can sign up for in person at the Resource Center, or online at: <https://www.washoecourts.com/EFiling/SignUp>.

- **Step 2:** Fill out the **Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt** and the **Declaration of Moving Party**.

The Declaration of Moving Party must be fully completed even if it contains the same or similar information as the Motion.

If you are filing this motion because the other party has not been paying child support, spousal support, or alimony, you will also need to file an F-7 Declaration and Schedule of Arrearages.

- **Step 3:** Fill out the **Index of Exhibits** and **Exhibit Cover Page**

Attach as an exhibit to your motion a copy of the existing Court Order the other party is not following. You may also attach additional exhibits that support your motion. Each exhibit needs its own Exhibit Cover Page and must be listed on the Index of Exhibits.

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them. If you take them to the Resource Center to file, skip to Step 4 once they have been filed.

- **Step 3a:** Electronically file your documents.

- Log into your eFlex account: <https://wceflex.washoecourts.com/>.
- Click “Existing Cases.”
- Locate the case you are filing into, click the blue “eFile” link.
- To file your documents, select the applicable Document Type, and click “Choose File.” Locate the document file on your computer, then click “Add.”

Note: The Document Category field can be left blank.

- **Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt** and **Index of Exhibits** as a 5-page PDF (Document Type: “Mtn Ord to Show Cause”)

- **Exhibit Cover Page** and the Court Order as a multiple page PDF attached to your Motion
(Document Type: “**Continuation”)
 - Your exhibit gets attached to the Motion by selecting Document Type: “**Continuation.”
 - Upon attaching your exhibit, you will be prompted to select which document you are attaching it to; confirm that “Mtn Ord to Show Cause” is selected and click “Next.”
- A helpful video can be found here:
<https://www.youtube.com/watch?v=6JRMIXxa8Pg>
- Repeat these steps if you are attaching additional exhibits to your motion.
- **Declaration of Moving Party**
(Document Type: “Declaration”)

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.”

When you are ready to submit your documents to the court, click “Submit the Filing.”

Step 4: Service of the Motion and Declaration.

Your Motion and Declaration must be served to the other parties in the case. They can be served electronically by eFlex if they have an active eFlex account. To view which parties in the case will be served electronically, log into eFlex. On the home page, in the provided box, type in your case number, then click the blue “Service List” button. The eFlex system will generate a list of who will receive electronic notice and who will need to be served in another way.

The parties that do not have an active eFlex account must be served the documents by mail or personal service.

Notice of Electronic Filing will be generated by the eFlex system when any documents are filed into the case. A Notice of Electronic Filing does not replace the requirement of filing proof of service with the court.

Step 5: Fill out the **Proof of Service**

Electronically file the Proof of Service yourself or bring your completed document to the Resource Center to get help filing it. If you take it to the Resource Center to file, skip to Step 6 once it has been filed.

Step 5a: Electronically file the **Proof of Service**

Refer to Step 3a to electronically file your documents. Use document type listed below. Note: The Document Category field can be left blank.

- **Proof of Service**
(Document Type: “Proof of Service”)

Step 6: The **Reply to Opposition** and **Request for Submission**.

If you served the other parties with the Motion and Declaration through eFlex or personal service, they have 14 days, beginning the day after service, to file an Opposition to your motion.

If you served the other parties by U.S. Mail, they have 17 days, beginning the day after mailing, to file an Opposition.

If they file an Opposition, you have 7 days to file a Reply (10 days after date of mailing if you were served by mail). A Reply to Opposition is included in this packet and is optional.

Whether or not they file an Opposition, you must file a Request for Submission to have your Motion and Declaration reviewed by the judge.

You must allow the other parties the full amount of time to oppose your motion before filing the Request for Submission.

Step 7: Fill out the **Reply to Opposition** (if applicable), the **Request for Submission**, and the second **Proof of Service**.

Step 8: File the **Reply to Opposition** (if applicable) and **Request for Submission** and second **Proof of Service**.

Electronically file the documents yourself or bring your completed documents to the Resource Center to get help filing them. If you take them to the Resource Center to file, skip to Step 9 once they have been filed.

- Step 8a: Electronically file your documents.

Refer to Step 3a to electronically file your documents. Use document type listed below. Note: The Document Category field can be left blank.

- **Reply to Opposition** (if applicable)
(Document Type: “Reply to/in Opposition”)
- **Request for Submission**
(Document Type: “Request for Submission”)
- **Proof of Service**
(Document Type: “Proof of Service”)

- Step 9: Wait. Once you have completed all the steps, your Motion has been sent to the court for a decision. The judge will have approximately 60 days to review your documents and issue an order.

**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>