

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

DISTRICT COURT
_____ **COUNTY, NEVADA**

_____ Plaintiff, vs. _____ Defendant.	CASE NO.: _____ DEPT: _____
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DECREE OF SEPARATE MAINTENANCE

This Decree was submitted (*check one*) after a hearing without a hearing before the above-entitled court, and after a review of the pleadings and papers on file and the testimony given, if any, this Court finds as follows:

1. That Plaintiff or Defendant is now and has been an actual bona fide resident of the State of Nevada and has been actually domiciled in the State of Nevada for more than six weeks immediately prior to the commencement of this action.

2. That Plaintiff and Defendant were married on (*date*) _____ in the city of _____, State of _____ and have since remained married.

3. **Pregnancy.** (*check one*)

Neither spouse is pregnant.

The following spouse is pregnant: (*name of pregnant spouse*) _____.

The other spouse (*check one*) is / is not the parent of the unborn child. The child is due to be born on (*date*): _____.

4. That Plaintiff and Defendant have (*number*) _____ minor children in common who are either biological or adopted. The names and dates of birth are:

Child's Name:	Date of Birth

5. **Child Residency.** (*check one*)

The children are residents of Nevada and have lived here for at least the past 6 months. Nevada is the habitual residence of the children, and this Court has the necessary UCCJEA jurisdiction to enter orders regarding custody and visitation.

The children are not residents of Nevada or have not lived here for at least the past 6 months. The children live in (*state*) _____ which is the habitual residence of the child, and this Court does not have the necessary UCCJEA jurisdiction to enter orders regarding custody and visitation.

6. That any custody and visitation orders made herein are in the best interest of the children.

7. That the amount of child support ordered herein is in compliance with NRS 125B.070 or it meets the children's financial needs and is based upon the deviation factors enumerated in NRS 125B.080.

8. That this Court has complete jurisdiction to enter this Decree and the orders regarding the distribution of assets and debts.
9. That the Plaintiff or Defendant should be granted a Decree of Separate Maintenance for the reasons set forth in the Complaint or Counterclaim.
10. That any other necessary findings of fact are attached and incorporated herein.

NOW THEREFORE, IT IS HEREBY ORDERED that the parties are granted a Decree of Separate Maintenance, but the bonds of matrimony shall be maintained.

IT IS FURTHER ORDERED that (*check one*)

- The parties are granted joint legal custody of the minor children.
- The Plaintiff is granted sole legal custody of the minor children.
- The Defendant is granted sole legal custody of the minor children.
- Nevada is not the home state of the children and does not have jurisdiction.

IT IS FURTHER ORDERED that (*check one*)

- The parties shall share joint physical custody of the minor children. The parties shall exercise a regular and/or holiday timeshare as outlined in Exhibit 1 which is incorporated herein.
- Primary physical custody of the minor children shall be awarded to (*check one*)
 - Plaintiff / Defendant. The parties shall exercise a regular and/or holiday timeshare as outlined in Exhibit 1 which is incorporated herein.
- Nevada is not the home state of the children and does not have jurisdiction.

IT IS FURTHER ORDERED that (*check one*)

- Child support shall be paid by (*name of parent who will pay child support*) _____ in the amount of (*amount*) \$_____ per month. This is based on: (*check one*)
 - The statutory minimum of \$100/month per child.
 - The statutory calculation pursuant to NRS Chapter 125B.
 - The deviation factors enumerated in NRS 125B.080.
 - The amount already established by the District Attorney / Child Support Enforcement Office, case (*insert case number*) _____.
- Neither party shall pay child support.

IT IS FURTHER ORDERED that (*check one*)

- No child support arrearages exist or the entitled custodial parent waived his/her right to child support arrearages.
- Child support arrears are being handled by the District Attorney / Child Support Enforcement Office, case (*insert case number*) _____ and shall continue as ordered in that case.
- Back child support shall be paid by (*name of parent who will pay back child support*) _____ in the total amount of \$_____, which amount is reduced to judgment. The obligor is ordered to make monthly payments towards the arrearages in the amount of \$_____ per month until paid in full.

IT IS FURTHER ORDERED that (*check one*)

- A wage withholding shall issue against the obligor parent to secure payment of child support and spousal support, if any.
- Good cause exists to postpone the withholding of income from the obligor parent to pay child support and spousal support, if any.

IT IS FURTHER ORDERED that (*check one*)

- Both parties shall maintain future health insurance for the minor children, if available.
- Future health insurance for the minor children shall be provided by *(name of parent)* _____ if available.

IT IS FURTHER ORDERED that (*check one*)

- Any medical expenses not covered by insurance shall be paid equally by both parties.
- Any medical expenses not covered by insurance shall be paid by *(name of parent)* _____ due to the following extraordinary circumstances *(explain)*: _____

IT IS FURTHER ORDERED that (*check one*)

- The Plaintiff shall claim the following children as dependents for tax purposes every year: *(insert children's names)*: _____
- The Defendant shall claim the following children as dependents for tax purposes every year: *(insert children's names)*: _____
- The tax deduction shall alternate, with Plaintiff claiming the children in (*check one*) even / odd years, and Defendant claiming the children the other years.
- The tax deduction shall be allocated per federal law.

THE COURT FINDS AND THEREFORE ORDERS that (*check one*)

- There is no community property to divide or the property has already been divided.
- There is community property which shall be equally divided as follows:

To Plaintiff:

1. _____
2. _____
3. _____
4. _____
5. _____

To Defendant:

1. _____
2. _____
3. _____
4. _____
5. _____

THE COURT FINDS AND THEREFORE ORDERS that (*check one*)

- There is no community debt to divide or the debt has already been divided.
- There are community debts which shall be equally divided as follows:

To Plaintiff:

1. _____
2. _____
3. _____
4. _____
5. _____

To Defendant:

1. _____
2. _____
3. _____
4. _____
5. _____

THE COURT FINDS AND THEREFORE ORDERS that (*check one*)

- There is no spousal support awarded.
- The Plaintiff shall pay \$_____ per month in spousal support for (*number*) _____ years. This amount is just and equitable.
- The Defendant shall pay \$_____ per month in spousal support for (*number*) _____ years. This amount is just and equitable.

IT IS FURTHER ORDERED that (*check all that apply*)

- Neither spouse changed their name or neither spouse wishes to have a former or maiden name restored.
- The name of (*spouse's married name*) _____ should be restored to his / her former or maiden name of (*write full name the spouse wants to go back to*) _____.
- The name of (*spouse's married name*) _____ should be restored to his / her former or maiden name of (*write full name the spouse wants to go back to*) _____.

IT IS FURTHER ORDERED that each party shall submit the information required in NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the Welfare Division of the Department of Human Resources within ten days from the date this Decree is filed. Such information shall be maintained by the Clerk in a confidential manner and not part of the public record. The parties shall update the information filed with the Court and the Welfare Division of the Department of Human Resources within ten days should any of that information become inaccurate.

NOTICE IS HEREBY GIVEN of the following provision of NRS 125C.0045(6):

PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that every person having a limited right of custody to a child or any parent having no right of custody to the child who willfully detains, conceals or removes the child from a parent, guardian or other person having lawful custody or a right of visitation of the child in violation of an order of this court, or removes the child from the jurisdiction of the court without the consent of either the court or all persons who have the right to custody or visitation is subject to being punished for a category D felony as provided in NRS 193.130.

NOTICE IS HEREBY GIVEN that the terms of the Hague Convention of October 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on notice of the following provision of NRS 125C.0045(8):

If a parent of the child lives in a foreign country or has significant commitments in a foreign country:

(a) The parties may agree, and the court shall include in the order for custody of the child, that the United States is the country of habitual residence of the child for the purposes of applying the terms of the Hague Convention as set forth in subsection 7.

(b) Upon motion of one of the parties, the court may order the parent to post a bond if the court determines that the parent poses an imminent risk of wrongfully removing or concealing the child outside the country of habitual residence. The bond must be in an amount determined by the court and may be used only to pay for the cost of locating the child and returning him to his habitual residence if the child is wrongfully removed from or concealed outside the country of habitual residence. The fact that a parent has significant commitments in a foreign country does not create a presumption that the parent poses an imminent risk of wrongfully removing or concealing the child.

NOTICE IS HEREBY GIVEN that the parties are subject to the relocation requirements of NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has been established pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her residence to a place outside of this State or to a place within this State that is at such a distance that would substantially impair the ability of the other parent to maintain a meaningful relationship with the child, and the relocating parent desires to take the child with him or her, the relocating parent shall, before relocating: (a) Attempt to obtain the written consent of the non-relocating parent to relocate with the child; and (b) If the non-relocating parent refuses to give that consent, petition the court for permission to move and/or for primary physical custody for the purpose of relocating. A parent who desires to relocate with a child has the burden of proving that relocating with the child is in the best interest of the child. The court may award reasonable attorney's fees and costs to the relocating parent if the court finds that the non-relocating parent refused to consent to the relocating parent's relocation with the child without having reasonable grounds for such refusal, or for the purpose of harassing the relocating parent. A parent who relocates with a child pursuant to this section without the written consent of the other parent or the permission of the court is subject to the provisions of NRS 200.359.

NOTICE IS HEREBY GIVEN that the parties are subject to the provisions of NRS 31A and 125.450 regarding the collection of delinquent child support payments.

NOTICE IS HEREBY GIVEN that either party may request a review of child support every three years pursuant to NRS 125B.145.

DATED this (*day*) _____ day of (*month*) _____, 20____.

DISTRICT COURT JUDGE

Respectfully Submitted:

By: _____
(*Plaintiff's signature*)
(Name) _____
(Address) _____

(Telephone) _____

By: _____
(*Defendant's signature*)
(Name) _____
(Address) _____

(Telephone) _____

EXHIBIT 1: Parenting Timeshare and Holiday Schedule

No Visitation Requested Because: *(explain in detail on separate sheet)*

<p>Regular Weekly Schedule During School Year: <i>Be very specific. Include the times and days of the week for each parent's timeshare.</i> <i>(ex.: Mom: Saturday 7pm – Wednesday 3pm, Dad: Wednesday 3pm – Saturday 7pm)</i></p>	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Summer Schedule:</p>	<p><input type="checkbox"/> Same as the regular schedule. <input type="checkbox"/> Other: _____</p>
<p>Mother's Day:</p>	<p><input type="checkbox"/> Mother every year from 9am – 7pm. <input type="checkbox"/> Other: _____</p>
<p>Father's Day:</p>	<p><input type="checkbox"/> Father every year from 9am – 7pm. <input type="checkbox"/> Other: _____</p>
<p>Children's Birthday:</p>	<p><input type="checkbox"/> <i>Even years</i> with <i>(parent)</i> _____ <i>Odd years</i> with <i>(parent)</i> _____ *Time shall be from 9am – 7pm.* <input type="checkbox"/> Other: _____</p>
<p>3 Day Weekends:</p>	<p><input type="checkbox"/> Each December before December 31, the parties must confer regarding their respective schedules for the upcoming year and agree in writing on an allocation of the Martin Luther King Day; President's Day; Labor Day; Memorial Day; and Nevada Day three day weekends between themselves. If the parties do not agree, the parties' normal weekly schedule will control with the parent otherwise entitled to have the children over the weekend being entitled to have the children in his or her care for the holiday as well. <input type="checkbox"/> Other: _____</p>
<p>Fourth of July:</p>	<p><input type="checkbox"/> Even years with <i>(parent)</i> _____ Odd years with the other parent. *Time shall begin July 4, at 10 a.m. and end on July 5, at 10 a.m.* <input type="checkbox"/> Other: _____</p>

Easter / Spring Break:	<input type="checkbox"/> Even years with (<i>parent</i>) _____ Odd years with the other parent. *Time shall begin the day school lets out until noon the day before school resumes.* <input type="checkbox"/> Other: _____
Thanksgiving:	<input type="checkbox"/> Odd years with (<i>parent</i>) _____ Even years with the other parent. *Time shall begin the day school lets out until noon the day before school resumes.* <input type="checkbox"/> Other: _____
Winter Break / Christmas:	<input type="checkbox"/> Segment 1 consists of the first one-half of the Winter break and includes Christmas Eve and Christmas Day. Segment 1 begins the day the children are released from school for the break at the time the children are released from school. Segment 2 consists of the second one-half of the Winter break and includes New Year's Eve and New Year's Day. Segment 2 begins at noon on the first day of the second half of the Winter break and ends at noon the day before school resumes. In the event that the date marking the halfway point in the Winter break falls on December 25, Segment 2 will not begin until December 26. <u>Even years:</u> Segment 1 with (<i>parent</i>) _____, Segment 2 with the other parent. <u>Odd years:</u> segment 1 with (<i>parent</i>) _____, segment 2 with the other parent. <input type="checkbox"/> Other: _____
Other Holidays:	_____ _____ _____ _____
Vacation:	<input type="checkbox"/> The parents will not establish a formal vacation plan, and will instead mutually agree on vacation days and times with the children. <input type="checkbox"/> Each parent may have up to (<i>number</i>) _____ vacation days per year with the children. The parent shall notify the other parent of the vacation and provide a general vacation itinerary at least (<i>number</i>) _____ days before the planned vacation. Vacation time supersedes the normal weekly or summer schedule and is not allowed during a holiday or school break allotted to the other parent.