

1 COURT CODE: _____
Your Name: _____
2 Address: _____
City, State, Zip Code: _____
3 Phone: _____
4 Email: _____
Self-Represented

6 **DISTRICT COURT**
_____ **COUNTY, NEVADA**

9 _____
10 Plaintiff,
11 vs.
12 _____
13 Defendant.

CASE NO.: _____
DEPT NO.: _____
DATE OF HEARING: _____
TIME OF HEARING: _____

14 **CUSTODY DECREE**

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

- 18
19
20 1. That Plaintiff or Defendant is now and has been an actual bona fide resident of the State
21 of Nevada and has been actually domiciled in the State of Nevada for more than six
22 weeks immediately prior to the commencement of this action.
23 2. That Plaintiff and Defendant have (*number*) _____ minor children in common:

24 Child's Name:	Date of Birth
25	
26	
27	
28	

1 3. **Child Residency.** (*check one*)

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

- 9 4. That any custody and visitation orders made herein are in the best interest of the children.
10 5. That the amount of child support ordered herein is in compliance with the guidelines
11 established by the Administrator of the Division of Welfare and Supportive Services or
12 has been stipulated to by the parties with the required certifications and disclosures
13 required by the guidelines.
14 6. That any other necessary findings of fact are attached and incorporated herein.

15 **NOW THEREFORE, IT IS HEREBY ORDERED** that (*check one*)

- 16 Plaintiff / Defendant is the legal father of the children listed on page 1.

17 **IT IS FURTHER ORDERED** that (*check one*)

- 18 The parties are granted joint legal custody of the minor child(ren).
19 The Plaintiff is granted sole legal custody of the minor child(ren).
20 The Defendant is granted sole legal custody of the minor child(ren).

21 **IT IS FURTHER ORDERED** that (*check one*)

- 22 The parties shall share joint physical custody of the minor child(ren). The parties
23 shall exercise a regular and/or holiday timeshare as outlined in Exhibit _____
24 which is incorporated herein.
25 Primary physical custody of the minor child(ren) shall be awarded to (*check one*)
26 Plaintiff / Defendant. The parties shall exercise a regular and/or holiday
27 timeshare as outlined in Exhibit _____ which is incorporated herein.
28 Sole physical custody of the minor child(ren) shall be awarded to (*check one*)
 Plaintiff / Defendant.

1 **COURT FINDS** that Plaintiff's gross monthly income is \$_____ and Defendant's
2 gross monthly income is \$_____. Under the guidelines, child support would be
3 paid by (*parent name*) _____ in the amount
4 of \$_____ per month. (*check one*)

5 Child support should be set at the above amount that complies with the guidelines
6 established by the Administrator of the Division of Welfare and Supportive
7 Services.

8 Court finds that child support should be set at \$_____ based on the
9 following adjustments from the guidelines:
10
11
12

13 **ACCORDINGLY, IT IS HEREBY ORDERED** that child support is set at (*check one*)
14 \$0 per month / \$ _____ per month paid by (*parent who will pay*)
15 _____ based on: (*check one*)

16 The worksheet calculation and/or the guidelines established by the Administrator
17 of the Division of Welfare and Supportive Services.

18 The amount already established by the District Attorney, Family Support
19 Division, case (*insert case number*) _____.

20 The amount determined by the court.
21

22 **IT IS FURTHER ORDERED** that (*check one*)

23 A wage withholding is entered against the obligor parent to secure payment of child
24 support.

25 A wage withholding is not entered against the obligor parent, as good cause exists to
26 postpone the withholding of income for child support.
27
28

1 **IT IS FURTHER ORDERED** that (*check one*)

- 2 There are no child support arrearages or the entitled custodial parent waived his/her
3 right to child support arrearages.
- 4 Child support arrears are being handled by the District Attorney, Family Support
5 Division, case (*insert case number*) _____ and shall continue as
6 ordered in that case.
- 7 Back child support shall be paid by (*name of parent who will pay back child*
8 *support*) _____ in the total amount of
9 \$_____, which amount is reduced to judgment.

10 **IT IS FURTHER ORDERED** that (*check one*)

- 11 There are no child care costs for either parent.
- 12 The monthly child care costs for the child(ren) are: \$_____. The monthly
13 amount should be paid by Plaintiff Defendant both parents equally.

14

15 **IT IS FURTHER ORDERED** that medical support for the child(ren) shall be provided
16 through (*check one*)

- 17 Medicaid.
- 18 Private / Employer insurance. The monthly premium should be paid by Plaintiff
19 Defendant both parents equally.
- 20 Other: _____

21

22 **IT IS FURTHER ORDERED** that (*check one*)

- 23 Any medical expenses not covered by insurance shall be paid equally by both
24 parties.
- 25 Any medical expenses not covered by insurance shall be paid by (*name of parent*)
26 _____ due to the following extraordinary
27 circumstances (*explain*):
28

1 **IT IS FURTHER ORDERED** that (*check one*)

- 2 The 30/30 Rule shall apply to all unreimbursed medical and dental expenses.¹
- 3 The 30/30 Rule shall NOT apply to unreimbursed medical and dental expenses.

4

5 **IT IS FURTHER ORDERED** that (*check one*)

6 The Plaintiff shall claim the following children as dependents for tax purposes every

7 year: (*insert child(ren)*'s names): _____

8 The Defendant shall claim the following children as dependents for tax purposes

9 every year: (*insert child(ren)*'s names): _____

10 The tax deduction shall alternate, with Plaintiff claiming the child(ren) in (*check one*)

11 even / odd years, and Defendant claiming the child(ren) the other years.

12 The tax deduction shall be allocated per federal law.

13 **IRS rules state that the custodial parent usually has the right to claim the child on their*

14 *taxes regardless of what the Decree says. The custodial parent can waive this right by*

15 *filling out IRS Form 8332. Talk to a tax professional if you are not sure what to do.*

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

17 The child's birth certificate shall not be changed.

18 The child's birth certificate shall be amended to state that (*father's full name*)

19 _____ is the father of the child.

20 The child's name shall be changed to (*child's new first, middle, and last name*)

21 _____ and the birth

22 certificate shall be amended to reflect the new name.

23 **IT IS FURTHER ORDERED** that each party shall submit the information required in

24 NRS 125B.055, NRS 125.130 and NRS 125.230 on a separate form to the Court and the

25 Welfare Division of the Department of Human Resources within ten days from the date this

26 Decree is filed. Such information shall be maintained by the Clerk in a confidential manner and

27 not part of the public record. The parties shall update the information filed with the Court and

28 the Welfare Division of the Department of Human Resources within ten days should any of that

information become inaccurate.

¹ The "30/30 Rule:" If a parent pays a medical or dental expense for a child that is not paid by insurance, that parent must send proof of the expense to the other parent within 30 days of incurring the expense. The other parent then has 30 days to reimburse the paying parent 1/2 the cost.

1 **NOTICE IS HEREBY GIVEN** of the following provision of NRS 125C.0045(6):
2 **PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION, CONCEALMENT OR**
3 **DETENTION OF A CHILD IN VIOLATION OF THIS ORDER IS PUNISHABLE AS A**
4 **CATEGORY D FELONY AS PROVIDED IN NRS 193.130. NRS 200.359 provides that**
5 every person having a limited right of custody to a child or any parent having no right of
6 custody to the child who willfully detains, conceals or removes the child from a parent,
7 guardian or other person having lawful custody or a right of visitation of the child in violation
8 of an order of this court, or removes the child from the jurisdiction of the court without the
9 consent of either the court or all persons who have the right to custody or visitation is subject
10 to being punished for a category D felony as provided in NRS 193.130.

11 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October
12 25, 1980, adopted by the 14th Session of the Hague Conference on Private International Law,
13 apply if a parent abducts or wrongfully retains a child in a foreign country. The parties are also
14 put on notice of the following provision of NRS 125C.0045(8):

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

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

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

28 **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.

1 **NOTICE IS HEREBY GIVEN** that the parties are subject to the provisions of NRS
2 31A and 125.007 regarding the collection of delinquent child support payments.

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

5 **NOTICE IS HEREBY GIVEN** that if you want to adjust the amount of child support
6 established in this order, you must file a motion to modify the order with or submit a stipulation
7 to the court. If a motion to modify the order is not filed or a stipulation is not submitted, the
8 child support obligation established in this order will continue until such time as all children
9 who are the subject of this order reach 18 years of age or, if the youngest child who is subject to
10 this order is still in high school when he or she reaches 18 years of age, when the child
11 graduates from high school or reaches 19 years of age, whichever comes first. Unless the
12 parties agree otherwise in a stipulation, any modification made pursuant to a motion to modify
13 the order will be effective as of the date the motion was filed.

14 DATED this _____ day of _____, 20_____.

15 _____
16 DISTRICT COURT JUDGE

17 Respectfully Submitted By:

18 ▶ _____
19 (*Plaintiff's signature*)

20 ▶ _____
21 (*Defendant's signature*)

22 _____
23 (*Plaintiff's printed name*)

24 _____
25 (*Defendant's printed name*)