

COURT CODE: _____
Spouse's Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____

Spouse's Name: _____
Address: _____
City, State, Zip: _____
Phone: _____
Email: _____
Self-Represented

DISTRICT COURT
_____ **COUNTY, NEVADA**

First Joint Petitioner (*Spouse Name*),

And

Second Joint Petitioner (*Spouse Name*).

CASE NO.: _____

DEPT NO.: _____

JOINT PETITION FOR DIVORCE AND UCCJEA DECLARATION
(With Children)

Petitioners, in proper person, hereby petition this Court pursuant to the terms of Chapter 125 of the Nevada Revised Statutes, to grant them a divorce. Petitioners respectfully show, under oath, and state to the Court that every condition of NRS 125.181 has been met and further state as follows:

1. **Residency.** The following spouse has been a resident of the State of Nevada for at least six weeks prior to filing this Complaint and intends to make Nevada his/her home for an indefinite period of time: (*name of Nevada resident*) _____.

2. **Marriage.** The parties were married on (*date*) _____ in (*city*) _____, (*state*) _____. The parties are incompatible.

3. The mailing addresses of the petitioners are:

First Petitioner:
 Name: _____
 Address: _____
 City, State, Zip: _____

Second Petitioner:
 Name: _____
 Address: _____
 City, State, Zip: _____

4. **Pregnancy.** (*check one*)

Neither spouse is pregnant.

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

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

5. **Children.** There are (*number*) _____ minor children in common born to or adopted by the petitioners. The name(s) and information is listed below:

Child's Name	Date of Birth	State of Residence	How long child lived in the state	Disability

6. **UCCJEA Declaration.** Have the children lived in Nevada the last six months, or since birth? (*check one*)

Yes, the child(ren) have lived in Nevada for the past six months, or since birth.

No, the child(ren) have NOT lived in Nevada for the past six months.

a. **Living Arrangements Last 5 Years.** The children have lived with the following persons in the following places within the last five years:

Time Period (mo/yr – mo/yr)	Name of Person the Child(ren) Lived With:	City and State	Child's Name (if not all children)
_____ - present			
_____ - _____			
_____ - _____			
_____ - _____			
_____ - _____			

The names and current addresses of each non-parent the children lived with during the last five years are: _____

b. Participation in Other Cases. Have either of you ever participated in any case concerning these children as a party, witness, or in some other capacity? (check one)

No.

Yes, I/we have participated in the following cases concerning these children (provide all specifics including the state, the court name, children involved, the case number and the date of the child custody order, if any): _____

c. Knowledge of Other Cases. Do either of you know of any other case that could affect this case, such as other custody cases, domestic violence cases, protection order cases, or adoptions/terminations? (check one)

No.

Yes, the following cases that could affect this case (give all specifics including the state, the court name, the parties involved, the case number and the type of case):

d. Person(s) Who Claim Custody / Visitation. Is there anyone other than the parents who have custody of the children or who can claim a right to custody or visitation with the children? (check one)

No.

Yes, the following people have custody or can claim custody/visitation of the children: (list names and addresses of anyone who claims custody/visitation rights): _____

7. **Legal Custody.** *Legal custody refers to the ability to make major decisions about the child, such as medical care, education, and religious upbringing.* (check one)

- The petitioners should share joint legal custody of the child(ren).
- The petitioners agree that sole legal custody of the children should be granted to (*name of parent*) _____.
- Nevada is not the “home state” of the child(ren) and cannot enter custody orders.

8. **Physical Custody.** *Physical custody refers to the amount of time the child spends with each parent.* (check one)

- The petitioners should share joint physical custody of the child(ren) (*each parent must have the child(ren) at least 40% of the time, or 146 days per year*). A proposed parenting timeshare and holiday schedule is attached as Exhibit _____.
- The petitioners agree that primary physical custody of the minor children should be granted to (*name of parent*) _____. A proposed parenting timeshare and holiday schedule is attached as Exhibit _____.
- The petitioners agree that sole physical custody of the minor children should be granted to (*name of parent*) _____.
- Nevada is not the “home state” of the child(ren) and cannot enter custody orders.

9. **Parties’ Incomes.** *The court needs to know both parties’ gross monthly incomes to make sure child support is set correctly.*

Gross monthly income includes money received from work, social security, unemployment, pension/retirement, interest/investments, veteran’s benefits, military allowances, etc.

It does not include SSI, SNAP, TANF, cash benefits from the county, or child support received.

Parent 1 Name: _____ Gross monthly income: \$_____.

Parent 2 Name: _____ Gross monthly income: \$_____.

10. Child Support Amount.

Use the worksheet at <http://selfhelp.nvcourts.gov> to figure out how much child support should be ordered. If either parent earns over \$6000/mo, go to Nevada Child Support Guidelines Calculator for a free web application tool to estimate the child support obligation. Nevada’s child support requirements can be found in Nevada Revised Statutes Chapter 125B “Obligation of Support.” You will need to print out the calculation from that worksheet to attach to this petition.

Complete and attach one of those worksheets before filling out this section.

The child support calculation would require (name of parent who would pay child support) _____ to pay \$_____ per month in child support.

(check one)

Petitioners agree to set child support at the amount above in compliance with the child support guidelines.

Child support should continue as already ordered by the District Attorney, Family Support Division, case (insert case number) _____. That order requires (name of parent who pays child support) _____ to pay \$_____ per month in child support.

The petitioners want to set child support at a different amount. The petitioners agree that: (check one) no one will pay child support / child support will be paid by (name of parent who will pay) _____ in the amount of \$_____ per month. *Each parent must initial each line below:*

_____ _____ The parent who would receive child support is not currently receiving public assistance and has not applied for assistance.

_____ _____ The basic needs of the child are met or exceeded by the agreed child support obligation.

_____ _____ Both parents are aware that if either party seeks a review of the child support obligation for any authorized reason, the court will calculate the child support obligation in accordance with the child support guidelines in effect at the time of the review.

11. Public Assistance. Has either party ever received public assistance? (check one)

No, the parties in this case have never received public assistance.

Yes, one or more parties now receives or has received public assistance.

12. **Back Child Support.** Should back child support (“arrears”) be ordered? (*check one*)

- No child support arrears exist or the parties waive any rights to arrears. The parties are not and have not received welfare benefits at any time.
- The parties are currently receiving or have received welfare benefits in the past. The Petitioners cannot waive child support arrears.
- Child support arrears are being handled by the District Attorney, Family Support Division, case (*insert case number*) _____ and will continue to be handled in that case.
- The petitioners agree that (*name of parent who will pay back child support*) _____ will pay child support arrears in the total amount of \$ _____ to the other parent.

13. **Wage Withholding.** Should child support be paid through a wage garnishment? (*check one*)

- No, petitioners agree that a wage withholding is not needed for support payments.
- Yes, a wage withholding order should be entered to secure payment of child support and spousal support, if any.

14. **Child Care.** Are there child care expenses? (*check one*)

- No, there are no child care costs for either parent.
- Yes, the monthly child care costs for the child(ren) are: \$ _____. The monthly child care costs will be paid by: both parents equally one parent only (*parent name*): _____.

15. **Medical Coverage.** Medical support (medical, vision, and/or dental) must be provided for the child(ren). How will the child(ren) get medical support/insurance?

- Medicaid.
- Private / Employer Insurance. The monthly premium will be paid by: both parents equally one parent only (*parent name*): _____.
- Other: _____

16. **Unreimbursed Medical Expenses.** How will medical expenses get paid if insurance does not cover a medical cost? (*check one*)

Any expenses not covered by insurance will be paid equally by both parties.

Any expenses not covered by insurance will be paid by (*name of parent*)

_____ due to the following extraordinary circumstances:
(*explain*) _____

17. **“30/30 Rule.”** The “30/30 Rule” provides that if a parent pays a medical or dental expense for a child that is not paid by insurance, that parent must send proof of payment of the expense to the other parent within 30 days of paying the expense. The other parent then has 30 days to reimburse the paying parent ½ the cost. Do you want the 30/30 rule ordered in your case? (*check one*)

Yes, the petitioners will follow the 30/30 Rule for payment of unreimbursed medical / dental expenses.

No, petitioners will not follow the 30/30 Rule for payment of unreimbursed medical / dental expenses.

18. **Child Tax Deduction.** *IRS rules state that the custodial parent usually has the right to claim the child on their taxes. The custodial parent can waive this right by filling out IRS Form 8332. Talk to a tax professional if you are not sure what to do.* (*check one*)

The tax deduction for the child(ren) should be allocated per federal law.

Petitioners have agreed to claim the children as follows for tax purposes:

Child(ren)’s Name:		Parent’s Name:	Frequency:
	will be claimed by		<input type="checkbox"/> every year <input type="checkbox"/> even years <input type="checkbox"/> odd years
	will be claimed by		<input type="checkbox"/> every year <input type="checkbox"/> even years <input type="checkbox"/> odd years
	will be claimed by		<input type="checkbox"/> every year <input type="checkbox"/> even years <input type="checkbox"/> odd years
	will be claimed by		<input type="checkbox"/> every year <input type="checkbox"/> even years <input type="checkbox"/> odd years

19. Division of Community Property. (*check one*)

- There is no community property to divide.
- Any community property has already been divided.
- The community property should be divided as follows:

(Name of spouse) _____ **shall receive:**

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

(Name of spouse) _____ **shall receive:**

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

20. Division of Community Debt. (*check one*)

- There is no community debt to divide.
- Any community debt has already been divided.
- The community debt should be divided as follows:

(Name of spouse) _____ **shall be liable for:**

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

(Name of spouse) _____ **shall be liable for:**

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

21. **Alimony.** (*check one*)

- Neither petitioner should be awarded alimony.
- (*Name of spouse who will pay alimony*) _____
should pay (*amount*) \$_____ per month in alimony for the next (*number*)
_____ years. Spousal support should begin on (*date*) _____ and
end on (*date*) _____.

22. **Name Change.** (*check all that apply*)

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

23. Petitioners certify that they have disclosed all community assets and debts and that there are no other community assets or debts for this Court to divide.

24. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made in this Joint Petition.

25. It is understood by the Petitioners that entry of a Decree of Divorce constitutes a final adjudication of the rights and obligations of the parties with respect to the status of the marriage. Petitioners each expressly give up their respective rights to receive written notice of entry of any judgment or decree of divorce, and Petitioners give up their right to request formal findings of fact and conclusions of law. Petitioners waive their right to appeal the Decree of Divorce, and the right to move for a new trial.

26. It is further understood by the Petitioners that a final Decree of Divorce entered by this summary procedure does not prejudice or prevent the rights of either Petitioner to bring an action to set aside the final decree for fraud, duress, accident, mistake, or the grounds recognized at law or in equity.

Petitioners request:

1. That they be granted a Decree of Divorce and that each of the Petitioners be restored to the status of a single, unmarried person;
2. That the terms agreed upon in this Joint Petition be included in the Decree.

Date: _____

▶ _____
(*First Spouse's signature*)

▶ _____
(*Second Spouse's signature*)

(*First Spouse's printed name*)

(*Second Spouse's printed name*)

FIRST PETITIONER'S VERIFICATION

STATE OF NEVADA)

)

COUNTY OF _____)

(*Spouse's name*) _____ being first duly sworn under penalty of perjury, deposes and says:

I am the Petitioner herein, and I have read the foregoing Joint Petition for Divorce and know the contents thereof; that the pleading is true to the best of my own knowledge, except as to those matters therein stated upon information and belief, and as to those matters, I believe them to be true.

▶ _____
(Spouse's signature)

Signed and sworn to (or affirmed) before me on
(*date*) _____ by (*name*) _____

Signature of notarial officer

STATE OF NEVADA)

)

COUNTY OF _____)

On this _____ day of _____ 20____, personally appeared before me, a Notary Public, (*spouse's name*) _____, known or proved to me to be the person who executed the foregoing Joint Petition for Divorce, and who acknowledged to me that he/she did so freely and voluntarily and for the uses and purposes herein stated.

Signature of notarial officer

SECOND PETITIONER'S VERIFICATION

STATE OF NEVADA)

)

COUNTY OF _____)

(*Spouse's name*) _____ being first duly sworn under penalty of perjury, deposes and says:

I am the Petitioner herein, and I have read the foregoing Joint Petition for Divorce and know the contents thereof; that the pleading is true to the best of my own knowledge, except as to those matters therein stated upon information and belief, and as to those matters, I believe them to be true.

▶ _____
(Spouse's signature)

Signed and sworn to (or affirmed) before me on
(*date*) _____ by (*name*) _____

Signature of notarial officer

STATE OF NEVADA)

)

COUNTY OF _____)

On this _____ day of _____ 20____, personally appeared before me, a Notary Public, (*spouse's name*) _____, known or proved to me to be the person who executed the foregoing Joint Petition for Divorce, and who acknowledged to me that he/she did so freely and voluntarily and for the uses and purposes herein stated.

Signature of notarial officer