

Filing Code / 归档编号: \_\_\_\_\_  
Your Name / 您的姓名: \_\_\_\_\_  
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City, State, Zip / 城市、州、邮编 \_\_\_\_\_  
Telephone / 电话: \_\_\_\_\_  
Email Address / 电子邮件地址: \_\_\_\_\_  
Self-Represented / 自诉

**DISTRICT COURT / 内华达州**  
\_\_\_\_\_ **COUNTY, NEVADA / 郡地区法院**

_____ Plaintiff / 原告, Vs / 诉.	CASE NO. / 案件编号: _____ DEPT / 部门: _____
_____ Defendant / 被告.	

**MOTION TO MODIFY CHILD CUSTODY, VISITATION, AND / OR CHILD SUPPORT**  
**修改子女监护权、探视权和 / 或子女抚养费的动议书**

TO / 致: Name of Opposing Party and Party's Attorney, if any / 对方当事人及其律师 (如有)  
姓名, \_\_\_\_\_

PLEASE TAKE NOTICE THAT (your name) 请注意 (您的姓名)  
\_\_\_\_\_ (the "Moving Party") (即 "动议方") has filed a  
Motion seeking to modify existing orders relating to child custody, visitation, and / or child  
support 已提交《动议书》，寻求修改有关子女监护权、探视权和 / 或子女抚养费的现有命  
令。

**If you object to any of the relief sought by this motion, you are required to file a written response to this motion with the Clerk of the Court and to provide the moving party with a copy of your response within 14 calendar days of the service of this motion.** Failure to file a written response with the Clerk of Court within 14 calendar days of the service of this motion may result in the requested relief being granted by the Court without you having an opportunity to be heard. (NOTE: If service was made on you by mail, you have an additional

3 days to file your written response). / 如果您反对本动议书所寻求的任何救济，您必须在本动议书送达的 14 个历日内，就本动议书向法院书记员提交一份书面答复，并向动议方提供一份答复副本。如果您在本动议书送达的 14 个历日内未向法院书记员提交书面答复，则法院可能会在未听取您陈述的情况下判予本动议书所请求的救济。（注意：如果动议书通过邮寄送达，则您有额外的 3 天时间提交书面答复）。

Submitted By / 提交人: \_\_\_\_\_

*check one / 勾选一项*  Plaintiff / 原告 /  Defendant / 被告

**MOTION**  
**动议书**

(Your name) / (您的姓名) \_\_\_\_\_, moves this Court for an Order modifying child custody, visitation, and / or child support / 请求上述法院签发修改子女监护权、探视权和 / 或子女抚养费的命令.

**POINTS AND AUTHORITIES**  
**LEGAL ARGUMENT**  
**支持论点及权威引述**  
**法律论据**

The court may modify or vacate its child custody order at any time. NRS 125C.0045. / 法院可以随时修改或撤销其签发的子女监护令。NRS 125C.0045。

Child custody may be modified only when “(1) there has been a substantial change in circumstances affecting the welfare of the child, and (2) the modification would serve the child's best interest.” Romano v Romano, 138 Nev. Adv. Op. 1 (2022). Pursuant to NRS 125C.0035(4), in determining the best interest of the child, the court must consider and set forth its specific findings concerning, among other things: / 修改子女监护权的情况仅限于 “(1) 发生了影响子女福祉的重大情况变化, 以及 (2) 所作修改符合子女的最佳利益”。Romano 诉 Romano, 138 Nev. Adv. Op. 1 (2022)。根据 NRS 125C.0035(4), 在判定子女的最佳利益时, 法院必须考虑并列出的包括以下方面在内的具体事实认定:

(a) The wishes of the child if the child is of sufficient age and capacity to form an intelligent preference as to his or her physical custody. / (a) 子女的意愿, 前提是该子女的年龄和能力足以使其就他 / 她的人身监护权作出理性的偏好判断。

(b) Any nomination of a guardian for the child by a parent. / (b) 父母为子女指定的任何监护人。

(c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent. / (c) 父母哪一方更能让子女与没有监护权的父母一方有频繁接触和持续关系。

(d) The level of conflict between the parents. / (d) 父母之间的冲突程度。

(e) The ability of the parents to cooperate to meet the needs of the child. / (e) 父母相互合作以满足子女需求的能力。

(f) The mental and physical health of the parents. / (f) 父母双方的身心健康。

(g) The physical, developmental and emotional needs of the child. / (g) 子女的身体、成长和情感需求。

(h) The nature of the relationship of the child with each parent. / (h) 子女与父母各方的关系情况。

(i) The ability of the child to maintain a relationship with any sibling. / (i) 子女与任何兄弟姐妹维持关系的能力。

(j) Any history of parental abuse or neglect of the child or a sibling of the child. / (j) 任何子女或其兄弟姐妹遭受父母虐待或疏于照顾的既往史。

(k) Whether either parent or any other person seeking physical custody has engaged in an act of domestic violence against the child, a parent of the child or any other person residing with the child. / (k) 父母任何一方或寻求人身监护权的其他任何人是否曾对该子女、该子女的父母或任何与该子女同住的其他个人实施过家暴行为。

(l) Whether either parent or any other person seeking physical custody has committed any act of abduction against the child or any other child. / (l) 父母任何一方或寻求人身监护权的其他任何人是否曾对该子女或其他任何未成年人实施过任何诱拐行为。

A child support order must be reviewed by the court every three years upon request of a parent or guardian. A child support order may be reviewed at any time on the basis of changed circumstances. A change in 20% or more in the gross monthly income of a person subject to a child support order shall be deemed changed circumstances. NRS 125B.145. / 如果父母一方或监护人要求，法院必须每三年对子女抚养令进行复议。如果情况发生变化，则随时可以

对抚养令进行复议。应支付子女抚养费的个人的总月收入发生了 20%或以上的变化，则被视为情况发生变化。NRS 125B.145。

**FACTS AND ARGUMENT**  
**事实与论据**

**A. Request to Modify Child Custody and / or Visitation**

**A. 修改子女监护权和 / 或探视权的请求**

1. **Current Custody Order / 当前的监护令.** The current custody order was filed on *(date)* / 当前监护令的签发日期为 *(日期)* \_\_\_\_\_.
2. **Legal Custody / 法定监护权.** *This refers to the ability to make major decisions about the child, such as medical care, education, and religious upbringing. / 这是指对子女作出重大决定的能力，如医疗、教育和宗教教养。*

**Do you want to change legal custody? / 您是否想要变更法定监护权? ( check one) / ( 勾选一项)**

- No, legal custody should not be changed. (*STOP. Go to Section 3*) / 否，法定监护权应维持不变。 (*就此停止。请跳至第 3 题*)
- Yes, legal custody should be changed. Listed below are the current legal custody order and the legal custody order I would like the Court to order. / 是，法定监护权应该变更。当前的法定监护权令和本人希望法院考虑签发的法定监护权令的内容如下。

<b>Child's Name:</b> <b>子女姓名:</b>	<b>Date of Birth</b> <b>出生日期</b>	<b>I Have Now:</b> <b>本人当前:</b> <input checked="" type="checkbox"/> <i>check one</i> 勾选一项	<b>I Would Like:</b> <b>本人希望:</b> <input checked="" type="checkbox"/> <i>check one</i> 勾选一项
		<input type="checkbox"/> No legal custody 无法定监护权 <input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权	<input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权
		<input type="checkbox"/> No legal custody 无法定监护权 <input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权	<input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权
		<input type="checkbox"/> No legal custody 无法定监护权 <input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权	<input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权
		<input type="checkbox"/> No legal custody 无法定监护权 <input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权	<input type="checkbox"/> Joint legal custody 有共同法定监护权 <input type="checkbox"/> Sole legal custody 有单独法定监护权

It is in the best interest of the children to change legal custody because (*explain*) / 变更法定监护权符合上述子女的最佳利益，因为（说明原因）：\_\_\_\_\_

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3. **Physical Custody / 人身监护权.** *This refers to the amount of time the child spends with each parent. / 这是指子女与父母各方相处的时间。*

**Do you want to change physical custody? / 您是否想要变更人身监护权?** ( *check one*)  
/ ( 勾选一项)

No, physical custody should not be changed. (*STOP. Go to Section 4*) / 否, 人身监护权应  
维持不变。(就此停止。请跳至第4题)

Yes, physical custody should be changed. Listed below are the current physical custody  
order and the physical custody order I would like the Court to order. / 是, 人身监护权应  
该变更。当前的人身监护权令和本人希望法院考虑签发的人身监护权令的内容如  
下。

<b>Child's Name:</b> <b>子女姓名:</b>	<b>Date of Birth</b> <b>出生日期</b>	<b>I Have Now:</b> <b>本人当前:</b> <input checked="" type="checkbox"/> <i>check one 勾选一项</i>	<b>I Would Like:</b> <b>本人当前:</b> <input checked="" type="checkbox"/> <i>check one 勾选一项</i>
		<input type="checkbox"/> No visitation 无探视权 <input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权	<input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权
		<input type="checkbox"/> No visitation 无探视权 <input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权	<input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权
		<input type="checkbox"/> No visitation 无探视权 <input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权	<input type="checkbox"/> Visitation only 仅有探视权 <input type="checkbox"/> Joint physical custody 有共同人身监护权 <input type="checkbox"/> Primary physical custody 有主要人身监护权 <input type="checkbox"/> Sole physical custody 有单独人身监护权

a. **Substantial Change in Circumstances Affecting the Child(ren) / 影响子女的重大情况变化.** Since the last custody order, there has been a substantial change in circumstances affecting the welfare of the child(ren). / 继上一份监护令后, 发生了影响上述子女福祉







**B. Request to Modify Child Support**

**B. 修改子女抚养费请求**

Not Applicable ( check if not applicable, and go to Section C). / 不适用 ( 如果不适用, 则勾选方框, 然后跳至 C 部分。

If applicable, you must check and comply with the box below / 如果适用, 您必须勾选以下方框并遵照其指示

I understand that I must file my Financial Disclosure Form to support my request for child support and that failure to file my Financial Disclosure Form may result in my request being denied. / 本人明白本人必须提交本人的《财务披露表》以支持本人的子女抚养费请求, 且不提交《财务披露表》可能导致本人的请求被驳回。

**5. Current Child Support Order / 当前的子女抚养费令.**

(Name of party ordered to pay child support) / (被命令支付子女抚养费的当事人姓名)

\_\_\_\_\_ is currently ordered to pay (amount) / 目前被命令每月支付 (金额) \$ \_\_\_\_\_ per month in child support for (number) / 的子女抚养费, 以帮助抚养 (人数) \_\_\_\_\_ minor children / 名未成年子女. I want this order modified. / 本人希望该命令得到修改。

**6. Public Assistance / 公共援助. ( check one) / ( 勾选一项)**

I have never received Temporary Assistance for Needy Families (TANF). / 本人从未领取过贫困家庭临时援助 (TANF)。

I am now or have received Temporary Assistance for Needy Families / (TANF) in the past. 本人正在或过去曾经领取贫困家庭临时援助 (TANF)。

**7. Parties' Income / 双方当事人的收入.**

My gross monthly income is (insert amount) / 本人的总月收入是 (填入金额) : \$ \_\_\_\_\_

OR / 或  unknown / 不知道.

The other parent's gross monthly income is (insert amount) / 父母另一方的总月收入是 (填入金额: \$ \_\_\_\_\_ OR / 或  unknown / 不知道.

8. **Reason for Modification / 修改理由.** I want child support modified because / 本人想要修改子女抚养费是因为: (check all that apply) / (勾选所有适用的选项)

Child support should be reset based on the change in custody I am requesting. / 子女抚养费应该基于本人请求的监护权变更重新设定。

The gross monthly income of the person paying child support has changed by more than 20% since the last child support order was entered. / 继上一份子女抚养令签发后，支付子女抚养费一方的总月收入变动超过了 20%。

It has been more than three years since child support was last reviewed. / 上一次子女抚养费复议距今已超过三年。

The following child(ren) has / have emancipated (*write child's name(s)*) / 下列子女已经脱离父母独自生活 (填写子女的姓名) :

The parties are not following the custodial schedule on which child support was based: (*explain the custodial schedule you have been following*) / 双方当事人没有遵守子女抚养费所依托的监护权安排表 (说明双方所遵循的监护安排) : \_\_\_\_\_

It is in the children's best interest to modify child support because (*tell the judge why it is in the children's best interest to change child support*) / 修改子女抚养费符合上述子女的最佳利益，因为 (向法官说明修改子女抚养费符合子女最佳利益的理由:

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9. **Amount Requested / 请求的金额.** ( *check one*) / ( 勾选一项)

Child support should be modified so that (*name of person who should pay child support*) / 应该将子女抚养费修改为由 (应该支付子女抚养费者的姓名) \_\_\_\_\_

\_\_\_\_\_ pays (*amount*) / 每月支付 (金额) \$\_\_\_\_\_ per month in child support / 的子女抚养费.

I'm not sure how much child support should be paid. The judge should set child support. / 本人不确定应付的子女抚养费金额。应该由法官设定子女抚养费。

Other (*explain how much child support should be ordered and how you came up with the amount of child support*) / 其他 (说明命令应规定的子女抚养费金额以及您得出此金额的方法:

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**C. Other Relief**

**C. 其他救济**

10. In addition to the relief requested above, I would like the Court to also order the following / 除了前文请求的救济外，本人还希望法院命令以下内容: (*Explain anything else that you would like the judge to order, or enter "N/A" if you do not want anything else. Be specific.*) / 说明您希望法官命令的任何其他事项，如果没有，则填“N/A”，即“不适用”。请详述。 \_\_\_\_\_

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I respectfully ask the Court to grant me the relief requested above, including an award of attorney's fees if I am able to retain an attorney for this matter, and any other relief the Court

finds appropriate. / 本人恭敬地请求法院批准上述救济请求，包括在本人如能就此事聘请  
律师时判予本人获得律师费，以及法院认为适当的任何其他救济。

DATED / 日期 \_\_\_\_\_, 20\_\_\_\_.

Submitted By: / 提交人: (your signature) / (您的签名) \_\_\_\_\_

(print your name) / (工整填写您的姓名) \_\_\_\_\_

**DECLARATION IN SUPPORT OF MOTION TO MODIFY CHILD CUSTODY,  
VISITATION, AND / OR CHILD SUPPORT**

**支持修改子女监护权、探视权和 / 或子女抚养费动议之声明书**

I declare, under penalty of perjury / 本人作此声明，如有造假，愿接受为罪证处罚：

1. That I have personal knowledge of the facts contained in this Motion and in this Declaration and I am competent to testify to the same. / 本《动议书》和本《声明书》中包含的事实为本人亲身所知，且本人有能力对此作证。
2. That the statements in this Motion and Declaration are true and correct to the best of my knowledge. / 据本人所知，本《动议书》和本《声明书》的陈述真实正确。
3. Additional facts to support my requests include / 支持本人请求的其他事实包括：\_\_\_\_\_

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4. I have attached the following Exhibit(s) to the Motion to support my requests / 本人已将下列附件随附于本《动议书》以支持本人的请求: (*Describe exhibit or write N / A on any blank lines.*) / (描述附件内容或在下面任何横线上填写“N/A”，即“不适用”。)
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
  - d. \_\_\_\_\_

**I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct. / 本人声明上述内容真实正确，如有造假，愿接受内华达州法律规定的伪证罪处罚。**

DATED / 日期 \_\_\_\_\_, 20\_\_\_\_.

Submitted By: / 提交人: (*your signature*) / (您的签名) \_\_\_\_\_

(*print your name*) / (工整填写您的姓名) \_\_\_\_\_

## EXHIBIT 1: Parenting Timeshare and Holiday Schedule

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

Regular Weekly Schedule During School Year: <b><i>Be very specific. Include the times and days of the week for each parent's timeshare.</i></b> (ex.: <u>Mom</u> : Saturday 7pm – Wednesday 3pm, <u>Dad</u> : Wednesday 3pm – Saturday 7pm)	_____ _____ _____ _____ _____ _____
Summer Schedule:	<input type="checkbox"/> Same as the regular schedule. <input type="checkbox"/> Other: _____
Mother's Day:	<input type="checkbox"/> Mother every year from 9am – 7pm. <input type="checkbox"/> Other: _____
Father's Day:	<input type="checkbox"/> Father every year from 9am – 7pm. <input type="checkbox"/> Other: _____
Children's Birthday:	<input type="checkbox"/> <u>Even years</u> with (parent) _____ <u>Odd years</u> with (parent) _____ *Time shall be from 9am – 7pm.* <input type="checkbox"/> Other: _____
3 Day Weekends:	<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: _____
Fourth of July:	<input type="checkbox"/> Even years with (parent) _____ 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: _____



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. <b>Vacation time supersedes the normal weekly or summer schedule and is not allowed during a holiday or school break allotted to the other parent.</b>