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Self-Represented / 自诉

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

Plaintiff / 原告,

Vs / 诉.

Defendant / 被告.

CASE NO. / 案件编号: _____

DEPT / 部门: _____

MOTION FOR PERMISSION TO RELOCATE WITH A MINOR CHILD
带未成年子女迁移许可动议书

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 permission to relocate to another state with a minor child / 已提交《动议书》, 寻求获得带未成年子女迁至别州的许可.

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官提交一份书面答复，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官提交书面答复，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 granting permission to relocate to another state with a minor child / 请求上述法院签发允许带未成年子女迁至别州的命令。

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

A parent must obtain court permission or the other parent’s written consent before relocating with a child outside of Nevada or to a place within Nevada that would substantially impair the other parent’s ability to maintain a meaningful relationship with the child. When a parent with joint physical custody of a child wishes to relocate with the child, the parent must also petition for primary physical custody for the purposes of relocating. NRS 125C.006; NRS 125C.0065. 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). / 父母一方必须获得法院许可或父母另一方的书面同意，方能带未成年子女迁至内华达州之外，或内华达州内的一个会严重损害父母另一方与子女保持有意义关系的地方。当对子女拥有共同人身监护权的父母一方希望带子女随迁时，该父母一方也必须为迁移之目的申请主要人身监护权。NRS 125C.006; NRS 125C.0065。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)。

The relocating parent must prove to the court that the parent has a sensible, good-faith reason for the move that is not intended to deprive the other parent of his or her parenting time. The relocating parent must also prove that the move would be in the best interest of the child,

and that the child and parent would both benefit from an actual advantage if allowed to move. NRS 125C.007(1). / 迁移的父母一方必须向法院证明其出于合理、善意的理由迁移，并无剥夺父母另一方亲子时间的意图。迁移的父母一方还必须证明迁移符合子女的最佳利益，而且如果允许迁移，子女和该父母一方都将获得实际裨益。NRS 125C.007(1)。

In considering the parent's request to relocate, the Court must weigh various factors, including: 1) the motives of the relocating parent; 2) the motives of the non-relocating parent; 3) the extent to which the relocation would improve the quality of life for the child and parent; 4) whether the relocating parent will comply with substitute visitation orders; 5) whether there is a realistic alternate visitation schedule that will adequately foster and preserve the relationship between the child and the non-relocating parent; and 6) any other factor. NRS 125C.007(2). In determining the best interest of the child, the court shall consider: 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 custody; b) Any nomination of a guardian for the child by a parent; c) Which parent is more likely to allow the child to have frequent associations and a continuing relationship with the noncustodial parent; d) The level of conflict between the parents; e) The ability of the parents to cooperate to meet the needs of the child; f) The mental and physical health of the parents; g) The physical, developmental and emotional needs of the child; h) The nature of the relationship of the child with each parent; i) The ability of the child to maintain a relationship with any sibling; j) Any history of parental abuse or neglect of the child or a sibling of the child; k) Whether either parent or any other person seeking 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; and l) Whether either parent or any other person seeking custody has committed any act of abduction against the child or any other child. NRS 125C.0035. / 在考虑父母一方的迁移请求时，法院必须权衡各项因素，包括：1) 迁移父母一方的动机；2) 不迁移父母一方的动机；3) 迁移对子女和迁移父母一方生活质量的改善程度；4) 迁移父母一方是否会遵守替代探视令；5) 是否有能够充分促进和维护子女与不迁移父母一方之间关系的、符合实际的替代探视安排表；以及 6) 任何其他因素。NRS 125C.007(2)。在确定该子女的最佳利益时，法院须考虑：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) 父母为子女指定的任何监护人；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) 父母之间的冲突程度；e) 父母相互合作以满足子女需求的能力；f) 父母双方的身心健康；g) 子女的身体、成长和情感需求；h) 子女与父母各方的关系情况；i) 子女与任何兄弟姐妹维持关系的能力；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) 父母任何一方或寻求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；以及l) 父母任何一方或寻求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。NRS 125C.0035。

The court shall also determine or modify child support under NRS Chapter 125B and / or in accordance with the guidelines established by the Administrator of the Division of Welfare and Supportive Services pursuant to NRS 425.620. / 法院还应根据 NRS 第 125B 章和 / 或福利与支持服务署署长根据 NRS 425.620 设立的准则确定或修改子女抚养费。

FACTS AND ARGUMENT

事实与论据

A. Request for Primary Physical Custody and to Relocate

A. 对主要人身监护权和迁移的请求

1. I would like primary physical custody of the children with permission to move to / 本人希望获得对下述子女的主要人身监护权，并获准搬迁至(write the city / town and state where you would like to move) / (填写您想迁往的城市 / 镇和州)
_____. I intend to move on (date you plan to move) / 本人打算搬迁的日期为 (您计划搬迁的日期) _____.
2. The children's names and dates of birth are / 子女的姓名和出生日期为:

Child's Name: 子女姓名:	Date of Birth 出生日期

3. **The current physical custody order is / 当前的人身监护令为:** (*check one*) / (勾选一项)

The court has already awarded me primary physical custody or sole physical custody through the order dated (*date of order*) / 法院已签发命令判予本人主要人身监护权或单独人身监护权, 日期为 (*命令签发日期*) _____.

I do not have primary / sole physical custody of the children. / 本人没有对上述子女的主要 / 单独人身监护权。The current order gives me (*check one*) / 当前命令判予本人 (勾选一项) joint physical custody / 共同人身监护权 visitation / 探视权 / there is no custody order / 没有监护令. *Fill out the next sections.* / 填写下面的部分。

Best Interest / 最佳利益. It is in the best interest of the child(ren) to grant me primary physical custody because (*explain*) / 判予本人主要人身监护权符合上述子女的最佳利益, 因为 (*说明原因*):

Substantial Change in Circumstances affecting 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) (*explain major changes since the last order and how they affect the kids*) / **继上一份监护令后，发生了影响上述子女福祉的重大情况变化**（说明继上一份命令后发生的重大变化及其对上述子女的影响）：

(Attach a supplement if more space is needed for either section above) / （如果以上两个部分需要更多空间，请作为补充材料随附）

4. **My proposed move is in good faith. I have a good reason for the move, and I am not moving to deprive the other parent of contact with the child. / 本人提议的搬迁是出于善意。本人有搬迁的充分理由，并无利用搬迁剥夺父母另一方与子女联系的意图。**

(*Explain why you want to move*) / （说明您想要搬迁的原因）

5. **The proposed move is in the best interest of the children / 提议的搬迁符合上述子女的最佳利益.** (*Explain why moving would be best for the children*) / （说明搬迁为何对上述子女最为有益）

6. **The children and I would benefit from the move in the following ways / 搬迁对上述子女和本人的裨益如下:** *(Explain) / (请说明)* _____

7. **The proposed move is likely to improve the quality of life for my children and myself. / 提议的搬迁可能会改善上述子女和本人的生活质量。** *(Explain. Include information about where you would live, where you would work, the school and surroundings for the children) / 请说明。请包括您将住在哪里、在哪里工作，以及子女的学校和环境等信息*

Attach any exhibits to show how the move will improve the quality of life.

随附任何可以展示搬迁能改善生活质量的证据。

8. **I asked permission to relocate with the minor children but the other parent refused / 本人征求了带上述未成年子女随迁的许可，但父母另一方予以拒绝。** *(Explain when and how you asked the other parent for permission to move) / 说明您向父母另一方征求许可的时间和方式*

Attach any exhibits that show your attempts to resolve this with the other parent. / 随附任何显示您试图与父母另一方解决此事的证据。

9. **The other parent will not agree to the relocation because / 父母另一方不同意上述迁移，**
因为: (Describe your understanding of why the other parent will not agree to the move) / (叙述您所认知的父母另一方不同意此次搬迁的理由) :

10. **If I am allowed to move with the children, I propose the following visitation schedule / 如果本人被允许带上述子女随迁，本人提议以下探视安排表:** (Describe what visitation schedule you are proposing, and explain why the visitation schedule provides adequate substitute visitation) / (叙述您所提议的探视安排，并说明该探视安排如何足以替代原有安排) _____

The estimated cost for visitation is / 探视的预计费用为: \$ _____ per round trip / 每次往返.

This cost should be paid by / 应支付该费用的是: (name) / (姓名) _____

11. If the move is allowed, I will comply with all substitute visitation orders / 如果被允许搬迁, 本人会服从所有替代探视令. (Give any information about whether you have previously complied with visitation orders) / (提供您此前是否服从探视令的任何相关信息)
-
-

B. Request to Set or Modify Child Support

B. 确定或修改子女抚养费的请求

- I understand that I must file my Financial Disclosure Form to support my request to modify 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》以支持本人对修改子女抚养费的请求, 且不提交《财务披露表》可能导致本人的请求被驳回。

12. Child Support / 子女抚养费. (check one) / (勾选一项)

Child support should not be changed. (STOP. Go to Section C.) / 子女抚养费应维持不变。(就此停止。请跳至C部分。)

There is no child support order. Child support needs to be set. / 没有子女抚养费令。子女抚养费需要设定。

Child support should be changed. / 子女抚养费应该变更。(Name of person currently ordered to pay child support) / (当前被命令支付子女抚养费者的姓名)
_____ currently pays (amount) / 目前每月支付 (金额)
\$ _____ per month in child support / 的子女抚养费. This should be changed / 该部分应该变更: (check one) / (勾选一项)

Because of the change in custody I am requesting. / 因为本人请求的监护权变更。

Because it has been more than three years since child support was last entered. / 因为上一次子女抚养费令签发距今已超过三年。

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

It is in the best interest of the child to change child support because (*explain*) / 变更子女抚养费符合上述子女的最佳利益, 因为 (说明理由) :

13. 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.

14. Amount Requested / 请求的金额. (*check one*) / (勾选一项) Child support should be set so that (*name of person who should pay child support*) / 子女抚养费应该设定为由 (应该支付子女抚养费者的姓名) _____ pays / 支付: (*check one*) / (勾选一项)

每月 \$ _____ 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 why*) / 其他 (说明命令应规定的子女抚养费金额和理由) :

C. Other Relief

C. 其他救济

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。) _____

I respectfully ask the Court to grant me the relief 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 FOR PERMISSION TO RELOCATE
WITH A MINOR CHILD / 支持带未成年子女迁移许可动议之声明书**

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： _____

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) _____