

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

5  
6  
7 **DISTRICT COURT**  
\_\_\_\_\_ **COUNTY, NEVADA**

9		CASE NO.: _____
10	_____	DEPT NO.: _____
11	Plaintiff,	DATE OF HEARING: _____
12	vs.	TIME OF HEARING: _____
13	_____	
14	Defendant.	

15  
16 **DECREE OF SEPARATE MAINTENANCE**  
17 **(WITH CHILDREN)**

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

- 21
- 22 1. That Plaintiff or Defendant is now and has been an actual bona fide resident of the State  
23 of Nevada and has been actually domiciled in the State of Nevada for more than six  
24 weeks immediately prior to the commencement of this action.
  - 25 2. That Plaintiff and Defendant were married on *(date)* \_\_\_\_\_ in the city  
26 of \_\_\_\_\_, State of \_\_\_\_\_ and have since  
27 remained married.  
28

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

2             Neither spouse is pregnant.

3             The following spouse is pregnant: (*name of pregnant spouse*) \_\_\_\_\_.

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

6  
7      4. That Plaintiff and Defendant have (*number*) \_\_\_\_\_ minor children in common who are  
8            either biological or adopted. The names and dates of birth are:

9

Child's Name:	Date of Birth

10  
11  
12  
13  
14

15  
16      5. **Child Residency.** ( *check one*)

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

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

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

26  
27      7. That the amount of child support ordered herein is in compliance with the guidelines  
28            established by the Administrator of the Division of Welfare and Supportive Services or  
          has been stipulated to by the parties with the required certifications and disclosures  
          required by the guidelines.

1 8. That this Court has complete jurisdiction to enter this Decree and the orders regarding  
2 the distribution of assets, debts, and alimony.

3 9. That the Plaintiff or Defendant should be granted a Decree of Separate Maintenance for  
4 the reasons set forth in the Complaint or Counterclaim.

5  
6 10. That any other necessary findings of fact are attached and incorporated herein.

7  
8 **NOW THEREFORE, IT IS HEREBY ORDERED** that the parties are granted a Decree  
9 of Separate Maintenance, but the bonds of matrimony shall be maintained.

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

- 12  The parties are granted joint legal custody of the minor child(ren).  
13  The Plaintiff is granted sole legal custody of the minor child(ren).  
14  The Defendant is granted sole legal custody of the minor child(ren).  
15  Nevada is not the home state of the child(ren) and does not have jurisdiction.

16  
17 **IT IS FURTHER ORDERED that** ( *check one*)

- 18  The parties shall share joint physical custody of the minor child(ren). The parties  
19 shall exercise a regular and/or holiday timeshare as outlined in Exhibit \_\_\_\_\_ which  
20 is incorporated herein.  
21  Primary physical custody of the minor child(ren) shall be awarded to ( *check one*)  
22  Plaintiff /  Defendant. The parties shall exercise a regular and/or holiday  
23 timeshare as outlined in Exhibit \_\_\_\_\_ which is incorporated herein.  
24  Sole physical custody of the minor child(ren) shall be awarded to ( *check one*)   
25 Plaintiff /  Defendant.  
26  Nevada is not the home state of the child(ren) and does not have jurisdiction.

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

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

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

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

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

- 2  The 30/30 Rule shall apply to all unreimbursed medical and dental expenses. <sup>1</sup>
- 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
- 11 *one*)  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 **THE COURT FINDS AND THEREFORE ORDERS** that (check one)

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

19 **Property To Plaintiff:**

- 20 1. \_\_\_\_\_
- 21 2. \_\_\_\_\_
- 22 3. \_\_\_\_\_
- 23 4. \_\_\_\_\_

24 **Property To Defendant:**

- 25 1. \_\_\_\_\_
- 26 2. \_\_\_\_\_
- 27 3. \_\_\_\_\_
- 28 4. \_\_\_\_\_

<sup>1</sup> 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 **THE COURT FINDS AND THEREFORE ORDERS** that ( *check one*)

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

4 **Debts To Plaintiff:**

- 5 1. \_\_\_\_\_  
6 2. \_\_\_\_\_  
7 3. \_\_\_\_\_  
8 4. \_\_\_\_\_

9 **Debts To Defendant:**

- 10 1. \_\_\_\_\_  
11 2. \_\_\_\_\_  
12 3. \_\_\_\_\_  
13 4. \_\_\_\_\_

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

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

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

- 21  Neither party changed their name or neither party wishes to have a former or maiden  
22 name restored.  
23  The name of (*spouse's name*) \_\_\_\_\_ should be  
24 restored to his / her former or maiden name of (*write full name the party wants to go*  
25 *back to*) \_\_\_\_\_.  
26  The name of (*spouse's name*) \_\_\_\_\_ should be  
27 restored to his / her former or maiden name of (*write full name the party wants to go*  
28 *back to*) \_\_\_\_\_.

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

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

18 **NOTICE IS HEREBY GIVEN** that the terms of the Hague Convention of October 25,  
19 1980, adopted by the 14th Session of the Hague Conference on Private International Law, apply  
20 if a parent abducts or wrongfully retains a child in a foreign country. The parties are also put on  
21 notice of the following provision of NRS 125C.0045(8):

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

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

27 (b) Upon motion of one of the parties, the court may order the parent to post a bond if  
28 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.

29 **NOTICE IS HEREBY GIVEN** that the parties are subject to the relocation requirements  
30 of NRS 125C.006 & NRS 125C.0065. If joint or primary physical custody has been established  
31 pursuant to an order, judgment or decree of a court and one parent intends to relocate his or her  
32 residence to a place outside of this State or to a place within this State that is at such a distance  
33 that would substantially impair the ability of the other parent to maintain a meaningful  
34 relationship with the child, and the relocating parent desires to take the child with him or her,  
35 the relocating parent shall, before relocating: (a) attempt to obtain the written consent of the  
36 non-relocating parent to relocate with the child; and (b) if the non-relocating parent refuses to  
37 give that consent, petition the court for permission to move and/or for primary physical custody  
38 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



1 reasonable attorney's fees and costs to the relocating parent if the court finds that the non-  
2 relocating parent refused to consent to the relocating parent's relocation with the child without  
3 having reasonable grounds for such refusal, or for the purpose of harassing the relocating  
4 parent. A parent who relocates with a child pursuant to this section without the written consent  
5 of the other parent or the permission of the court is subject to the provisions of NRS 200.359.

6 **NOTICE IS HEREBY GIVEN** that the parties are subject to the provisions of NRS  
7 31A and 125.007 regarding the collection of delinquent child support payments.

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

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

19 DATED this (*day*) \_\_\_\_\_ day of (*month*) \_\_\_\_\_, 20\_\_\_\_.

20 \_\_\_\_\_  
21 DISTRICT COURT JUDGE

22 Respectfully Submitted By:

23 ▶ \_\_\_\_\_

24 (*Plaintiff's signature*)

25 ▶ \_\_\_\_\_

26 (*Defendant's signature*)

27 \_\_\_\_\_  
28 (*Plaintiff's printed name*)

\_\_\_\_\_ (*Defendant's printed name*)