Code No. _____
Name: _____
Address: _____
_____
Telephone Number: _____
Acting In Proper Person

IN THE _____ JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF _____

_____
(Your name)
Plaintiff,

vs

_____
(The other party's name)
Defendant.
_____/

Case No. _____

Dept. No. _____

COMPLAINT FOR DIVORCE
(With Children)

Plaintiff, _____, in proper person, and for a cause of action
(Your name)
alleges as follows:

I.

The Plaintiff is a resident of the State of Nevada, County of _____, and for
(County in which you live)
a period of more than six weeks immediately preceding the commencement of this action, has resided in, been physically present in, and is a resident of the State of Nevada, and intends to continue to make the State of Nevada her/his _____ home for an indefinite period of time.

The Defendant is a resident of the State of _____, County of _____.
(State and County of Defendant's residence)

II.

The parties were married on _____, in _____,
(Date of marriage) (City or County of Marriage)
State of _____, and ever since that day have been, and are now, husband and wife.
(State in which marriage took place)

III.

Wife _____ pregnant at this time.
(is or is not)

If wife is pregnant at this time, answer the following questions. If wife is not pregnant, print "N/A" in the spaces.

Husband (is or is not)_____the father of the unborn child. The unborn child is due to be born on: (date of expected birth)_____.

IV.

In the following paragraph, list all children born of this union, whether born prior to marriage or during the marriage and also include any children who were adopted during the time of the marriage.

That there are _____ minor children born to, or adopted, through this union.
(Number of minor children)

NAME	AGE	DATE OF BIRTH

V.

Children's Residence

In the following paragraph, print each child's name and indicate in what State each child presently resides and how long the child has resided in that state.

The state of residence of the children is as follows:

Name	State Of Residence	Length Of Time Child Has Lived In That State

If the children have not been physically present in the State of Nevada for the past six months, *STOP HERE.* There may be a jurisdictional issue regarding the authority of the court to enter orders concerning custody and visitation of the children and you should seek legal assistance on this matter before going any further.

VI.

Legal Custody Of The Children

WARNING: Your choice of custody terms will have a direct effect on your legal rights to your children. Be sure you are familiar with the legal definitions of the different kinds of custody before you choose how custody will be stated in these documents.

Sole legal custody is granted only in extreme or unusual circumstances.

Initial only ONE of the following statements and print "not applicable" in the other space.

WARNING: If you select "SOLE CUSTODY" you must describe facts that demonstrate the other parent is not fit to have joint legal custody and you may be required to appear in court to justify your choice of sole legal custody.

_____ mother and father are fit and proper persons to share joint legal custody of the minor
Initial

child(ren) _____
(names of child(ren)

OR,

_____ _____ is a fit and proper person to have sole legal custody of
Initial (mother or father)

the minor child(ren) _____
(names of child(ren)

and the other parent is not fit to have joint legal custody because: _____

_____

_____

_____

VII.

Physical Custody of the Children
There are THREE different choices in the following paragraph: (a) joint physical custody; or (b) primary physical custody; or (c) sole physical custody. Choose only ONE. Initial the ONE choice. In the space not initialed, print "N/A".

(a) Joint Physical Custody

_____ mother and father are fit and proper persons to be awarded joint physical custody of
Initials
the minor child(ren) _____
(Names of children)

with visitation and exchange as set out in Paragraph VIII.

(b) Primary Physical Custody

_____ _____ is a fit and proper person to have the primary
Initials (Name of custodial parent)

physical custody of the minor child(ren),_____
(Names of the children)

with visitation by the non-custodial parent as set forth in the following schedule.

(c) Sole Physical Custody

_____ _____ is a fit and proper person to have the sole physical
Initials (Name of custodial parent)

custody of the minor child(ren), _____
(Names of children)

with visitation by the non-custodial parent as set forth in the following schedule.

VIII.

WEEKLY/MONTHLY AND SUMMER EXCHANGE AND VISITATION

Visitation must be set out in specific detail, including a full weekly or monthly schedule with the days the exchanges will take place, the times of the exchanges, and who will provide transportation. Also include specific details regarding holiday sharing and summer vacation periods. Without very specific visitation, a Decree will not be granted. Terms such as "reasonable visitation" and "visitation at reasonable times and places" will not be accepted.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

HOLIDAY VISITATION

(You may add or subtract any holidays on the following list. If you choose not to exchange the child/ren on a specific holiday, print "N/A" in the spaces for that holiday. If no changes for the holidays are to be made in the regular visitation schedule, state that clearly in the next paragraph and print "N/A" on the lines provided for the individual holidays.)

The major holidays will be handled in the following manner:

(Name each specific holiday, such as Thanksgiving, Christmas, Easter, Passover, Hanukkah and include exactly when the holiday visitation shall begin and who will provide the transportation to and from the visiting parent)

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Should a holiday fall on a three day weekend and it is the other parent's weekend to have the child(ren), the three day holiday will be handled as follows:

_____

_____

_____

_____

_____

_____

_____

On each of the following holidays, visitation shall commence at_____ __m.

on the day of the holiday and end at _____ ___m.

_____ will provide the transportation for the initial exchange
(Visiting Parent or Custodial Parent)

and _____ will provide the transportation for the return exchange.
(Visiting Parent or Custodial Parent)

New Year's Day will be alternated with _____ having
(Father or Mother)
the child in the year _____ and each _____ year thereafter.
(odd or even)

Martin Luther King's Birthday will be alternated with _____ having the
(Father or Mother)
child in the year _____ and each _____ year thereafter.
(odd or even)

President's Day will be alternated with _____ having the
(Father or Mother)
child in the year _____ and each _____ year thereafter.
(odd or even)

Memorial Day will be alternated with _____ having the
(Father or Mother)
child in the year _____ and each _____ year thereafter.
(odd or even)

Fourth of July will be alternated with _____ having the
(Father or Mother)
child in the year _____ and each _____ year thereafter.
(odd or even)

Labor Day will be alternated with _____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

Nevada Day will be alternated with _____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

Halloween will be alternated with _____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

Veteran's Day will be alternated with _____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.

(odd or even)
Child's birthday will be alternated with _____ having the child in
(Father or Mother)
the year _____ and each _____ year thereafter.
(odd or even)

_____ Mother shall have the child on Mother's Day and Father shall have the child on
(Yes or No)
Father's Day.

IX.

CHILD SUPPORT
The child support MUST be based on the formula as set out in the Nevada Revised Statutes. You may not just state an arbitrary amount and you may not state "no child support to be paid".

_____ shall pay child support in the amount of $_____
(Father or Mother)

per month, per child, for a total monthly child support obligation of $_____
(Total monthly child support payment)

per month. The child support shall be paid on or before the _____ day of each month.

This amount is based upon the following information:

Husband's gross monthly income is $_____.
(Amount earned per month before deductions)

Wife's gross monthly income is $_____.
(Amount earned per month before deductions)

Initial either line 25, or line 2, or line 6 on the next page. DO NOT INITIAL ALL LINES. Print N/A on those lines you do not initial.

_____ _____ is the non-custodial parent and, the amount on lines
(Mother or Father)
12-14 above, is in compliance with NRS 125B.070 and is either _____ % of
(18%, 25%, 29%, 31%)

_____ gross monthly income or the statutory minimum.
(Father's or Mother's)

OR

_____ Because Parents are joint physical custodians, the amount of child support on lines 12-14 above, meets the statutory requirement.

OR

_____ The support obligation amount is not the amount required in the statutes. Under the statutes, the child support obligation for _____ would be $_____
(Mother or Father)
per month, per child. However, that amount should be different because: (Please see NRS 125B.080 for the only reasons you can deviate from the statutory formula, and list your reasons here)

_____

_____

_____

_____

_____

_____

_____

_____

_____

The child support obligation for each child ceases when the child reaches the age of 18 years of age if he/she is no longer enrolled in high school, otherwise, when he/she reaches the age of 19 years of age.

A wage assignment for the child support _____ be immediately put in place.
(will or will not)

If child support arrears from the date of separation are being requested, you must fill in the following information. If you are not claiming child support arrears, print "N/A" on the following lines. If you are claiming child support arrears pursuant to NRS 125B.030, you may request up to four (4) years in arrears without a prior court order.

Plaintiff and Defendant separated on _____. Plaintiff requests child
(Date of Separation)
support in the amount of $_____ per month, per child, for a total of $_____
per month from the date of the separation to the filing date of the Decree or other Order.

You must initial <u>ONLY ONE</u> of the following statements regarding child support. On all other lines, print "N/A."

1. _____ There is already a Child Support action through the District Attorney's Office and payment of the child support shall continue to be handled through that office.

2. _____ The children are receiving Welfare benefits and the Welfare Department has, or will have, a child support case through the District Attorney's Office and the District Attorney's Office shall continue to handle the child payments.

3. _____ No formal child support obligation has ever previously been established and this will be the first Court Order for child support and the parent paying child support will pay the support directly to the receiving parent.

4. _____ Although this is the first Court Order for child support, the payments will be through the District Attorney's Office and the parent who will be collecting child support shall open the case with the District Attorney's Office.

X.

<u>Health Care</u>
Provisions must be made for health care for the child(ren). If neither parent has health insurance on the child(ren), that must be stated. If the children are on Medicaid or Nevada Check-Up, that must be stated. Fill in all spaces, do not leave any spaces blank.

The child(ren) presently (are or are not) _____covered by a health insurance policy.

The child(ren) presently (are or are not)_____on Medicaid or Nevada Check-up.

_____ shall maintain health insurance on the child(ren).
(Husband, Wife, both parents, or neither parent)

The parties shall each share, equally, any health expenses incurred on behalf of the child(ren) that are not covered by insurance and each party shall be responsible for one half of the deductible and one half of the medical insurance premium if the child(ren) are covered by medical insurance.

XI.

Division of Assets

Initial ONLY ONE of the statements below. Print "N/A" in the spaces you do not use. Be sure to address all retirement accounts, bank accounts and vehicles. When listing accounts, use the last four digits of the account number, if known. Include the VIN numbers when listing vehicles.

1. _____ All of the community assets and property have been previously divided and each is to keep the property they have in their possession at this time.

2. _____ There is no community property to be divided.

3. _____ The community property should be divided as follows: (Include retirement, and pension benefits.)

WIFE SHALL RECEIVE THE FOLLOWING:

HUSBAND SHALL RECEIVE THE FOLLOWING:

(If more room is needed, attach additional sheets but make sure the sheets are clearly identified as a continuation of the division of assets. Write only on one side of the page of additional sheets and each additional sheet must be initialed.)

There may be additional community assets of the parties, the exact amounts and descriptions of which are unknown to Plaintiff at this time. Plaintiff asks permission of this Court to amend this Complaint to insert this information when it becomes known to Plaintiff, or at the time of trial.

XII.

Division of Debts
Initial ONLY ONE of the three statements below. Print "N/A" in the spaces you do not use. Be sure to list all credit cards with the last four numbers of each account, if known.

1. _____ All of the community debts have been previously divided and each is to keep those debts assigned to them and indemnify and hold the other party harmless from those debts.

2. _____ There are no community debts to be divided.

3. _____ The community debts should be divided as follows: (Be sure to list **specific** debts with the last four numbers of the accounts, if available.)

WIFE SHALL RECEIVE THE FOLLOWING DEBTS AS HER SOLE AND SPEARATE DEBTS AND SHALL INDEMNIFY AND HOLD HUSBAND HARMELSS FROM THESE DEBTS:

HUSBAND SHALL RECEIVE THE FOLLOWING DEBTS AS HIS SOLE AND SEPARATE DEBTS AND SHALL INDEMNIFY AND HOLD WIFE HARMELSS FROM THESE DEBTS:

(If more room is needed, attach additional sheets but make sure the sheets are clearly identified as a continuation of the division of debts. Write only on one side of the page on additional sheets and each additional sheet must be initialed.)

There may be additional community debts of the parties, the exact amounts and descriptions of which are unknown to Plaintiff at this time. Plaintiff asks permission of this Court to amend this Complaint to insert this information when it becomes known to Plaintiff, or at the time of trial.

XIII.

Spousal Support (Alimony)

Initial only ONE of the following statements. If you initial one of the statements that makes a provision for spousal support, be sure to fill in all the spaces in that statement. DO NOT LEAVE ANY SPACES BLANK IN THIS SECTION. PRINT "N/A" IN ALL SPACES THAT ARE NOT APPLICABLE TO YOU.

Spousal Support will automatically cease upon the remarriage of the recipient or the death of either party.

_____ Alimony is not appropriate in this case.

_____ Wife shall receive spousal support in the amount of $_____ per
(Amount Wife to receive)
_____, due and payable on the _____ of each
(Week or month) (Date amount due)
_____ for a period of _____
(Week or month) (Number of weeks, months or years)
The spousal support shall begin on _____
(Date spousal support to begin)
and end on _____.
(Date last spousal support payment will be made)

_____ Husband shall receive spousal support in the amount of $_____ per
(Amount to be received)
_____, due and payable on the _____ of each
(Week or month) (Date amount due)
_____ for a period of _____
(Week or month) (Number of weeks, months or years)
The spousal support shall begin on _____
(Date spousal support to begin)
and end on _____.
(Date last spousal support payment will be made)

XIV.

Former Name

If wife is filing, wife should initial ONLY ONE of the following three statements and print "N/A" in the spaces not filled in. If husband is filing, husband should print "N/A" in all spaces

_____ Wife does not wish to return to her former name.

_____ Wife wishes to return to her former name of _____

_____ (Print full name).

_____ Wife never changed her name and, therefore, does not request restoration of her former name.

XV.

The parties are incompatible in marriage and there is no hope for reconciliation, and/or the parties have lived separate and apart for more than one year without cohabitation.

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

1. That the bonds of matrimony heretofore and now existing between the Plaintiff and Defendant be forever dissolved, and that each of the parties be restored to the status of unmarried persons.
2. That the Court grant Plaintiff the relief requested in this Complaint.
3. For other and further relief as the Court may deem just and proper in this action.

DATE:_____

_____
(Signature)

_____
(Address)

_____

_____
(Telephone number)

VERIFICATION AND ACKNOWLEDGMENT

STATE OF NEVADA)
)ss
County of _____)

_____, being first duly sworn, under oath and the
(Your name)
penalties of perjury, deposes and says: I am the Plaintiff in the above entitled action, and competent to testify as to the contents of the attached pleading of my own knowledge; that I have read the foregoing Complaint For Divorce and know the contents thereof; that the same are true to the best of my own knowledge, save and except to those matters stated upon information and belief, and, as to those matters, I believe the same to be true.

_____
(Signature)

SUBSCRIBED and SWORN to before me

this _____day of _____, _____.

_____
NOTARY PUBLIC

STATE OF NEVADA)
)ss
County of _____)

On this _____, _____ personally appeared before me, the undersigned, a Notary Public in and for the County of _____, State of Nevada, _____, personally known to me or proved to me to be the person whose name is subscribed to the above instrument who acknowledged that she/he executed the above instrument.

_____
NOTARY PUBLIC