<u>FILING CODE</u> : DVJ
Spouse's Name:
Address:
City, State, Zip:
Phone:
Email:
Spouse's Name:
Address:
City, State, Zip:
Phone:
Email:

Self-Represented

#### DISTRICT COURT CLARK COUNTY, NEVADA

First Joint Petitioner (*Spouse Name*), And CASE NO.: \_\_\_\_\_

DEPT:

Second Joint Petitioner (Spouse Name).

#### 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:

- Residency. The following spouse has been a resident of the State of Nevada for at least six weeks prior to filing this Joint Petition: (*write the name of the spouse who is a Nevada resident*) \_\_\_\_\_\_.
- Marriage. The parties were married on (*date*) \_\_\_\_\_\_ in (*city*) \_\_\_\_\_\_, (*state*) \_\_\_\_\_\_. The parties are incompatible.

<sup>© 2023</sup> Family Law Self-Help Center

Joint Petition for Divorce (With Kids)

<sup>\*</sup> You are responsible for knowing the law about your case. For more information on the law, this form, and free classes, visit <u>www.familylawselfhelpcenter.org</u> or the Family Law Self Help Center at 601 N. Pecos Road. To find an attorney, call the State Bar of Nevada at (702) 382-0504.

3. The mailing addresses of the petitioners are:

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

4. **Pregnancy.** ( $\boxtimes$  *check one*)

 $\Box$  Neither spouse is pregnant.

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

The other spouse  $\Box$  is /  $\Box$  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:

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*)

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

 $\Box$  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:

	Where they live(d)	Who they live(d) with	Dates they live(d) there	Which child (or all)
$Examples \rightarrow$	123 Main, Las Vegas	Sue & Mark Jones	May 2021- Feb 2022	All
Current:			<u>present</u>	
Past Residence:			-	
Past Residence:				
Past Residence:				

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? ( $\boxtimes$  *check one*)
  - $\Box$  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? ( $\boxtimes$  *check one*)
  - $\Box$  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? ( $\boxtimes$  *check one*)
  - $\Box$  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. ( $\square$  check one)
  - □ **Joint.** The petitioners should share joint legal custody of the child(ren).
  - □ **Sole.** 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.* ( $\boxtimes$  *check one*)
  - □ **Joint.** The petitioners should share joint physical custody of the child(ren) (*each* parent would have the children roughly 40-60% of the time). A proposed parenting timeshare and holiday schedule is attached as Exhibit 1.
  - Primary. 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 1.
  - □ **Sole.** The petitioners agree that sole physical custody of the minor children should be granted to (*name of parent*) \_\_\_\_\_\_.
  - $\Box$  Nevada is not the "home state" of the child(ren) and cannot enter custody orders.
- Parties' Incomes. The court needs to know both parties' gross monthly incomes to make sure child support is set correctly. <u>Gross monthly income includes</u> money received from work, social security, unemployment, pension/retirement, interest/investments, veteran's benefits, military allowances, etc.

<u>It does not include</u> 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 attached worksheet to figure out how much child support should be ordered. If either parent earns over \$6000/mo, visit <u>nvchildsupportguidelinescalculator.azurewebsites.net/getobligation.aspx</u> and print out the calculation from that worksheet to attach to this petition instead. **Complete and attach one of those worksheets before filling out this section.** 

 $(\boxtimes check one)$ 

- 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*) R\_\_\_\_\_. That order requires (*name of parent who pays child support*) \_\_\_\_\_ to pay \$\_\_\_\_\_ per month in child support.

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.

Any child support ordered will be due the 1<sup>st</sup> of the month beginning the month after the case is finalized. Payments may be made directly between the parties, or either party may open a child support collection case with the local Child Support Enforcement Office.

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

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

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

- 12. Back Child Support. Should back child support ("arrears") be ordered? ( $\boxtimes$  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*) R\_\_\_\_\_ and will continue to be handled in that case.
  - The petitioners agree that (*name of parent who will <u>pay</u> back child support*)
     \_\_\_\_\_\_ will pay child support arrears in the total amount of \$\_\_\_\_\_\_ to the other parent.
- 13. Child Care. Are there child care expenses? ( $\boxtimes$  *check one*)

 $\Box$  No, there are no child care costs for either parent.

- $\Box$  Yes, the monthly child care costs for the child(ren) are: \$\_\_\_\_\_. The monthly child care costs will be paid by:  $\Box$  both parents equally  $\Box$  one parent only (*parent name*): \_\_\_\_\_\_.
- 14. **Medical Coverage.** Medical support (medical, vision, and/or dental) must be provided for the child(ren). How will the children get medical support/insurance?

 $\Box$  Medicaid.

 $\Box$  Private / Employer Insurance. The monthly premium will be paid by:  $\Box$  both parents

equally  $\Box$  one parent only (*parent name*): \_\_\_\_\_\_.

□ Other: \_\_\_\_\_

- 15. Unreimbursed Medical Expenses. How will medical expenses get paid if insurance does not cover a medical cost? (⊠ *check one*)
  - □ Both parents will equally pay any expenses not covered by insurance.
  - □ One parent will pay any expenses not covered by insurance, that parent is (name of

parent who will pay) \_\_\_\_\_

16. "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.

- 17. 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)
  - $\Box$  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		<ul> <li>every year</li> <li>even years</li> <li>odd years</li> </ul>
	will be claimed by		<ul> <li>every year</li> <li>even years</li> <li>odd years</li> </ul>
	will be claimed by		<ul> <li>every year</li> <li>even years</li> <li>odd years</li> </ul>
	will be claimed by		<ul> <li>every year</li> <li>even years</li> <li>odd years</li> </ul>

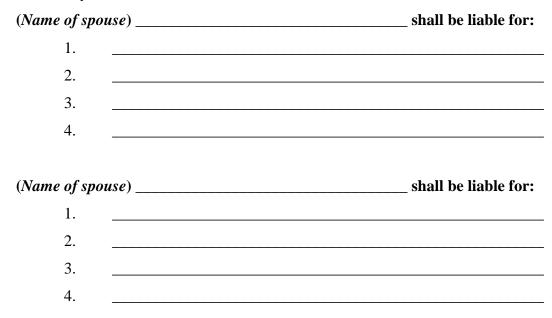
#### 18. Division of Community Property. ( $\boxtimes$ check one)

- $\Box$  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)	
(Name of spouse)	
(Name of spouse)	shall receive:
( <i>Name of spouse</i> )	shall receive:
(Name of spouse) 1 2	shall receive:

#### 19. Division of Community Debt. ( *Check one*)

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



#### 20. Alimony. ( $\boxtimes$ check one)

- □ Neither petitioner should be awarded alimony.
- 21. Name Change. ( $\boxtimes$  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*) \_\_\_\_\_\_.
  - □ 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*) \_\_\_\_\_\_.
- 22. 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.
- 23. Petitioners hereby request that this Court enter a Decree of Divorce, incorporating into that Decree the provisions made in this Joint Petition.
- 24. 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.

25. 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:	Date:
•	▶
(First Petitioner's signature)	(Second Petitioner's signature)
(First Petitioner's printed name)	(Second Petitioner's printed name)

#### FIRST PETITIONER'S VERIFICATION

STATE OF NEVADA	
COUNTY OF CLARK	

(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 CLARK )

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 CLARK	

(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 CLARK	

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 foregoin	ng Joint Petition for Divorce, and who
acknowledged to me that he/she did so freely and volunt	arily and for the uses and purposes
herein stated.	

Signature of notarial officer

# **EXHIBIT 1: Parenting Timeshare and Holiday Schedule**

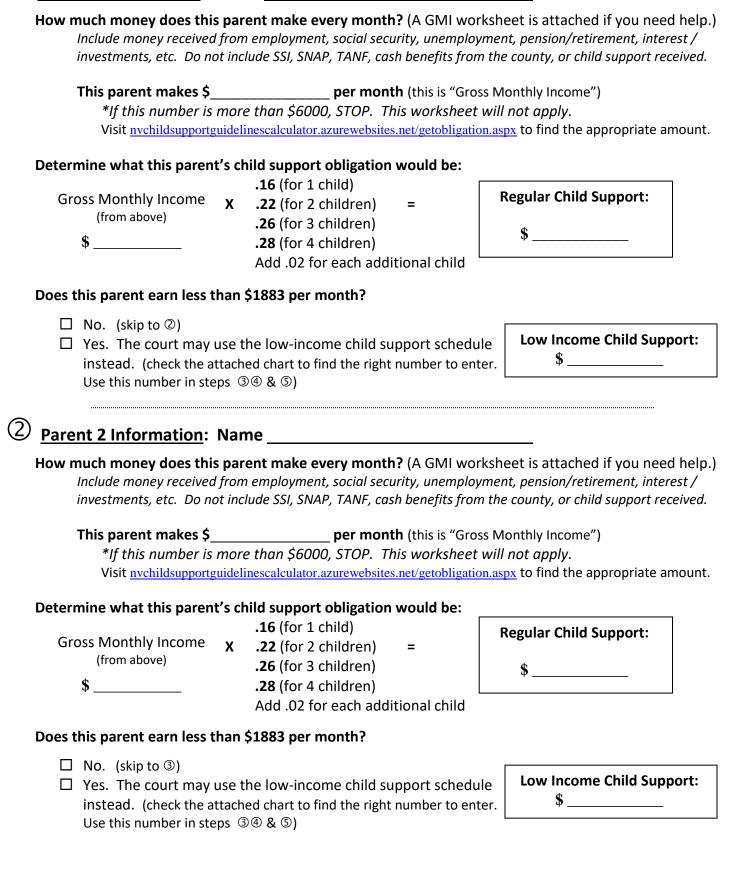
□ No Visitation Requested Because: (*explain*)\_\_\_\_\_

Regular Schedule: <u>Be very specific</u> . Include the times and days of the week for each parent's timeshare. (ex.: <u>Mom</u> : Saturday 7pm – Wednesday 3pm, <u>Dad</u> : Wednesday 3pm – Saturday 7pm)	
Summer Schedule:	<ul> <li>Same as the regular schedule.</li> <li>Other:</li> </ul>
Mother's Day and Mother's Birthday:	<ul> <li>Mother every year from 9am – 7pm.</li> <li>Other:</li> </ul>
Father's Day and Father's Birthday:	<ul> <li>Father every year from 9am – 7pm.</li> <li>Other:</li> </ul>
Child's Birthday:	<ul> <li>□ <u>Even years</u> with (parent)</li> <li><u>Odd years</u> with (parent)</li> <li>*Time shall be from 9am – 7pm.*</li> <li>□ Other:</li> </ul>
3 Day Weekends:	<ul> <li><u>Even Years</u>: MLK Jr. Day, Memorial Day, Labor Day with (parent), President's Day, Independence Day, Nevada Admissions Day with the other parent.</li> <li><u>Odd Years</u>: MLK Jr. Day, Memorial Day, Labor Day with (parent), President's Day, Independence Day, Nevada Admissions Day with the other parent.</li> <li>*Time begins when school lets out the day before the holiday weekend (or 3pm if no school), and ends the day following the holiday weekend when school resumes (or 9am).*</li> <li>**If Independence Day falls on a Tuesday, Wednesday, or Thursday, the time shall be from July 3 at 9am until July 5 at 9am.**</li> <li>Other:</li></ul>

Easter / Spring Break:	Even years with (parent)
	Odd years with the other parent.
	*Time shall begin the day school lets out until noon the day
	before school resumes.*
	Other:
Thanksgiving:	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.*
	Other:
Winter Break / Christmas:	Segment 1 (Christmas) consists of the day school lets out until
	December 26 at noon. Segment 2 (New Year's) consists of December 26 at noon
	until noon the day before school resumes.
	Even years: segment 1 with (parent),
	segment 2 with the other parent.
	<u>Odd years</u> : segment 1 with ( <i>parent</i> ), segment 2 with the other parent.
	Other:
Other Holidays:	
Other Hondays.	
Vacation:	The parents will not establish a formal vacation plan, and will instead mutually agree on vacation days and times with the child(ren).
	Each parent may have up to ( <i>number</i> ) vacation days per year with the child(ren). 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 is not allowed during a holiday allotted to</b>
	the other parent.

### **Child Support Worksheet (Joint Petitions)**

### D Parent 1 Information: Name \_\_\_\_\_



(3) Joint Custody. Only fill out this section if you have agreed to Joint Physical Custody. Skip to ④ if one parent will have primary custody or sole custody.

Subtract the lower earning parent's amount of child support from the higher earning parent's amount.



### Ð <u>Adjustments.</u>

- If <u>one parent</u> will have primary or sole physical custody, the court uses the noncustodial parent's number from ① or ② as the standard amount of child support the noncustodial parent would pay.
- If <u>both parents</u> will have joint physical custody, the court uses the number in ③ as the standard amount of child support.

Enter how much child support would be based on the above calculations:

#### Standard Calculation:

Based on the above, \$	should be paid by ( <i>name</i>
------------------------	---------------------------------

You can ask for more or less child support than the amount above if you think any of the following factors apply. ( $\boxtimes$  check all that apply, or skip to  $\bigcirc$  if none if these reasons apply)

	Special educational needs	Cost of transportation to and from visitation
	A parent's legal responsibility to support others	The relative income of both households
	The value of services contributed by either parent	Any other necessary expenses for the benefit of the child
	Public assistance paid to support the child	The obligor's ability to pay
Exp	lain:	

**5** Final Child Support Amount Requested: Check one:

□ We agree to set child support based on the standard calculation above.

Child support should be set at a different amount. We agree that
 \$ will be paid by (*name*)

□ We agree that there should be no child support paid by either party.

□ We agree to keep child support as ordered in our DA/Child Support case.

## TO DETERMINE A PARENT'S GROSS MONTHLY INCOME ("GMI") FROM EMPLOYMENT

Annual Income	\$
÷ by 12 months = <b>GMI</b>	\$

Biweekly Income	\$
X 26 pay periods per year	
÷ by 12 months = <b>GMI</b>	\$

Weekly Income	\$
X 52 pay periods per year	
÷ by 12 months = <b>GMI</b>	\$

Hourly Wage	\$
# of hours worked per week	
Subtotal = hourly wage X #	
of hours per week	\$
X 52 pay periods per year	
÷ by 12 months = GMI	\$

### LOW INCOME CHILD SUPPORT SCHEDULE FOR PARENTS WHO EARN LESS THAN \$1883 PER MONTH

Child Support Obligation of Low-Income Payers

at 75% to 150% of the 2024 Federal Poverty Guidelines

at 75% to 150% of the 2024 Federal Poverty Guidelines										
	One	Child	Two C	hildren	Three Children		Four Children		Five Children	
Monthly		Child		Child		Child		Child		Child
Income	Percent	Support	Percent	Support	Percent	Support	Percent	Support	Percent	Support
Uр То		Amount	a	Amount		Amount	s	Amount	c	Amount
\$941	10.56%	\$99	14.52%	\$137	17.16%	\$161	18.48%	\$174	19.80%	\$186
\$975	10.75%	\$105	14.79%	\$144	17.48%	\$170	18.82%	\$183	20.16%	\$197
\$1,008	10.95%	\$110	15.05%	\$152	17.79%	\$179	19.16%	\$193	20.53%	\$207
\$1,042	11.14%	\$116	15.32%	\$160	18.11%	\$189	19.50%	\$203	20.89%	\$218
\$1,076	11.34%	\$122	15.59%	\$168	18.42%	\$198	19.84%	\$213	21.26%	\$229
\$1,109	11.53%	\$128	15.86%	\$176	18.74%	\$208	20.18%	\$224	21.62%	\$240
\$1,143	11.73%	\$134	16.12%	\$184	19.05%	\$218	20.52%	\$235	21.99%	\$251
\$1,177	11.92%	\$140	16.39%	\$193	19.37%	\$228	20.86%	\$246	22.35%	\$263
\$1,210	12.11%	\$147	16.66%	\$202	19.69%	\$238	21.20%	\$257	22.71%	\$275
\$1,244	12.31%	\$153	16.92%	\$210	20.00%	\$249	21.54%	\$268	23.08%	\$287
\$1,277	12.50%	\$160	17.19%	\$220	20.32%	\$259	21.88%	\$279	23.44%	\$299
\$1,311	12.70%	\$166	17.46%	\$229	20.63%	\$270	22.22%	\$291	23.81%	\$312
\$1,345	12.89%	\$173	17.73%	\$238	20.95%	\$282	22.56%	\$303	24.17%	\$325
\$1,378	13.09%	\$180	17.99%	\$248	21.26%	\$293	22.90%	\$316	24.54%	\$338
\$1,412	13.28%	\$188	18.26%	\$258	21.58%	\$305	23.24%	\$328	24.90%	\$352
\$1,445	13.47%	\$195	18.53%	\$268	21.90%	\$316	23.58%	\$341	25.26%	\$365
\$1,479	13.67%	\$202	18.79%	\$278	22.21%	\$328	23.92%	\$354	25.63%	\$379
\$1,513	13.86%	\$210	19.06%	\$288	22.53%	\$341	24.26%	\$367	25.99%	\$393
\$1,546	14.06%	\$217	19.33%	\$299	22.84%	\$353	24.60%	\$380	26.36%	\$408
\$1,580	14.25%	\$225	19.60%	\$310	23.16%	\$366	24.94%	\$394	26.72%	\$422
\$1,614	14.45%	\$233	19.86%	\$321	23.47%	\$379	25.28%	\$408	27.09%	\$437
\$1,647	14.64%	\$241	20.13%	\$332	23.79%	\$392	25.62%	\$422	27.45%	\$452
\$1,681	14.83%	\$249	20.40%	\$343	24.11%	\$405	25.96%	\$436	27.81%	\$467
\$1,714	15.03%	\$258	20.66%	\$354	24.42%	\$419	26.30%	\$451	28.18%	\$483
\$1,748	15.22%	\$266	20.93%	\$366	24.74%	\$432	26.64%	\$466	28.54%	\$499
\$1,782	15.42%	\$275	21.20%	\$378	25.05%	\$446	26.98%	\$481	28.91%	\$515
\$1,815	15.61%	\$283	21.47%	\$390	25.37%	\$460	27.32%	\$496	29.27%	\$531
\$1,849	15.81%	\$292	21.73%	\$402	25.68%	\$475	27.66%	\$511	29.64%	\$548
\$1,883	16.00%	\$301	22.00%	\$414	26.00%	\$490	28.00%	\$527	30.00%	\$565