JOINT PETITION DIVORCE/SEPARATE MAINTENANCE With Children

REQUIREMENTS

MUST ANSWER "YES" TO ALL OF THE FOLLOWING TO CONTINUE WITH A JOINT PETITION DIVORCE/SEPARATE MAINTENANCE

- ✓ Do you and your spouse agree that you're incompatible and no longer want to be married OR wish to be legally separated?
- ✓ Have you or your spouse lived in Nevada for the past six weeks.
- ✓ Does the spouse that lives in Nevada plan to continue living in Nevada indefinitely.
- ✓ Do you and your spouse agree on the division of any and all debts/community assets, alimony and (if you have any minor children), child custody, visitation, who will pay child support, and who will provide health insurance?
- ✓ Do you and your spouse agree to sign and notarize all court documents?

FIRST SPOUSE INFORMATION		
Full Legal Name		Phone Number
Complete Address		Date of Birth
Email Address		SS#
Mailing Address of First Spouse, if different from above		I
Driver's License No.	State	e
Employer		
Employer's Address	Emp	oloyer's Phone Number
SECOND SPOUSE INFORMATION		
Full Legal Name		Phone Number
Complete Address		Date of Birth
Email Address		SS#
Mailing Address of Second Spouse, if different from above		
Driver's License No.	State	e
Employer		
Employer's Address	Emp	oloyer's Phone Number

Who has been a resident of the State of Nevada for intends to make Nevada his/her home for an indefi	•	ior to filing tl	nis petition <i>and</i>
First Spouse	Second Spouse		
Date of Marriage	City and State of Marr	iage	
Choose One: Neither spouse is pregnant A spouse is pregnant Which spouse is pregnant? Is the other spouse the parent of the When is the due date of the unborn	unborn child?	Second Spo Yes	ouse No
FORMER NAME(S)			
Does the First Spouse wish to return to a former na	ame?	Yes	No
If Yes, insert full name First Spouse wishes t	o return to.		
Does the Second Spouse wish to return to a forme	r name?	Yes	No
If Yes, insert full name Second Spouse wishe	es to return to.		
RESIDENT WITNESS INFORMATION (a resident visees the Nevada spouse at least 3-4 times a week the Nevada spouse lives in the State of Nevada). Name:			•
Address:			
Date Resident Witness moved to Nevada:			
Date Resident Witness met the Resident Spouse in	n Nevada:		
What is the relationship between the Resident Witne relative, etc.)	ss and the Resident Spo	ouse? (ex. co	-worker, friend,

COMMUNITY ASSETS TO DIVIDE It is a good idea to include the last 4 digits of account numbers, VIN numbers, and parcel numbers for real estate. List the asset(s) the First Spouse will retain/keep. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12.

(use additional notes/instructions section to add more assets)

List the asset(s) the Second Spouse will retain/keep.

1.
2.

3.4.

5.6.7.

8. 9.

10.11.12.

(use additional notes/instructions section to add more assets)

COMMUNITY DEBTS TO DIVIDE

It is a good idea to include the last 4 digits of account numbers, VIN numbers, and parcel numbers for real estate.

List the debt(s) the First Spouse will be financially responsible for.

	Name of Creditor	Last 4 digits of acct#
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		

(use additional notes/instructions section to add more debts)

List the debt(s) the Second Spouse will be financially responsible for.

Name of Creditor	Last 4 digits of acct#
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
(use additional notes/instructions section to add more debts)	

Do yo	When a coup is a communinsurance po accounts can a Qualified D	ralified Domestiole divorces in Nemity property standicies, or at least anot simply be divormestic Relation accounts in the appropriate the simple of the si	evada, all commate. This does the portion that indeed by handing on Order (QDR)	unity property include instru at was paid in g a lump sum to D) empowers	shou ment durir o the the re	is like reting the mare other personal contract of the contrac	rement acc riage. How on. A docun thorities to o	as Nevada ounts and ever, such nent called
	can only be of plan allows for important to	en you create a disbursed to one or disbursement. keep in mind that thus not divisible roperty.	e specified paye . If your retirement at the portion yo	e. That personent account wa u contributed	n will as cre durin	receive the eated prior g your sing	e proceeds to your magle period is	when the rriage, it is your sole
	simply be div portion of the – while still pr	est retirement ac vided. The QDRO account's funds reserving the priv D creates the righ	O is a documen to an alternate p vacy rights of th	t which allows bayee – usuall e plan's other	the y the partio	plan admii ex-spouse cipants. In	nistrator to e of the acco deed, the ex	disburse a ount holder kistence of
ALIM	ONY (Spousa	al Support) (choos	se one option):					
	Each of the P	Petitioners hereb	y give up any ar					any other
	Wife shall red	ceive spousal su	ipport in the am	ount of \$, per	week or	month,
	due and pay	able on the	day of the	week or	mor	nth for a p	eriod of	weeks or
	months.	The support sh	all begin on		, a	and end		
	Husband sha	all receive spous	al support in the	e amount of \$, per	week or	month,
	due and paya	-	day of the	week or	mor	nth for a p	eriod of	weeks or
		The support sh	•			and end		
not incl	lude stepchildren	PRMATION - (incl a. The minor child(rea sdiction regarding a	n) must have reside	d in the State of N				
Full L	egal Name of	: 1 st Child				Data of F) i mt b	
		i Oillia				Date of E	oiruri	

Female

Male

Date when child first started living at the current address?

Full Legal Name of 2 nd Child	Date of Birth	
Current Address	SS#	
Date when child first started living at the current address?	Male	Female
	1	
Full Legal Name of 3 rd Child	Date of Birth	
Current Address	SS#	
Date when child first started living at the current address?	Male	Female
	ļ	
Full Legal Name of 4 th Child	Date of Birth	
Current Address	SS#	
Date when child first started living at the current address?	Male	Female
	1	
Full Legal Name of 5 th Child	Date of Birth	
Current Address	SS#	
Date when child first started living at the current address?	Male	Female

CHILD CUSTODY - There are two types of custody, Legal Custody and Physical Custody.

Legal Custody (who makes decisions about the child(ren): Legal custody refers to the basic responsibility for a child and the parent's ability to access information and make major decisions that affect the child, including the child's healthcare, education, and religious upbringing. There are two kinds of legal custody:

- **Joint Legal Custody:** Judges generally must award both parents joint legal custody so that both parents can make major decisions about the child.
- Sole Legal Custody: This gives one parent the right to make major decisions concerning the child. This is not ordered very often.

Physical Custody (where the child(ren) spends his/her time): Physical custody refers to the amount of time the children spend with each parent. There are three different types of physical custody a judge can order:

- Joint Physical Custody: Each parent has the children at least 40% of the time. This amounts to at least 146 days per calendar year. Judges must generally award joint physical custody to both parents unless certain exceptions apply. With joint physical custody, each parent has significant periods of time with the child. It DOES NOT MEAN that each parent has an exact equal amount of time with the child. The significant time may be worked out over longer periods such as weekly, monthly, or even annually. This may also be designated as shared physical custody. Joint physical custody does not mean that there will be no child support obligation. Usually, there is still a child support obligation of some kind from one parent to the other, depending upon the financial position in which each is left following the separation.
- **Primary Physical Custody:** One parent has the children more than 60% of the time during the year. The other parent will have "parenting time" or "visitation."
- **Sole Physical Custody**: One parent has the children 100% of the time, and the other parent has no visitation or extremely limited (possibly supervised) visitation. This is not ordered very often.

Legal Custody (choose one):

The parties agree to share JOINT LEGAL CUSTODY of the child(ren).

The parties agree that SOLE LEGAL CUSTODY of the child(ren) should be granted to the:

First Spouse

Second Spouse

Nevada is not the "home state" of the child(ren) and cannot enter custody orders.

Physical Custody (choose one):

The parties agree to share JOINT PHYSICAL CUSTODY of the child(ren) (each parent must have the child(ren) at least 40% of the time, or 146 days per year).

The petitioners agree that PRIMARY PHYSICAL CUSTODY of the minor children should be granted to the:

First Spouse

Second Spouse

The parties agree that SOLE PHYSICAL CUSTODY of the minor children should be granted to the:

First Spouse

Second Spouse

Nevada is not the "home state" of the child(ren) and cannot enter custody orders.

PARENTING AND HOLIDAY SCHEDULE REGULAR SCHEDULE: Be very specific. Include times and days of the week for each parent's timeshare with the child(ren). (Ex. Mom will have the child(ren) every Sunday at 6:00 p.m. until Thursday morning drop off at school; Dad will have child(ren) the remainder of the time.	
SUMMER SCHEDULE:	Same as Regular Schedule
	Other: (explain)
MOTHER'S DAY and MOTHER'S	☐ MOM every year from 8:00 a.m 8:00 p.m. ☐ Other: (explain)
BIRTHDAY:	

FATHER'S DAY and FATHER'S BIRTHDAY:	DAD every year from 8:00 a.m 8:00 p.m. Other: (explain)
CHILD'S BIRTHDAY:	□ EVEN years with (parent); ODD years with the other parent. □ EVERY year will be shared with both parents or time split as follows:
3 DAY WEEKENDS:	EVEN Years: MLK Jr. Day, Memorial Day, and Nevada Day, with (parent); and President's Day, Labor Day, Veteran's Day with the other parent. ODD Years: MLK Jr. Day, Memorial Day, and Nevada Day, with (parent); and President's Day, Labor Day, Veteran's Day with the other parent. *Time begins when school lets out the day before the holiday weekend and ends the day following the holiday weekend when school resumes (or 9:00 a.m.). Other: (explain)
4 th OF JULY:	EVEN years with (parent); ODD years with the other parent. Other: (explain)

EASTER / SPRING BREAK:	 □ EVEN years with (parent)
THANKSGIVING HOLIDAY:	□ EVEN years with (parent); ODD years with the other parent. *Time begins when school lets out the day before the holiday weekend and ends the day following the holiday weekend when school resumes (or 9:00 a.m.). □ Other: (explain)
HALLOWEEN:	□ EVEN years with (parent); ODD years with the other parent. □ Other: (explain)
WINTER BREAK / CHRISTMAS / NEW YEARS:	□ EVEN years: Segment 1 with (parent); Segment 2 with the other parent. □ ODD years: Segment 1 with (parent); Segment 2 with the other parent. * Segment 1: (Christmas) consists of the day school lets out until December 26 at noon; Segment 2 (New Years) consists of December 26 at noon until noon the day before school resumes. □ Other: (explain)

VACATION:	 □ The parents will not establish formal vacation plans and will instead mutually agree on vacation days and times with the child(ren). □ Each parent may have up to vacations days per year with the child(ren). The parents shall notify the other of the vacation and provide a general vacation itinerary at least days before the planned vacation. Vacation time is not allowed during a holiday allotted to the other parent. □ Other: (explain)
OTHER SPECIAL DAYS OR HOLIDAYS:	

CHILD SUPPORT - Child support is set based on a percentage of the parents "gross monthly income." Gross monthly income includes pre-tax income from all sources, including employment, tips, overtime, unemployment, and retirement. Each parent will have to provide the judge and the other parent with a financial statement, paystubs, and possibly prior tax returns so each parent's income can be determined.

✓ Complete *Worksheet A* if one party is going to have *Primary Physical Custody* of the child(ren) to determine the child support amount.

If one parent has primary or sole physical custody, the other parent will pay the following in child support:

1 child = 18% of income

2 children = 25% of income

3 children = 29% of income

For each additional child, add 2% of income

OR

✓ Complete Worksheet B if the parties will share Joint Physical Custody of the child(ren) to determine the child support amount.

If the parents share Joint Physical Custody, the court will calculate child support for both parents based on the percentages above. Then, the court will subtract the lower amount from the higher amount, and the parent with the higher income pays the difference.

* Parents are expected to pay a minimum of \$100/mo per child in child support even if the paying parent has no income. There is also a presumptive maximum amount of child support that can be ordered for higher earning parents.

If a parent is not employed, absent disability or some other compelling reason why they can't work, the court will set child support at a minimum of \$100 per month, and will typically order that the parent search for full-time employment. If the court deems a parent to be voluntarily unemployed or underemployed, then the court can set the amount at \$100 per month, or it can "impute" income (meaning it assumes for the purposes of child support) of an amount consistent with what that person should be able to earn, given their skills and experience. Thus, a parent who plays games in order to reduce the monthly obligation can be forced to pay the support that they should pay were they being honest about their employment.

- * Deviations in rare cases, child support amounts can be deviated from the above formula. The factors allowing deviation are:
 - (a) The cost of health insurance;
 - (b) The cost of child care;
 - (c) Any special educational needs of the child;
 - (d) The age of the child;
 - (e) The legal responsibility of the parents for the support of others;
 - (f) The value of services contributed by either parent;
 - (g) Any public assistance paid to support the child;
 - (h) Any expenses reasonably related to the mother's pregnancy and confinement;
 - (i) The cost of transportation of the child to and from visitation if the custodial parent moved with the child from the jurisdiction of the court which ordered the support and the noncustodial parent remained:
 - (j) The amount of time the child spends with each parent;
 - (k) Any other necessary expenses for the benefit of the child; and
 - (I) The relative income of both parents.

HEALTH INSURANCE FOR CHILD(REN)

Who will carry health insurance for the child(ren)?

First Spouse

Second Spouse

Both Spouses

Which parent should pay for any uninsured medical expenses (co-pays, deductibles, etc.) for the child(ren)?

First Spouse

Second Spouse

Both Spouses

"30/30 Rule" - Do you want to use this rule?

Yes

No

This rule helps guide parents in how to pay uninsured medical expenses. This rule requires the parents to follow these guidelines for payment.

- 1. A parent who pays a medical or dental expense for a child has 30 days to send proof of the expenses to the other parent.
- 2. The other parent then has 30 days to reimburse the other parent half the cost.

TAX EXEMPTION FOR CHILD(REN) (choose one):

Who will claim the child(ren) as a tax exemption?

First Spouse in all years.

Second Spouse in all years.

First Spouse in ODD years and Second Spouse in EVEN years.

Second Spouse in ODD years and First Spouse in EVEN years.

Other arrangement:

DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION ENFORCEMENT ACT (UCCJEA)

List the periods of residence and places where each child has lived <u>within the last 5 years</u>, and the name(s), present address and relationship to the child(ren) of each person (all adults) with whom the child(ren) has lived during that time period.

1 st Child's Name Period of Residence	Address	Person(s) with whom the child lived	Relationship
/			
/			
/			
/			

Period of Residence	Address	Person(s) with whom the child lived	Relationshi
/			
/			
/			
/			
rd Child's Name Period of Residence	Address	Person(s) with whom the child lived	Relationshi
/			
/			
/			
1			
/			
th Child's Name Period of Residence	Address	Person(s) with whom the child lived	Relationshi
,			

/
Answer each statement.
1. I/We have have not participated as a party, witness, or in any other capacity in any other litigation or custody proceeding in this or any other state concerning custody of a child involved in this proceeding. If you checked "have" above, please supply the following information about the other proceeding(s). a. Name of each child involved:
b. Your role in other proceeding(s):
c. Court, state and case number of other proceeding(s):
d. Date of court order or judgment in other proceeding(s):
2. I/We do do not know of any proceeding that could affect the current proceeding including proceedings for enforcement and proceedings related to domestic violence, protective orders, termination of parental rights and adoptions pending in a court of this or any other state concerning a child involved in this proceeding other than listed above. If you checked "do", please supply the following information about the other proceeding(s).
a. Name of each child involved:
b. Your role in other proceeding(s):
c. Court, state and case number of other proceeding(s):
d. Date of court order or judgment in other proceeding(s):

3. I/We do do not know of any person not a party to this proceeding who has physical custody or claims to have custody or visitation rights with respect to any child subject to this proceeding. If you checked "do", please supply the following information and <i>check</i> appropriate boxes below:
a. Name and address of person(s):
☐ Person named has physical custody of (name of child):
☐ Person named claims custody rights as to (name of child):
☐ Person named claims visitation rights with (name of child):
Additional Notes/Instructions:

If you are as	eet A - Primary Physical Custody Child sking for primary physical custody, fill out this worksheet a sts when one parent has the child more than 60% (219 days)	nd att	ach it to the document you are filing. Primary physical
Gros	rmine the Gross Monthly Income (GMI) of the is monthly income is the income received from all sowner, you can calculate the number with the formula on	rces.	If you do not know the parent's gross monthly
O Dete	.18 (for 1 Child) X .25 (for 2 Children) .29 (for 3 Children) .31 (for 4 Children) Add .02 for each additional children	= hild	Monthly Child Support: \$ OR \$100 per child \$ (write the higher amount) Higher Amount: \$
Usua child ②). http:/	Ally the Presumptive Maximum (rarely applicable ally, this is the maximum amount a parent may be required and can reduce – not increase – the amount that wou This amount changes every year on July 1st and can be always and searching the phrase "presumptive are using the most current chart.	iired ild be e foui	e owed under step and by going to
your	reason(s) must be based upon one of the following factors. You may request an amount of child support of reason(s) must be based upon one of the following factors of health insurance. The cost of childcare of childcare of the child of the	ctors.	
_ [parent		the child

Explain:

☐ Public assistance paid to support the child

Total Child Support:

 \square The relative income of both parents

To Determine a Parent's Gross Monthly Income:

Gross monthly income is a parent's income from all sources before taxes. To find this number, calculate the following:

	Parent 1	Parent 2
*Monthly Wages from Employment (before taxes)	\$	\$
Monthly Tip Income	\$	\$
Monthly Self-Employment Income (after business expenses)	\$	\$
Monthly Unemployment Benefits	\$	\$
Social Security	\$	\$
Social Security Disability	\$	\$
Retirement / Pension	\$	\$
Other:	\$	\$
TOTAL INCOME	\$	\$

*To Determine a Parent's Employment Income:

If you do not know a parent's gross monthly income from employment, you can calculate the number if you know the 1) hourly wage, 2) weekly income, or 3) annual income.

Gross Monthly Income	Based on Annual Income:	
Annual Income \$	÷ 12 = \$	
Gross Monthly Income	Based on Weekly Income:	
	x 52 = Annual Income \$ ÷ 12 = \$	
Gross Monthly Income	Based on Hourly Wage:	
Weekly Income \$	x # of Hours Worked per week x 52 = Annual Income \$ ÷ 12 = \$	

	d Support Calculation Worksheet sheet and attach it to the document you are filing. A joint physical att 40% (146 days) of the time calculated over a one year period.
Parent 1's Name:	Parent 2's Name:
·	te (GMI) (estimate other parent's income if unknown). all sources. If you do not know a parent's gross monthly all on the last page.
Parent 1 GMI \$18 (for 1 Child) .25 (for 2 Children) X .29 (for 3 Children) .31 (for 4 Children) Add .02 for each addition	\$ OR \$100 per child \$ (write the higher amount and use in step 3) Higher Amount: \$ OR \$100 per child \$
	Support Obligation paid by Name of higher income parent:
Usually, this is the maximum amount a parent may be read (and can <i>reduce</i> – not increase – the amount that would amount changes every year on July 1 st and can be found and searching the phrase "presumptive maximum." Maxcurrent chart.	required to pay per month per child be owed under step ③). This d by going to http://nvcourts.gov
Deviations. You may request an amount of child suppreason(s) must be based upon one of the following fac The cost of health insurance The cost of childcare Special educational needs Age of the child Parent's legal responsibility to support others The value of services contributed by either parent Public assistance paid to support the child	 □ Expenses reasonably related to the mother's pregnancy and confinement □ Cost of transportation for visitation if the custodial parent moved out of the jurisdiction □ The amount of time the child spends with each parent □ Any other necessary expenses for the benefit of the child
- I done assistance paid to support the cliffd	☐ The relative income of both parents

Explain:

Total Child Support:

To Determine a Parent's Gross Monthly Income:

Gross monthly income is a parent's income from all sources before taxes. To find this number, calculate the following:

	Parent 1	Parent 2
*Monthly Wages from Employment (before taxes)	\$	\$
Monthly Tip Income	\$	\$
Monthly Self-Employment Income (after business expenses)	\$	\$
Monthly Unemployment Benefits	\$	\$
Social Security	\$	\$
Social Security Disability	\$	\$
Retirement / Pension	\$	\$
Other:	\$	\$
TOTAL INCOME	\$	\$

*To Determine a Parent's Employment Income:

If you do not know a parent's gross monthly income from employment, you can calculate the number if you know the 1) hourly wage, 2) weekly income, or 3) annual income.

Gross Monthly Income	Based on Annual Income:	
Annual Income \$	÷ 12 = \$	
Gross Monthly Income	Based on Weekly Income:	
	x 52 = Annual Income \$ ÷ 12 = \$	
Gross Monthly Income	Based on Hourly Wage:	
Weekly Income \$	x # of Hours Worked per week x 52 = Annual Income \$ ÷ 12 = \$	