Helpful Tips

What should I know before I file these documents?

The Self-Help Center provides forms and instructions as a courtesy only. Clark County, the Eighth Judicial District Court, the Clark County Family Law Self-Help Center, and their employees **will not be liable** for errors contained within or for direct, indirect, special, or consequential damages in connection with providing this material. Many family law matters involve complex and valuable legal rights. The Self-Help Center's forms and instructions are basic, general forms and **DO NOT** fit all situations.

Why it is important to speak with an attorney?

It is always important to speak with an attorney before attempting to use self-help. It is even more important if your case involves special or complicated issues. Most family law issues affect very important legal rights, which may not be protected without the help of an attorney.

What if I do not have an attorney?

When you do not have an attorney and are representing yourself, you are responsible for understanding the law and for filing the correct legal documents. There are many exceptions in the law. If your case involves special circumstances these exceptions may apply to you. The Self-Help Center's forms do not include information about these exceptions. You can read the State of Nevada's rules and laws online, on the Nevada Legislature's website at http://www.leg.state.nv.us/ or in person at the Self-Help Center.

What else should I know?

By signing a document and filing it with the court, you agree to the following:

- You have carefully read the document;
- You understand the document;
- You agree with everything in the document;
- You are aware of all of the consequences that may occur because of filing; and
- You promise that everything in the document is true and correct to the best of your knowledge.

Helpful Tips for the Motion to Modify Custody, Visitation, and/or Child Support:

- If you are filing this motion AFTER a final Decree or Order has been filed, there is a filing fee of $25.
- A motion tells the court the facts of your case, what law applies, and what you want the court to do.
- **IMPORTANT:** If you child has not lived in Nevada for the past 6 months, the court may no longer be able to make rulings in your case. You should consult an attorney for advice on how to proceed.
- You **MUST** include a filed copy of the Decree or Order you want to modify. Copies are available from Records, located on the first floor of Family Court.
- You CAN use this packet if:
  - The court has already issued an order about custody, visitation, and child support
  - You want to change the current court order
- **NOTE:** You **cannot** use this motion if you do not already have a Nevada case.
- After you file your motion, you must serve it to the other parent or the parent's attorney if represented.
- After your hearing, you or the other party is asked to prepare an Order from the hearing. The judge's orders are not enforceable until they are put in writing, signed by the judge, and filed.

How to File a Motion to Modify Custody, Visitation, and/or Child Support

① Can I file a Motion to Modify?

Has the court already issued an order for custody, visitation, and/ or child support that you want to change?

☐ Yes

☐ No

Do you and the other parent agree on **ALL** the changes you want to make?

☐ Yes ☐ No

STOP

A motion to modify may not be right for you.

Has the child lived in Nevada for the past 6 months?

☐ No ☐ Yes

Has there been a change in circumstances since the last decree or order was filed AND is the change you want to make to the order in the best interest of the child?

☐ No ☐ Yes

② Do I have all of the forms I need?

- ☐ One (1) filed copy of the Decree or Order you want to change
- ☐ Certificate of Mailing
- ☐ Motion/Opposition Fee Information Sheet
- ☐ Financial Disclosure Form
- ☐ Motion to Modify
- ☐ UCCJEA Declaration (if child has lived in any state other than Nevada during the past five years)
- ☐ Worksheet A & Worksheet B

③ Fill out the following forms:

All Self-Help Center forms are in a fill-in-the-blank format. Use only black ink. Do not leave any lines blank on the forms. If something does not apply write "N/A".

- ☐ Family Court Motion/Opposition Fee Information Sheet
- ☐ Financial Disclosure Form
- ☐ Motion to Modify
- ☐ UCCJEA Declaration (if using)
- ☐ Worksheet A **OR** Worksheet B (if asking to change child support)

④ Notarize.

☐ The Motion to Modify must be signed in front of a notary.

⑤ File the forms you filled out in ③. The Clerk will assign a hearing date and time.

⑥ Make your Copies.

☐ Make **three copies** of the filed forms. One copy is for you, one is for the other parent and one copy should be placed in your judge's mailbox located on the 3rd floor of the Family Court.

⑦ : Serve the other parent.

- ☐ Serve the other parent by mailing him/her a copy of the filed forms in ⑤ via the U.S. Postal Service.
- ☐ Next, the person who mailed these documents to the other parent must fill out the Certificate of Mailing.
- ☐ File the Certificate of Mailing and make two copies of the filed form. One copy is for your records and one copy should be placed in your judge's mailbox located on the 3rd floor of Family Court.
- ☐ The other parent has 10 days to respond with an opposition and countermotion (optional). If the other parent files a countermotion, you have the option to file a reply to the countermotion within 10 days.

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