

**\*\*\*IMPORTANT DISCLOSURE\*\*\***

These forms and instructions are provided as a courtesy only. Clark County, the Eighth Judicial District Court, the Clark County Family Law Self-Help Center, and their employees **SHALL 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. These forms and instructions are basic general forms and **DO NOT** fit all situations. If your situation does not fit the general forms you will need to perform additional legal research or consult an attorney.

It is always recommended that you consult with an attorney before attempting to use self-help. This is especially true if your case involves unique or complicated issues. Most family law issues affect significant legal rights. Some rights cannot be adequately protected without the assistance of an attorney.

When representing yourself, you are responsible for understanding the law that governs your case and for filing the proper legal documents. The law provides for exceptions in some situations. If your case involves special circumstances these exceptions may apply to you. Self-Help Center forms do not include information on these exceptions. Applicable laws and rules are set out in the Nevada Revised Statutes, The Nevada Rules of Civil Procedure, and other local rules governing the jurisdiction in which you are filing your documents.

By signing these documents and filing them with the court, you agree to the following:

- You have carefully read the documents;
- You understand all the terms and conditions in the documents;
- You agree with everything in the documents; and
- You are aware of all of the consequences that may occur as a result of filing.

Note that if you, the other party, or your children have ties to a state other than Nevada (i.e. you recently moved here or you have orders from another state) you should consult an attorney **BEFORE** filing any documents because the court may not have jurisdiction over you. However, once you file certain documents, the court will have jurisdiction and you **WILL NOT** be able to change that.



**Helpful Tips for the Complaint to Establish Custody, Visitation, and Child Support:**

- The filing fee for the Complaint to Establish Custody, Visitation, and Child Support is **\$259**.
- Common court rules to be aware of:
  - All documents must be typed or written *neatly* in black ink
  - Stamp or write original in the center on the front page of all original documents
- You **cannot** use this packet if:
  - Paternity **has not** been established;
  - You and the other parent are **married or divorced**;
  - You **already have** a court order for custody from Nevada or another state; or
  - The children **have not** lived in Nevada for the past 6 months.
- If you need temporary relief (i.e. child support) before your case is final, you can file a motion to ask the court to put a temporary order in place.
- If you cannot find the Defendant to personally serve him or her, then you **must** get permission from the court before you can **serve by publication**.
- You must attend a COPE parenting seminar. You can attend the seminar any time before you submit your final Order paperwork to the judge.
- You may have to attend mediation through the court's Family Mediation Center to try to work through issues you and the other parent do not agree on.

*For more information about how to finish your case, please consult the Self-Help Center or an attorney.*

**Self-Help Center hotline:** (702) 455-1500    **website:** [www.clarkcountycourts.us/shc](http://www.clarkcountycourts.us/shc)

# Complaint to Establish Custody, Visitation, and Child Support

## Step 1: Can I file for custody in Nevada?

A. Have you or the other parent lived in Nevada for the past least 6 weeks?

Yes Go to Part B

No STOP

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

No

Yes



Usually, you cannot file for custody in Nevada.



Go to Step 2

## Step 3: Prepare your Forms.

Do not leave any lines blank on the forms. If something does not apply to you write "N/A".

A. **Fill out the following forms.** All Self-Help Center forms are in a fill-in-the-blank format. Use only black ink.

- Complaint to Establish Custody, Visitation, & Child Support
- Family Court Cover Sheet
- Financial Disclosure Form
- UCCJEA Declaration (if using)
- JPI (if using)
- Summons
- Worksheet A OR B

B. **File the forms you filled out.**

## Step 2: Do I have all of the forms I need?

- Affidavit of Service
- Complaint to Establish Custody, Visitation, & Child Support
- Family Court Cover Sheet
- Financial Disclosure Form
- UCCJEA Declaration (if needed)
- Joint Preliminary Injunction "JPI"(optional)
- Summons
- Worksheets A & B

**Step 4: Make copies** of the filed forms for your records.

## Step 5: Have the Defendant Served.

A. A person who is not an interested party AND who is over the age of 18 years old MUST serve the Defendant by personally giving the Defendant filed copies of the:

- Complaint to Establish Custody, Visitation, & Child Support
- Financial Disclosure Form
- JPI (if using)
- Summons

B. Next, the third party who gave these documents to the Defendant must fill out the Affidavit of Service and sign it in front of a notary.

C. File the Affidavit of Service. Be sure to keep a copy for your records.

## Step 6: Now what do I do?

A. Wait 20 days to see whether the Defendant responds by filing an answer and/or counterclaim.

B. If the Defendant files an answer, the court schedules a case management conference within 90 days. If the Defendant files a counterclaim, you have 20 days to respond with a reply.

C. If the Defendant does not file an answer within 20 days, you may ask the clerk to issue a default against the Defendant. Once the default is issued, you can submit a setting slip at Master Calendar and ask to have a "prove-up" hearing set on the judge's uncontested calendar.

Additional preparation and documents may be required for the case management conference. Contact the Self-Help Center if you have questions, need additional information, and for other available forms.