*****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 Answer and Counterclaim to Establish/Confirm Paternity, Custody, Visitation, and Child Support

- There is a **$212** filing fee to file the Answer to Complaint.
- All documents must be typed or written *neatly* in black ink.
- An answer allows you to respond to claims the Plaintiff made in the Complaint. A Counterclaim is what you file against the Plaintiff where you get to make your claims, like the Plaintiff did in the Complaint.
- You **can** use this packet if:
    - If you were served with a Complaint to Establish/Confirm Paternity, Custody, Visitation, and Child Support;
    - You want to file a Counterclaim; and
    - You agree that the custody case should be heard by a judge in Clark County, Nevada.
- You have **20 days** from the day you were served with the Complaint and Summons to file your answer and counterclaim.
- If you do not file within 20 days, the Plaintiff can obtain a **default** against you and may get everything requested in the Complaint.
- You must attend the COPE Parenting Seminar. You can attend the seminar any time before you submit your final Order paperwork to the judge. You may also have to attend mediation through the court's Family Mediation Center to try to work through any issues you and the other parent do not agree on.

If you believe that the Court does not have jurisdiction, you should see a lawyer. The rules about jurisdiction are very complicated and you could lose valuable rights if you file the wrong document.

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

Answer and Counterclaim Establish/ Confirm Paternity, Custody, Visitation, and Child Support

Step 1: Are you ready to file an answer and counterclaim?

A. Do you want to respond to a complaint **AND** file a lawsuit for custody against the Plaintiff?

☐ Yes

☐ No

B. Do you agree that the custody case should be heard by a judge in Clark County, Nevada?

☐ No

☐ Yes

STOP An Answer and Counterclaim to a Complaint may not be right for you.

GO Go to Step 2

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

☐ Answer and Counterclaim
☐ Certificate of Mailing
☐ Financial Disclosure Form
☐ Joint Preliminary Injunction "JPI"(optional, not needed if Plaintiff already filed one)
☐ Worksheet A & B

Step 3: Prepare your 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 to you write "N/A".

A. **Fill out the following forms.**

☐ Answer and Counterclaim
☐ Financial Disclosure Form
☐ JPI (if using)
☐ Worksheet A OR B

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

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

Step 5: Serve the Plaintiff.

A. Give the Plaintiff a copy of the following filed forms by mailing them via U.S. Postal Service:

☐ Answer
☐ Financial Disclosure Form
☐ JPI (if using)
☐ Worksheet A OR B

B. Next, the person who mailed these documents to the Plaintiff must fill out the Certificate of Mailing. This form does not require a notary.

C. File the Certificate of Mailing and make a copy of the filed form for your records.

Step 6: Now what do I do?

A. The Plaintiff has 20 days to file a reply to your Counterclaim. The reply is **optional** for the Plaintiff.

B. After the Plaintiff is served with the Answer, the court schedules a case management conference within 90 days.

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

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