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 Opposition & Countermotion to Motion to Modify Custody, Visitation, and Child Support:

- If you are filing this Opposition AFTER a final Decree or Order has been filed, there is a filing fee of $25.
- An Opposition tells the court the facts of your case, what law applies, and the parts of the other parent's motion that you disagree with.
- **IMPORTANT:** If your 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 **CAN** use this packet if:
  - The court has already issued an order about custody, visitation, and child support either in an Order or Decree; and
  - The other parent filed a motion to change the current court order that you do not agree with.
- After you file your opposition, you must serve it to the other parent or the parent's attorney if he/she is represented.
- *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

How to File an Opposition & Countermotion to Motion to Modify Custody, Visitation, and/or Child Support

①: Can I file an Opposition & Countermotion?

A. Did the other parent file a motion to change the current order for custody, visitation, and/or child support?

☐ Yes

☐ No

Do you and the other parent agree on **ALL** the changes being requested?

☐ Yes

☐ No

STOP A motion to modify may not be right for you.

②: Do I have all of the forms I need?

- ☐ Certificate of Mailing
- ☐ Motion/Opposition Fee Information Sheet
- ☐ Financial Disclosure Form
- ☐ Opposition & Countermotion
- ☐ UCCJEA Declaration
- ☐ Worksheet A & B

Step 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
- ☐ Opposition & Countermotion
- ☐ UCCJEA Declaration (if using)
- ☐ Worksheet A **OR** B (if asking to change child support)

④: Notarize. The Opposition & Countermotion must be signed in front of a notary.

⑤: File the forms you filled out in ③.

⑥: Make Copies. Make three copies of the filed forms. One copy is for you, one copy is for the other party, and one copy should be placed in your judge's mailbox located on the 3rd floor of Family Court.

⑦: Serve the other party.

A. Serve the other party by mailing a copy of all of the filed forms from ⑤ via the U.S. Postal Service.

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

C. 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.

⑧: Now what do I do?

A. If you filed a countermotion, the other party has 10 days to respond with a Reply.

B. You should arrive at least 20 minutes early for your hearing so that you can find the courtroom. If you are late, you may miss your hearing.

C. 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.

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