

1 (Your Name) _____
(Address) _____

2 _____
(Telephone) _____
3 (Email Address) _____

4 Self-Represented Plaintiff

5 **IN THE FIFTH JUDICIAL DISTRICT COURT OF THE**
6 **STATE OF NEVADA, IN AND FOR THE COUNTY OF _____**

9 _____
10 (Plaintiff's Name),

11 v.

12 _____
(Defendant's Name)

CASE NO.: _____

DEPT NO.: _____

15 **ANSWER AND COUNTERCLAIM TO COMPLAINT TO ESTABLISH/CONFIRM**
16 **PATERNITY, CUSTODY, VISITATION, AND CHILD SUPPORT**

17 COMES NOW, Defendant, (*your name*), _____, in Proper
18 Person and hereby files his/her Answer and Counterclaim to Plaintiff's Complaint for Divorce as
19 follows:

20 1. Defendant admits the allegations contained in paragraph(s) (*write the paragraph number(s) from*
21 *the Complaint that you agree with*) _____

22 _____
23 _____ of the
24 Complaint.

25 2. Defendant denies the allegations contained in paragraph(s) (*write the paragraph number(s) from*
26 *the Complaint that you do not agree with*) _____
27 _____

28

1 _____ of the
2 _____ of the
3 Complaint.

4 3. After reasonable investigation, this Defendant is without sufficient information to form a belief
5 as to the truth or falsity of the matters alleged in paragraph(s) (*write the paragraph number(s) that*
6 *you do not know to be true or false because you do not have enough information*) _____

7 _____ of the Complaint; the allegations
8 are therefore denied with proof demanded at trial.
9

10 **COUNTERCLAIM**

11 Defendant, as and for a Counterclaim for Divorce against Plaintiff alleges as follows:

- 12 1. That Plaintiff or Defendant, for more than six (6) weeks immediately before the filing of this
13 action, has/have been and continues to be an actual, bona fide resident of Clark County,
14 Nevada and that Plaintiff or Defendant has been actually physically present and domiciled in
15 Nevada for more than six (6) weeks prior to the filing of this action.
16 2. That the Defendant is a resident of the State of _____.
17
18 3. That the Plaintiff and Defendant (check one) have/ have not been married.

19 **4. Paternity.**

20 A. Defendant believes that the (check one) Plaintiff/ Defendant **is the father** of the
21 child(ren) listed in Paragraph 5 because: (**check all that apply**)

22 The Plaintiff and Defendant filed an Affidavit of Paternity with the Office of Vital
23 Statistics more than six (6) months before the filing of this case and it has not been
24 revoked.

25 The alleged father is named on the minor child(ren)'s birth certificate.

26 Paternity was established by a court order filed with (*name of court*)

27 _____ case number _____ on (*date*) _____.
28

1 Plaintiff and Defendant lived together at least six (6) months before the child(ren)
2 was/were born and continued to live together after the child(ren) was/were born.

3 The child(ren) was/were born within 285 days after the Plaintiff and Defendant were
4 divorced or separated.

5 The alleged father has acted and presented himself to be the child(ren)'s father.

6 Genetic tests were completed to determine the biological father of the child(ren), a
7 copy of which is/are attached.

8 Other: _____
9

10 B. Defendant believes that (*check one*) Plaintiff/ Defendant is **NOT the father** of the
11 children listed in Paragraph 5 because: (*check all that apply*)

12 The mother of the children listed in Paragraph 5 was married to another man at the time
13 the children were born.

14 The name of another man is on the children's birth certificates.

15 Genetic tests were completed to determine the biological father of the children, a copy
16 of which are attached.

17 Paternity was established by a court order filed with (*name of court*) _____
18 _____ case number _____ on (*date*) _____.

19 Other: _____
20 _____.

21 5. **Child Information.** The minor children's names, dates of birth, states and lengths of
22 residence are as follows:

23

Child's Name	Child's Date of Birth	State of Residence	Length of time child has lived in the state

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2 **6. Child(ren) Residency (*check one*):**

- 3 The children are residents of Nevada and have lived here for at least the past six
4 (6) months and, as such, this Court has the necessary UCCJEA jurisdiction to
5 enter orders regarding custody.
- 6 The children are not residents of Nevada and have not lived here for at least the
7 past six (6) months and, as such, this Court does NOT have the necessary
8 UCCJEA jurisdiction to enter orders regarding custody.

9 **7. Legal Custody.** Legal Custody involves having basic legal responsibility for a child and
10 making major decisions about the child like the child's health, education and religious
11 upbringing. (*check one*)

- 12 The children are not residents of the State of Nevada.
- 13 The Plaintiff and Defendant should be granted joint legal custody of the minor
14 children.
- 15 The Plaintiff should be granted sole legal custody of the minor children.
- 16 The Defendant should be granted sole legal custody of the minor children.

17 **8. Physical Custody.** Physical custody refers to the amount of time the child spends in the care
18 of each parent. (*check one*)

19 Joint physical custody exists when each parent has physical custody of the children at
20 least 40% (146 days) of the time calculated over a one year period.

21 Primary Physical custody exists when one parent has physical custody of the children
22 more than 60% (219 days) of the time calculated over a one year period.

- 23 The children are not residents of Nevada.
- 24 The Petitioners should be granted joint physical custody of the minor children
25 with a timeshare as outlined in Exhibit 1.
- 26 The Plaintiff should be awarded primary physical custody of the minor children
27 with the Defendant having visitation as proposed in Exhibit 1.
- 28

- 1 The Defendant should be awarded primary physical custody of the minor children
2 with the Plaintiff having visitation as proposed in Exhibit 1.

3 **9. Holiday Visitation (*check one*):**

- 4 The children are not residents of Nevada.
5 A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and
6 should take precedence when in conflict with the regular visitation schedule.
7 A copy of the proposed holiday visitation schedule is attached as Exhibit 2 and
8 should NOT take precedence when in conflict with the regular visitation
9 schedule.

10 **10. Health Insurance (*check one*):**

- 11 The Plaintiff should maintain medical and dental insurance for the minor
12 children, if available. Any deductibles and expenses not covered by insurance
13 should be paid equally by both parties.
14 The Defendant should maintain medical and dental insurance for the minor
15 children, if available. Any deductibles and expenses not covered by insurance
16 should be paid equally by both parties.
17 The Plaintiff and Defendant should both maintain medical and dental insurance
18 for the minor children if available. Any deductibles and expenses not covered by
19 insurance should be paid equally by both parties.

20 **11. Unreimbursed Medical Expenses (*check one*):**

21 30/30 Rule: Any parent incurring an out-of-pocket medical expense relating to the minor child will provide
22 to the other parent a copy of all paperwork relating to that expense within thirty (30) days of incurring said
23 expense, along with a request for contribution for one-half (½) of the out-of-pocket expense actually
24 incurred. Upon receipt of a request for contribution for one-half (½) of an out-of-pocket expense incurred
25 by a parent on behalf of the minor child, the other parent will reimburse the requesting parent in the amount
26 requested within thirty (30) days of receipt of said request for contribution. Upon receipt of reimbursement
27 from any insurance carrier by either parent, and if the other parent previously paid a portion of the payment
28 resulting in that reimbursement, the parent receiving the reimbursement shall equally divide said
reimbursement with the other parent within seven (7) days of receipt of same. Both parents have the
authority to contact the insurance provider directly in order to determine the status of any individual claim.

- The Plaintiff and Defendant ask the court to adopt the 30/30 Rule.
- The Plaintiff and Defendant ask the court to NOT adopt the 30/30 Rule.

12. **Court Order(s).** *(check one)*

- Child Support has not been set by a court.
- Child support has been set by a court order in the *(name of court)* _____, case number _____, filed on *(date)* _____. Under this order *(name of parent)* _____ is order to pay _____ dollars per month for the support of the parties' minor child(ren).

13. **Child Support Amount.** *Complete the Child Support Worksheet (Worksheet A or Worksheet B) that applies to your custody arrangement BEFORE you complete this question.*
(check one)

- Based upon the proposed physical custody arrangement the Plaintiff should pay \$_____ dollars per month for support of the parties' minor children.
- Based upon the proposed physical custody arrangement the Defendant should pay \$_____ dollars per month for support of the parties' minor children.

14. **Child Support Calculation.** The amount of child support requested was calculated based upon the following: *(check one)*

- The statutory minimum of \$100 per month, per child.
- The calculation for a primary physical custody arrangement as shown on the attached Worksheet A.
- The calculation for a joint physical custody arrangement as shown on the attached Worksheet B.
- Other: _____

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15. Wage Withholding Order (*check one*):

- The Plaintiff asks that the court order a wage withholding against the obligor parent (parent who owes child/spousal support) to secure payment of child support and spousal support, if any.
- Good cause exists to postpone the withholding of income from the obligor parent to pay child support and spousal support, if any.

16. Child Support Arrears (*check one*):

- The Plaintiff is not asking for back child support and waives his/her right to child support arrears.
- The Plaintiff is the noncustodial parent and therefore is not entitled to back child support.
- The Plaintiff asks the court to award the Plaintiff back child support from (*date*) _____ to (*date*) _____ (*max. 4 years*) and certifies that during that time period, the Defendant gave the Plaintiff a total of \$_____ for child support.
- The Plaintiff asks the court to award the Defendant back child support from (*date*) _____ to (*date*) _____ (*max. 4 years*) and certifies that during that time period, the Plaintiff gave the Defendant a total of \$_____ for child support.

1 **WHEREFORE**, Defendant prays for a Judgment as follows:

- 2 1. That, if necessary, this Court enter an order establishing the alleged father's paternity of
3 the children listed in Paragraph 5 of this Counterclaim;
4 2. That this Court enter an order establishing custody, visitation, and child support as stated
5 in this Counterclaim;
6 3. That this Court enter an order regarding medical and dental insurance coverage and the
7 payment of unreimbursed medical expenses for the minor children as stated in this
8 Counterclaim; and
9 4. For such other relief as the Court finds to be just and proper.
10

11 DATED this (*day*) _____ day of (*month*) _____, 20____.

12 Submitted By: _____
13 (*your signature*)

14 _____
15 (*print your name*)
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EXHIBIT 1

Week	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
<i>Sample</i>	Mom	Mom	Dad Pick up at 3 pm	Dad	Dad	Mom Pick up at 3 pm	Mom
Week #1							
Week #2							
Week #3							
Week #4							

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EXHIBIT 2

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Check box if this holiday applies:	Holiday:	Time (circle a.m. or p.m.):	Every Year	Even Years	Odd Years
<input type="checkbox"/>	New Year's Eve	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	New Year's Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Martin Luther King, Jr. Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Presidents' Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Passover	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Easter	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Memorial Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Mother's Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Father's Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	4th of July	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Labor Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Rosh Hashanah	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Yom Kippur	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Nevada Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Halloween	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Veterans Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Thanksgiving Day	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad

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<input type="checkbox"/>	Chanukkah (Days): _____	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Chanukkah (Days): _____	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Christmas Eve	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Christmas	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Father's Birthday	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Mother's Birthday	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>	Child's Birthday	From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>		From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom Dad
<input type="checkbox"/>		From: _____ a.m./p.m. To: _____ a.m./p.m.	Mom Dad	Mom Dad	Mom